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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

Notice of Public Comment Period and Public Meetings Concerning Proposed Revisions to the *Texas Emissions Reduction Plan (TERP) Guidelines for Emissions Reduction Incentive Grants, RG-388 (ERIG guidelines)* and the *TERP Guidelines for the Drayage Truck Incentive Program, RG-524 (DTIP guidelines)*

The executive director of the Texas Commission on Environmental Quality (TCEQ, agency, or commission) is issuing this public notice of proposed revisions to the ERIG guidelines and DTIP guidelines to obtain public input.

The TERP was established by the Texas Legislature in 2001. The primary purpose of the TERP is to provide financial incentives (grants) for projects intended to reduce the nitrogen oxides emissions and other pollutants from on-road vehicles and non-road equipment. Certain areas of the state have ground-level ozone levels that exceed the National Ambient Air Quality Standards (NAAQS) established under the Federal Clean Air Act. The TERP was established to help these areas come into compliance with the federal requirements and to help other areas in the state that are facing air quality challenges.

The ERIG guidelines were originally adopted in 2001 to implement the TERP Diesel Emissions Reduction Incentive Program (DERI program) established under Texas Health and Safety Code (THSC), Chapter 386, Subchapter C. The DERI program was established to provide grants to owners and operators of heavy-duty on-road vehicles, non-road equipment, marine vessels, locomotives, and stationary equipment to replace or upgrade their older vehicles, equipment, and/or engines with newer, cleaner models. The proposed revisions to the ERIG guidelines incorporate changes made to the DERI program by Senate Bill (SB) 1731, enacted by the 85th Texas Legislature, 2017.

The DTIP guidelines were originally adopted in 2014 to implement the TERP Drayage Truck Incentive Program under THSC, Chapter 386, Subchapter D-1. The DTIP was established to provide grants for owners and operators to replace drayage trucks operating at and through the seaports and rail yards located in the areas of the state designated by the United States Environmental Protection Agency as nonattainment for ground-level ozone under the NAAQS. The revisions to the DTIP guidelines would change the name of the DTIP to the Seaport and Rail Yard Areas Emissions Reduction (SPRY) Program, expand the list of eligible vehicles and equipment, and make other changes to the program as required under SB 1731.

Public meetings are scheduled for: January 23, 2018, at 2:00 p.m., at the North Central Texas Council of Governments, Metroplex Room, 616 Six Flags Drive, Suite 200, Arlington, Texas; January 25, 2018, at 2:00 p.m., at the Texas Department of Transportation, Houston District Office, Room 109, 7600 Washington Ave, Houston,

Texas; and January 26, 2018, and at 2:00 p.m., at the Texas Commission on Environmental Quality, Building E, Room 201S, 12100 Park 35 Circle, Austin, Texas. The guidelines are not a rulemaking under Texas Government Code, Chapter 2001, but the meetings will be conducted like a public hearing for rulemaking. Staff will be available for a limited time after public comments are received to answer questions regarding the guidelines.

Comments may be submitted in writing or may be provided at one of the public meetings. Written comments submitted separate from a public meeting may be sent in writing to Mr. Stephen Dayton, Texas Commission on Environmental Quality, Air Quality Division, Implementation Grants Section, MC 204, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to Mr. Stephen Dayton at (512) 239-0077. 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. All comments should reference Non-Rule Project Number 2018-011-OTH-NR and should identify whether the comment pertains to the ERIG guidelines or the DTIP (SPRY) guidelines.

The public comment period closes February 6, 2018. Electronic copies of the proposed revisions to the ERIG guidelines and DTIP (SPRY) guidelines may be viewed and downloaded at <http://www.terpgrants.org>. Written copies of the documents may be requested by calling the TERP toll-free number at 800-919-TERP (8377).

Persons who have special communication or other accommodation needs who are planning to attend a public meeting should contact the TCEQ at 800-919-8377. Requests should be made as far in advance as possible.

For further information about these documents or the public meetings, please call the TERP toll-free number at 800-919-8377.