



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARING ON PROPOSED REVISIONS TO 30 TAC CHAPTER 1, 39, 50, 55, 70, AND 80 AND TO THE STATE IMPLEMENTATION PLAN

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 1, Purpose of Rules, General Provisions, §1.11; Chapter 39, Public Notice, §§39.405, 39.419, and 39.602; Chapter 50, Action on Applications and Other Authorizations, §§50.115, 50.119, and 50.143; Chapter 55, Requests for Reconsideration and Contested Case Hearings; Public Comment, §§55.156, 55.201, 55.203, 55.205, 55.210, and 55.211; Chapter 70, Enforcement, §70.10 and §70.106; and Chapter 80, Contested Case Hearings, §§80.4, 80.6, 80.17, 80.25, 80.105, 80.108, 80.117, 80.118, 80.127, 80.252, 80.267, 80.272 - 80.274, and proposed new §80.276; 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 (EPA) concerning SIPs. The amendments to §39.405(g)(3) and §39.419(e)(1) are proposed as revisions to the SIP. The amendment to §55.156(e) is proposed as a revision to the SIP, or, in the alternative, existing §55.156 is proposed to be withdrawn from the SIP.

The proposed rulemaking would implement changes made by Senate Bill (SB) 709, 84th Texas Legislature, 2015, Regular Session, to the Texas Water Code, Chapter 5, and Texas Government Code, Chapter 2003 regarding contested case hearings (CCH) on certain applications received by the commission, requests for CCH by individual entities and groups or associations, determination of affected persons and disputed issues for CCH, procedures for CCH, and providing web-based and mailed notice of permit applications. In addition, the rulemaking is proposed to implement changes made by SB 1267, 84th Texas Legislature, 2015, Regular Session, to the Texas Administrative Procedure Act regarding the procedures for providing notice of the commission's decisions or orders, and the procedures and timelines concerning motions for rehearing.

The commission will hold a public hearing on this proposal in Austin on September 15, 2015 at 2:00 in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle. The hearing is 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 proposal 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 may be submitted to Sherry Davis, 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. All comments should reference Rule Project Number 2015-018-080-LS. The comment period closes September 21, 2015. Copies of the proposed rulemaking can be obtained from the commission's website at http://www.tceq.texas.gov/rules/propose_adopt.html. For further information, please contact Janis Hudson, Environmental Law, (512) 239-0466.