

NOTICE OF PUBLIC HEARINGS ON PROPOSED REVISIONS TO 30 TAC CHAPTER  
114 AND TO THE STATE IMPLEMENTATION PLAN AND ON PROPOSED  
REVISIONS TO TEXAS EMISSIONS REDUCTION PLAN GUIDELINES

The Texas Commission on Environmental Quality (commission or TCEQ) will conduct public hearings to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution From Motor Vehicles, §114.680 and §114.682; 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 concerning SIPs.

The commission will also receive testimony regarding proposed revisions to the guidelines for the Drayage Truck Incentive Program (DTIP) and the Diesel Emissions Reduction Incentive (DERI) Program, entitled *Texas Emissions Reduction Plan: Guidelines for the Drayage Truck Incentive Program (RG-524)* and *Texas Emissions Reduction Plan: Guidelines for Emissions Reduction Incentive Grants (RG-388)*.

The proposed rulemaking would amend several criteria pertaining to the DTIP. Corresponding revisions to the DTIP guideline are proposed to make the guideline consistent with the proposed rule changes. The proposed rulemaking and guideline revisions would add other cargo handling equipment to the list of equipment eligible for replacement under the DTIP and would remove the requirement that a drayage truck being purchased must have a day cab only. The definition of a seaport in the DTIP rules and guidelines would be amended to include publically and privately owned property within a ship channel security district established under Texas Water Code, Chapter 68.

Additional changes are proposed to the DERI Program and DTIP guidelines, in addition to the changes to make the DTIP guidelines consistent with the proposed rule changes. The guidelines for both programs would be revised to remove the authorization for the executive director to allow an engine replaced under the DERI Program or the DTIP to be sent to a remanufacturing facility in lieu of destruction. The DTIP guideline revisions would also remove the requirement that, in order to be eligible for replacement or purchase, a non-road yard truck must have an engine rated at greater than 125 horsepower.

The commission will hold public hearings on the proposed rulemaking and the proposed revisions to the guidelines in Austin on April 12, 2016 at 10:00 a.m. in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle, and in Houston on April 14, 2016 at 6:00 p.m. in Conference Room B, at the Houston-Galveston Area Council located at 355 Timmons, Suite 120. The hearings will be 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 proposals 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 on the proposed rulemaking 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://www1.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the eComments system. Comments on the proposed rulemaking should reference Rule Project Number 2016-004-114-AI.

Comments on the guideline revisions may be included with comments on the proposed rulemaking or may be submitted separately. Separate electronic comments pertaining solely to the guideline revisions should reference Non-Rule Project Number 2016-011-OTH-NR and may be submitted at: <http://www1.tceq.texas.gov/rules/ecomments/>. Separate written comments pertaining solely to the guideline revisions may be submitted to Steve Dayton, MC 204, Implementation Grants Section, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to (512) 239-0077.

The comment period closes on April 18, 2016. Copies of the proposed rulemaking can be obtained from the commission's website at [http://www.tceq.texas.gov/nav/rules/propose\\_adopt.html](http://www.tceq.texas.gov/nav/rules/propose_adopt.html). Copies of the proposed revisions to the guidelines can be obtained from the commission's TERP program website at <http://www.terpgrants.org>. For further information, please contact Steve Dayton of the Implementation Grants Section at (512) 239-6824.