

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 1, 2016

U.S. Environmental Protection Agency
Docket ID No. EPA-R06-OAR-2010-0861
[Submitted electronically through www.regulations.gov]

Re: Title 40 Code of Federal Regulations (CFR) Part 52
Approval and Promulgation of Implementation Plans; Texas; Revisions to the
General Definitions for Texas New Source Review (NSR) and the Minor NSR
Qualified Facilities Program; Proposed Rule

Dear Ms. Wiley:

The Texas Commission on Environmental Quality (TCEQ) appreciates the opportunity to respond to the U.S. Environmental Protection Agency's (EPA) notice published in the May 2, 2016 issue of the *Federal Register* entitled: "Approval and Promulgation of Implementation Plans; Texas; Revisions to the General Definitions for Texas New Source Review and the Minor NSR Qualified Facilities Program." The EPA's proposed rule would approve as a State Implementation Plan (SIP) revision severable portions of amendments to the General Definitions for the Texas NSR program, and the Minor NSR Qualified Facilities Program, submitted by the TCEQ on March 13, 1996; July 22, 1998; September 11, 2000; September 4, 2002; and October 5, 2010. The EPA also proposes to disapprove a severable portion (subparagraph F) of the General Definition of "modification of existing facility" relating to certain changes at natural gas processing, treating, or compression facilities, submitted by the TCEQ on October 5, 2010. The TCEQ provides the following comments on the proposed rule.

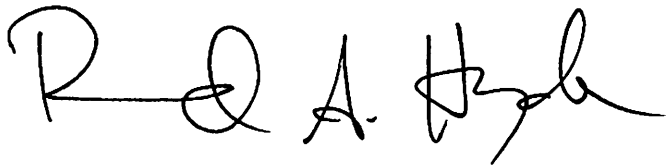
The TCEQ agrees with the EPA's conclusion that the Qualified Facilities Program as submitted is approvable as a component of the Texas Minor NSR program because it cannot be used to authorize the emission of a new air contaminant or the construction of a new source, cannot be used to lessen the already-required level of control technology in the existing permits or reduce the permitted monitoring and recordkeeping requirements, does not result in a net increase in allowable emissions, and will not result in degradation of air quality. The TCEQ also agrees with the EPA's determination that the other definition and rule changes the EPA has proposed to approve in this action are consistent with applicable federal Clean Air Act requirements. Therefore, the TCEQ supports the proposed approval of these rules as a revision to the Texas SIP.

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If you have any questions concerning these comments, please contact Mr. Michael
Wilson, P.E., Director, Air Permits Division, Office of Air, (512) 239-1922, or at
mike.wilson@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Hyde". The signature is fluid and cursive, with the first name "R" being a large capital letter, followed by a period and the initials "A. Hyde".

Richard A. Hyde, P.E.
Executive Director