# TCEQ LogoNational Comments

# Executive Review Summary

# ****TCEQ Proposed Comments On:****

Notice of Public Hearing and Reopening of Public Comment Period; 84 *Federal Register* 2858; February 8, 2019; Docket ID No. EPA-HQ-OAR-2018-0226; Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards.

# ****Overview of Proposal:****

On November 14, 2018, the United States Environmental Protection Agency (EPA) published in the *Federal Register* a proposed determination that the Dallas-Fort Worth (DFW) and Houston-Galveston-Brazoria (HGB) areas failed to attain the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) by the applicable deadline of July 20, 2018. This results in a reclassification by operation of law to the designation of “serious.” On December 14, 2018, the Texas Commission on Environmental Quality (TCEQ) submitted comments on this proposed action. However, in response to a request for public hearing, the EPA reopened the comment period and announced a public hearing for February 15, 2019. Further, the EPA will accept additional written comments on the proposal until February 22, 2019.

# ****Summary of Comments:****

* Reclassification should be delayed allowing the EPA to work collaboratively with the TCEQ in reviewing air monitoring data from 2018 that would result in a 2018 design value that would attain the 2008 eight-hour ozone NAAQS.
* The TCEQ recommends an 18-month submittal deadline for all reasonably available control measures (RACM), including reasonably available control technology (RACT), necessary for demonstrating attainment for the HGB and DFW reclassified nonattainment areas.
* The TCEQ recommends that RACT state implementation plan submission deadlines precede RACT implementation deadlines.
* The TCEQ requests that the EPA expeditiously provide timely guidance for states regarding how to address the impact of background ozone on nonattainment areas.

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**Office of Legal Services: Terry Salem /OLS/Environmental Law Division**

**Deputy Director Approval: Tonya Baer/Office of Air**

**EPA Deadline:** February 22, 2019