Effective: November 22, 2018

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project No. 2018-003-116-AI

HB 4181: Update to Applicable Requirements for New Source Review and Federal Operating Permits

Chapter 116
Control of Air Pollution by Permits for New Construction or Modification
Subchapters B, C, D, and F

Chapter 122
Federal Operating Permits Program
Subchapters B, C, D, and F

1. **Purpose.** This change transmittal provides the pages that reflect changes to the Texas Commission on Environmental Quality (TCEQ or commission) Volume of Permanent Rules.

2. **Explanation of Change.** On October 31, 2018, the commission adopted amendments to §§116.114, 116.160, 116.164, 116.196, 116.198, 116.310, 116.611, and 116.615. The amendment to §116.114 was adopted with change to the proposed text as published in the May 25, 2018, issue of the Texas Register (43 TexReg 3297) and, therefore, was republished. The amendments to §§116.160, 116.164, 116.196, 116.198, 116.310, 116.611, and 116.615 were adopted without change to the proposed text, and, therefore were not republished.


The commission also adopted amendments to §§122.143, 122.146, 122.165, 122.204, 122.210, 122.241, 122.320, 122.345, and 122.503 – 122.505 without change to the proposed text as published in the May 25, 2018, issue of the Texas Register (43 TexReg 3310) and, therefore, were not republished.

The adopted revisions to §§122.143, 122.146, 122.165, 122.204, 122.210, 122.241, 122.320, 122.345, and 122.503 – 122.505 were submitted to the EPA for approval as a revision to the TCEQ's Federal Operating Permits Program.
3. **Effects of Change.** The adopted rulemaking implements provisions of House Bill 4181, 85th Texas Legislature, 2017, Regular Session, which granted the commission with the authority to provide certain notices relating to new source review air permitting and federal operating permits in an electronic format. The adopted rulemaking clarifies notification and registration requirements for changes at facilities authorized by air quality standard permits; clarifies requirements for Prevention of Significant Deterioration review of greenhouse gas emissions; clarifies renewal requirements for Plant-wide Applicability Limit Permits; clarifies requirements for compliance certifications; revises the documentation required for certain federal operating permit actions; allows for the use of an electronic method to transmit renewal notices to permit holders of Site Operating Permits and General Operating Permits; and makes various updates and revisions to sections in Chapters 116 and 122.