



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARING ON PROPOSED REVISIONS TO 30 TAC CHAPTER 116 AND TO THE STATE IMPLEMENTATION PLAN

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, §§116.13, 116.710, 116.711, 116.715, 116.716, 116.717, 116.718, 116.721, and 116.765, 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 §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs. If adopted §§116.13; 116.710; 116.711(1), (2)(A), (B) and (C)(i) and (ii), (D) - (J), and (L) - (N); 116.715(a) - (e) and (f)(1) and (2)(B); 116.716; 116.717; 116.718; 116.721; and 116.765, will be submitted to the EPA as revisions to the SIP.

The proposed rulemaking would revise the Flexible Permit Program (FPP) rules by deleting portions of rule language adopted in 2010 that are no longer necessary for SIP approval. The rule language proposed for deletion primarily relates to monitoring, recordkeeping, reporting, and applicability of federal major New Source Review (NSR) requirements. Select portions of the 2010 amendments which EPA has identified as necessary for SIP approval would remain. Once submitted to EPA, this rulemaking is expected to result in satisfying the condition for the approval of the FPP as a Texas minor NSR permitting program.

The commission will hold a public hearing on this proposal in Austin on March 18, 2014, at 10:00 a.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. 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 Derek Baxter, 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 2014-001-116-AI. The comment period closes March 24, 2014. 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. For further information, please contact Michael Wilhoit, Air Permits Division, at (512) 239-1222 or Janis Hudson, Environmental Law Division, at (512) 239-0466.