

Effective: June 25, 2015

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

2013-049-117-AI

NO_x RACT Rules for the DFW 2008 Eight-Hour Ozone Nonattainment Area

Chapter 117

Control of Air Pollution from Nitrogen Compounds
Subchapters A, B, C, G, H

1. **Purpose.** This change transmittal provides the page(s) that reflect changes and additions to the Texas Commission on Environmental Quality (TCEQ or commission) Volume of Permanent Rules.
2. **Explanation of Change.** On June 3, 2015, the commission adopted amendments to §§117.10, 117.400, 117.423, 117.425, 117.430, 117.435, 117.440, 117.445, 117.450, 117.454, 117.456, 117.1303, 117.1310, 117.1325, 117.1335, 117.1340, 117.1345, 117.1350, 117.1354, 117.8000, 117.9800, and 117.9810; the repeal of §§117.200, 117.203, 117.205, 117.210, 117.215, 117.223, 117.225, 117.230, 117.235, 117.240, 117.245, 117.252, 117.254, 117.256, 117.1100, 117.1103, 117.1105, 117.1110, 117.1115, 117.1120, 117.1125, 117.1135, 117.1140, 117.1145, 117.1152, 117.1154, 117.1156, 117.9010, and 117.9110; and new §117.452 *without changes* to the proposed text as published in the December 26, 2014, issue of the *Texas Register* (39 TexReg 10337) and, therefore, were not republished. The commission also adopted amendments to §§117.403, 117.410, 117.9030, and 117.9130; and new §117.405 *with changes* to the proposed text.

The adopted new, amended, and repealed sections of Chapter 117 will be submitted to the United States Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP), except for: §§117.210(c), 117.225, 117.405(d), 117.410(d), 117.425, 117.1110(b), 117.1125, 117.1310(b), and 117.1325. Sections 117.210(c), 117.225, 117.410(d), 117.425, 117.1110(b), 117.1125, 117.1310(b), and 117.1325 correspond to portions of the existing rule previously excluded from the EPA-approved Texas SIP and will not be submitted with this revision. Similarly, adopted new §117.405(d) will not be submitted to the EPA as a SIP revision.

3. **Effects of Change.** The adoption would revise Chapter 117 to implement reasonable available control technology (RACT) for all major sources of nitrogen oxides (NO_x) in the Dallas-Fort Worth 2008 eight-hour ozone moderate nonattainment area consisting of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties, as required by Federal Clean Air Act, Section 172(c)(1) and Section 182(f). The adoption would extend implementation of RACT to major

sources of NO_x located in newly designated Wise County. Although not necessary to satisfy RACT requirements, the adoption would provide compliance flexibility to testing requirements of Chapter 117 for temporary boilers and process heaters, and it would clarify the definition of electric power generating system to distinguish rule requirements for independent power producers located in all Texas ozone nonattainment areas.