

**RESPONSE TO COMMENTS RECEIVED REGARDING THE LEAD  
INFRASTRUCTURE DEMONSTRATION FOR THE 2008 LEAD NATIONAL  
AMBIENT AIR QUALITY STANDARD**

The commission offered a public hearing for the proposed state implementation plan (SIP) revision on July 25, 2011, at 10:00 a.m. at the Texas Commission on Environmental Quality (TCEQ) Headquarters in Austin. A question and answer session was held 30 minutes prior to the meeting. The hearing was not officially opened, because no party indicated a desire to give comment.

The public comment period opened on June 24, 2011, and closed on July 29, 2011. The commission received written comments from the United States Environmental Protection Agency (EPA) Region 6.

**GENERAL COMMENTS**

The EPA requested that the section of the infrastructure demonstration concerning Federal Clean Air Act (FCAA), §110(a)(2)(B), include the statement, "Texas submits annual monitoring plans to EPA which describe how the State has complied with the monitoring requirements and explain any proposed changes."

**The TCEQ submits annual monitoring reports to the EPA, and agrees with this comment. This statement has been added to the §110(a)(2)(B) section of the infrastructure demonstration.**

The EPA indicated that, if appropriate, the section of the infrastructure demonstration concerning FCAA, §110(a)(2)(E), should note that the state complies with the requirements of FCAA, §128 concerning State Boards and Executive Agency heads, and include any relevant citations.

**The TCEQ has clarified that the statutory authority listed in an earlier section of the infrastructure demonstration ensures that Texas can meet the requirements of §128 of the FCAA. The infrastructure demonstration states for §110(a)(2)(E) that "The TCEQ relies on the complete statutory and regulatory authority as referenced throughout this document." The statutory authority includes Texas Water Code, Chapter C: Texas Natural Resources Commission, which includes the statutory requirements for the eligibility and selection of the commissioners of the TCEQ. These requirements ensure that Texas is in compliance with the FCAA, §128. The section of the demonstration referenced by the EPA, however, is the listing of TCEQ rule chapters that have been submitted to the SIP. Therefore, a specific statutory citation in this section of the document is unnecessary.**