Effective: May 31, 2018

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Permanent Rule Change

Rule Project Number 2017-027-039-LS
SB 1045: Public Notice Requirements for Certain Air Permit Applications

Chapter 39
Public Notice
Subchapters H and K

Chapter 55
Requests for Reconsideration and Contested Case Hearings; Public Comment
Subchapter E

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

2. Explanation of Change. On May 9, 2018, the commission adopted amendments to §39.411 and §39.603. The amendment §39.411 was adopted with change to the proposed text as published in the December 1, 2017, issue of the Texas Register (42 TexReg 6676) and, therefore, the text of the rule was republished. The amendment to §39.603 was adopted without change to the proposed text and therefore, the text of the rule was not republished.

The commission also adopted an amendment to §55.152 without change to the proposed text as published in the December 1, 2017, issue of the Texas Register (42 TexReg 6685) and, therefore, the text of the rule was not republished.

The amendments to §§39.411(e)(10) and (11)(A)(v) and (vi) and (F), (f) (introductory paragraph), and (f)(8); 39.603; and 55.152(a)(3), (4), (7), and (8) will be submitted to the United States Environmental Protection Agency as revisions to the state implementation plan.

3. Effects of Change. This adopted rulemaking implements Senate Bill 1045 from the 85th Texas Legislature, 2017, which consolidates publication of the Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision for certain air quality case-by-case permit applications into one notice with a 30-day period to submit comments and requests for a public meeting or contested case hearing.