

## **Comments From MERA Workgroup Not Incorporated Into Document March 2008**

Following are comments made by workgroup participants that were not incorporated into the document. We emphasize again that the MERA flowchart is a screening tool that may not be useful for all projects. The MERA flowchart is not intended to cover every scenario. The applicant can ask for APD review on a case-by-case basis for any step within the guidance document.

**Comment 1:** For step 1B, commenter asks that decreases be included in the calculation for determining annual emission increases  $\leq 10\%$  of the current authorized annual emissions.

**Response 1:** Since this step is in the early stage of the MERA flowchart, for simplicity, project netting is not considered at this point of the process. Emission netting adds complexity to the permit reviewing process.

**Comment 2:** For step 3, commenters believe the proposed 1% allowable increase from emission reductions coupled with  $\geq 30\%$  decrease over the past 5 years does not provide adequate incentive or reward. Commenters recommend allowing a higher (up to 10%) increase in emission reductions.

**Response 2:** TCEQ staff did not incorporate this recommendation for the following reasons:

- (1.) Increase of 1% is intended to be small for screening purposes;
- (2.) Purpose of APWL areas is to lower concentrations of constituents of concern, so increase in impact is discouraged;
- (3.) Minimize stacking from multiple use of this step.

**Comment 3:** For APD review, commenter believes “pollution controls” and “best management practices” do not belong in an impacts review.

**Response 3:** TCEQ agrees that “pollution controls” and “best management practices” belong in a BACT evaluation. However, there may be situations in which additional controls/best management practices may be required to satisfy the health effects review or Commission/enforcement orders.

**Comment 4:** Commenter believes that if you answer “No” to Step 7A, there should be a link between Step 7A and Step 7C both on the flowchart and in the text document prior to going to Step 8.

**Response 4:** An applicant cannot proceed directly from Step 7A to Step 7C because both Step 7A and Step 7B must be evaluated to determine both hourly and annual improvement prior to Step 7C

Below comments were received based on the version sent in January 2008.

**Comment 5:** Commenter suggests that TCEQ consider inserting text into the document similar to: “The percentages and required reduction offsets are guidelines. As an option, permit reviewers may discuss projects with very small emission increases, such as fugitive emission increases, with APD management before requiring sitewide modeling.” Also, if it is known that an individual site has very low emission rates and doesn’t significantly contribute to the APWL issue, TCEQ should use engineering judgment in this review step. This type of approach would provide a little more flexibility in the review process for APWL areas.

**Response 5:** Similar language has already been included in the “Using the Modeling and Effects Review Section” near the beginning of the document and is stated above.

**Comment 6:** Commenter suggests renumbering Steps 8 and 9 to improve readability.

**Response 6:** The TCEQ believes that the numbering sequence of modeling and impact steps in the document is appropriate and consistent with the current numbering.

**Comment 7:** Commenter suggests rewording Step 1A to include annual emissions that stay the same.

**Response 7:** The current Step 1 becomes Step 1A. There has been no change to this step.

**Comment 8:** Commenter suggests the following, “Why not reword 1A and include and included step 1C and then remove 1C from the chart?”

**Response 8:** Step 1C has been added to allow for netting in both short-term and annual emissions.

**Comment 9:** Commenter suggests that the use of netting be allowed for Steps 4 and 5 as long as an APD review confirms that the decreases included in the netting will have similar impact offsets.

**Response 9:** The TCEQ has included this type of approach in Step 1C and this type of approach may be part of an APD review.