

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AGENDA ITEM REQUEST
for Proposed State Implementation Plan Revision

AGENDA REQUESTED: April 03, 2025

DATE OF REQUEST: March 14, 2025

INDIVIDUAL TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED: Jamie Zech, Agenda Coordinator, (512) 239-3935

CAPTION: Docket No. 2025-0112-SIP. Consideration for proposal of the Collin County Second 10-year Maintenance Plan State Implementation Plan (SIP) Revision for the 2008 lead National Ambient Air Quality Standard (NAAQS).

The proposed SIP revision would provide the second maintenance plan that will ensure the Collin County area remains in attainment of the 2008 lead NAAQS through 2037, as required by §175A(b) of the federal Clean Air Act. (Eugenia Reynoso, Amy Browning; Project No. 2024-042-SIP-NR).

Richard C. Chism

Director

Donna F. Huff

Division Deputy Director

Jamie Zech

Agenda Coordinator

Copy to CCC Secretary? NO ☒ YES ☐

Texas Commission on Environmental Quality

Interoffice Memorandum

To: Commissioners **Date:** March 14, 2025

Thru: Laurie Gharis, Chief Clerk
Kelly Keel, Executive Director

From: Richard C. Chism, Director *RCC*
Office of Air

Docket No.: 2025-0112-SIP

Subject: Commission Approval for Proposal of the Collin County Second 10-Year Maintenance Plan State Implementation Plan (SIP) Revision for the 2008 Lead National Ambient Air Quality Standard (NAAQS)

Collin County Lead Second 10-Year Maintenance Plan SIP Revision
Project No. 2024-042-SIP-NR

Background and reason(s) for the SIP revision:

On October 15, 2008, the U.S. Environmental Protection Agency (EPA) revised the lead NAAQS from 1.5 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to 0.15 $\mu\text{g}/\text{m}^3$. Effective December 31, 2010, EPA designated an area surrounding Exide Technologies (Exide) located in Frisco, Collin County, as nonattainment for the 2008 lead NAAQS (75 *Federal Register* (FR) 71033). On October 10, 2012, the commission submitted to EPA the required attainment demonstration SIP revision for the Collin County 2008 lead NAAQS nonattainment area as well as an Agreed Order with Exide as the enforceable control strategy (Project Nos. 2011-001-SIP-NR and 2011-024-MIS-NR).

On June 4, 2012, the City of Frisco and Exide entered into an agreement under which Exide would sell undeveloped land around the facility while retaining responsibility for cleaning up the permitted plant site. In a letter dated October 9, 2012, Exide informed TCEQ that it was closing the plant and would cease all lead recycling operations by November 30, 2012. Exide permanently shut down the facility and completed decontamination and demolition of the site on August 15, 2013.

Monitoring data showed three-month rolling averages consistently below the NAAQS beginning January 1, 2013, and by December 31, 2015, the area achieved compliance with the 2008 lead NAAQS. On November 2, 2016, TCEQ submitted to EPA a SIP revision requesting redesignation of the nonattainment area to attainment for the 2008 lead NAAQS and a 10-year maintenance plan for the area (Project No. 2016-003-SIP-NR). EPA redesignated the Collin County 2008 lead NAAQS nonattainment area to attainment and approved the 10-year maintenance plan, effective September 27, 2017 (82 FR 29426).

Section 175A(b) of the federal Clean Air Act (FCAA) requires the submission of an additional maintenance plan eight years after an area is redesignated to attainment that covers the second 10 years of the maintenance planning period. Therefore, an updated maintenance plan for the period of September 2027 through September 2037 is required to be submitted to EPA by September 27, 2025.

Scope of the SIP revision:

A.) Summary of what the SIP revision would do:

This SIP revision would provide a second 10-year maintenance plan that ensures the Collin County area remains in attainment of the 2008 lead NAAQS through 2037, as required by FCAA §175A(b).

B.) Scope required by federal regulations or state statutes:

FCAA, §175A(b) requires a state to submit to EPA a SIP revision for maintaining the primary NAAQS for a second 10-year period eight years after the redesignation of an area to attainment.

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C.) Additional staff recommendations that are not required by federal rule or state statute:
None.

Statutory authority:

The authority to propose and adopt SIP revisions is derived from FCAA, §110, which requires states to submit SIP revisions that contain enforceable measures to achieve the NAAQS; FCAA, §175A, regarding maintenance plans; and other general and specific authority in Texas Water Code, Chapters 5 and 7, and Texas Health and Safety Code, Chapter 382.

Effect on the:

A.) Regulated community:

There would be no new impact since Exide ceased operations and permanently shut down the plant on August 15, 2013.

B.) Public:

If approved by EPA, the public would benefit from continued maintenance of air quality and the lead NAAQS in Collin County.

C.) Agency programs:

The agency will continue to use existing resources to monitor ambient air quality.

Stakeholder meetings:

If the proposed Collin County Lead Second 10-year Maintenance Plan SIP Revision is approved by the commission for public comment and public hearing, then a formal public comment period would be opened, and a public hearing would be offered.

Public Involvement Plan

Yes.

Alternative Language Requirements

No.

Potential controversial concerns and legislative interest:

None. The Collin County area continues to attain the 2008 lead NAAQS, and the facility associated with the initial nonattainment designation is permanently shut down.

Would this SIP revision affect any current policies or require development of new policies?

No.

What are the consequences if this SIP revision does not go forward? Are there alternatives to this SIP revision?

The commission could choose to not comply with the FCAA, §175A(b) requirement to submit a second 10-year maintenance plan for the 2008 lead NAAQS for the Collin County area by September 27, 2025. Not submitting a timely or complete SIP revision would lead to EPA issuing a finding of failure to submit, which would start sanctions and federal implementation plan (FIP) clocks. EPA would be required to promulgate a FIP any time within two years after finding TCEQ failed to make the required submission. Sanctions could include transportation funding restrictions, grant withholdings, and 2 to 1 emissions offsets requirement for permitting of new construction and major modifications of stationary sources in the Collin County maintenance area. These clocks would stop only if EPA received, and deems complete, the required maintenance plan submittal.

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Key points in the proposal SIP schedule:

Anticipated proposal date: April 3, 2025

Anticipated public hearing date: May 2025

Anticipated public comment period: April – May 2025

Anticipated adoption date: September 10, 2025

Agency contacts:

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cc: Chief Clerk, 2 copies
Executive Director's Office
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REVISIONS TO THE STATE OF TEXAS AIR QUALITY
IMPLEMENTATION PLAN FOR THE CONTROL OF LEAD AIR
POLLUTION

COLLIN COUNTY MAINTENANCE AREA



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
P.O. BOX 13087
AUSTIN, TEXAS 78711-3087

**COLLIN COUNTY SECOND 10-YEAR MAINTENANCE PLAN
STATE IMPLEMENTATION PLAN REVISION FOR THE 2008
LEAD NATIONAL AMBIENT AIR QUALITY STANDARD**

PROJECT NUMBER 2024-042-SIP-NR

Proposal
April 3, 2025

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EXECUTIVE SUMMARY

On October 15, 2008, the U.S. Environmental Protection Agency (EPA) revised the lead National Ambient Air Quality Standard (NAAQS) from 1.5 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to a level of 0.15 $\mu\text{g}/\text{m}^3$. Effective December 31, 2010, EPA designated an area surrounding Exide Technologies (Exide) located in Frisco, Collin County, as nonattainment for the 2008 lead NAAQS (75 *Federal Register* (FR) 71033). Under the nonattainment designation, the area was given until December 31, 2015, to attain the lead standard. To demonstrate attainment, the area was required to have three-month rolling average monitoring data below the NAAQS for 36 consecutive months. Monitoring data showed three-month rolling averages consistently below the NAAQS beginning January 1, 2013, and by December 31, 2015, the area achieved compliance with the 2008 lead NAAQS.

On November 2, 2016, TCEQ submitted to EPA a state implementation plan (SIP) revision requesting redesignation of the nonattainment area to attainment for the 2008 lead NAAQS and a 10-year maintenance plan for the area (Project No. 2016-003-SIP-NR). EPA redesignated the Collin County 2008 lead NAAQS nonattainment area to attainment and approved the 10-year maintenance plan, effective September 27, 2017 (82 FR 29426).

Section 175A(b) of the federal Clean Air Act (FCAA) requires the submission of a second maintenance plan eight years after an area is redesignated to attainment that covers the second 10 years of the maintenance planning period. Therefore, an updated maintenance plan for the period of September 2027 through September 2037 is required to be submitted to EPA by September 27, 2025. The maintenance plan included in this SIP revision fulfills the requirements under FCAA, §175A(b) and ensures the Collin County area will continue to attain the 2008 lead NAAQS through 2037.

SECTION V-A: LEGAL AUTHORITY

General

The Texas Commission on Environmental Quality (TCEQ) has the legal authority to implement, maintain, and enforce the National Ambient Air Quality Standards (NAAQS) and to control the quality of the state's air, including maintaining adequate visibility.

The first air pollution control act, known as the Clean Air Act of Texas, was passed by the Texas Legislature in 1965. In 1967, the Clean Air Act of Texas was superseded by a more comprehensive statute, the Texas Clean Air Act (TCAA), found in Article 4477-5, Vernon's Texas Civil Statutes. In 1989, the TCAA was codified as Chapter 382 of the Texas Health and Safety Code. The TCAA is frequently amended for various purposes during the biennial legislative sessions.

Originally, the TCAA stated that the Texas Air Control Board (TACB) was the state air pollution control agency and was the principal authority in the state on matters relating to the quality of air resources. In 1991, the legislature abolished the TACB effective September 1, 1993, and its powers, duties, responsibilities, and functions were transferred to the Texas Natural Resource Conservation Commission (TNRCC). In 2001, the 77th Texas Legislature continued the existence of the TNRCC until September 1, 2013, and changed the name of the TNRCC to TCEQ. In 2009, the 81st Texas Legislature, during a special session, amended section 5.014 of the Texas Water Code, changing the expiration date of TCEQ to September 1, 2011, unless continued in existence by the Texas Sunset Act. In 2011, the 82nd Texas Legislature continued the existence of TCEQ until 2023. In 2023, the 88th regular session of the Texas Legislature continued the existence of TCEQ until 2035.

With the creation of the TNRCC (and its successor TCEQ), authority over air quality is found in both the Texas Water Code (TWC) and the TCAA. The general authority of TCEQ is found in TWC, Chapter 5 and enforcement authority is provided by TWC, Chapter 7. TWC, Chapter 5, Subchapters A - F, H - J, and L, include the general provisions, organization, and general powers and duties of TCEQ, and the responsibilities and authority of the executive director. TWC, Chapter 5 also authorizes TCEQ to implement action when emergency conditions arise and to conduct hearings. The TCAA specifically authorizes TCEQ to establish the level of quality to be maintained in the state's air and to control the quality of the state's air by preparing and developing a general, comprehensive plan. The TCAA, Subchapters A - D, also authorize TCEQ to collect information to enable the commission to develop an inventory of emissions; to conduct research and investigations; to enter property and examine records; to prescribe monitoring requirements; to institute enforcement proceedings; to enter into contracts and execute instruments; to formulate rules; to issue orders taking into consideration factors bearing upon health, welfare, social and economic factors, and practicability and reasonableness; to conduct hearings; to establish air quality control regions; to encourage cooperation with citizens' groups and other agencies and political subdivisions of the state as well as with industries and the federal government; and to establish and operate a system of permits for construction or modification of facilities.

Local government authority is found in Subchapter E of the TCAA. Local governments have the same power as TCEQ to enter property and make inspections. They may also

make recommendations to the commission concerning any action of TCEQ that affects their territorial jurisdiction, may bring enforcement actions, and may execute cooperative agreements with TCEQ or other local governments. In addition, a city or town may enact and enforce ordinances for the control and abatement of air pollution not inconsistent with the provisions of the TCAA and the rules or orders of the commission.

In addition, Subchapters G and H of the TCAA authorize TCEQ to establish vehicle inspection and maintenance programs in certain areas of the state, consistent with the requirements of the federal Clean Air Act; coordinate with federal, state, and local transportation planning agencies to develop and implement transportation programs and measures necessary to attain and maintain the NAAQS; establish gasoline volatility and low emission diesel standards; and fund and authorize participating counties to implement vehicle repair assistance, retrofit, and accelerated vehicle retirement programs.

Applicable Law

The following statutes and rules provide necessary authority to adopt and implement the state implementation plan (SIP). The rules listed below have previously been submitted as part of the SIP.

Statutes

All sections of each subchapter are included, unless otherwise noted.

TEXAS HEALTH & SAFETY CODE, Chapter 382

September 1, 2023

TEXAS WATER CODE

September 1, 2023

Chapter 5: Texas Natural Resource Conservation Commission

Subchapter A: General Provisions

Subchapter B: Organization of the Texas Natural Resource Conservation Commission

Subchapter C: Texas Natural Resource Conservation Commission

Subchapter D: General Powers and Duties of the Commission

Subchapter E: Administrative Provisions for Commission

Subchapter F: Executive Director (except §§5.225, 5.226, 5.227, 5.231, 5.232, and 5.236)

Subchapter H: Delegation of Hearings

Subchapter I: Judicial Review

Subchapter J: Consolidated Permit Processing

Subchapter L: Emergency and Temporary Orders (§§5.514, 5.5145, and 5.515 only)

Subchapter M: Environmental Permitting Procedures (§5.558 only)

Chapter 7: Enforcement

Subchapter A: General Provisions (§§7.001, 7.002, 7.0025, 7.004, and 7.005 only)

Subchapter B: Corrective Action and Injunctive Relief (§7.032 only)

Subchapter C: Administrative Penalties

Subchapter D: Civil Penalties (except §7.109)

Subchapter E: Criminal Offenses and Penalties: (§§7.177, 7.178-7.183 only)

Rules

All of the following rules are found in 30 Texas Administrative Code, as of the following latest effective dates:

Chapter 7: Memoranda of Understanding, §§7.110 and 7.119

December 13, 1996, and May 2, 2002, respectively

Chapter 19: Electronic Reporting

March 1, 2007

Subchapter A: General Provisions

Subchapter B: Electronic Reporting Requirements

Chapter 39: Public Notice

Subchapter H: Applicability and General Provisions, §§39.402(a)(1)

- (a)(6), (a)(8), and (a)(10) - (a)(12); §§39.405(f)(3) and (g), (h)(1)(A), (h)(2) - (h)(4), (h)(6), (h)(8) - (h)(11), (i) and (j), §39.407; §39.409; §§39.411(a), (e)(1) - (4)(A)(i) and (iii), (4)(B), (e)(5) introductory paragraph, (e)(5)(A), (e)(5)(B), (e)(6) - (e)(10), (e)(11)(A)(i), (e)(11)(A)(iii) - (vi), (e)(11)(B) - (F), (e)(13) and (e)(15), (e)(16), (f) introductory paragraph, (f)(1) - (8), (g) and (h); 39.418(a), (b)(2)(A), (b)(3), and (c); §39.419(e); 39.420(c)(1)(A) - (c)(1)(D)(i)(I) and (II), (c)(1)(D)(ii), (c)(2), (d) - (e), and (h), and Subchapter K: Public Notice of Air Quality Permit Applications, §§39.601 - 39.605

September 16, 2021

Chapter 55: Requests for Reconsideration and Contested Case

Hearings; Public Comment, all of the chapter, except §55.125(a)(5) and (a)(6)

September 16, 2021

Chapter 101: General Air Quality Rules

May 14, 2020

Chapter 106: Permits by Rule, Subchapter A

April 17, 2014

Chapter 111: Control of Air Pollution from Visible Emissions and Particulate Matter

November 12, 2020

Chapter 112: Control of Air Pollution from Sulfur Compounds

October 27, 2022

Chapter 114: Control of Air Pollution from Motor Vehicles

December 21, 2023

Chapter 115: Control of Air Pollution from Volatile Organic Compounds

May 16, 2024

Chapter 116: Control of Air Pollution by Permits for New Construction or Modification

July 1, 2021

Chapter 117: Control of Air Pollution from Nitrogen Compounds

May 16, 2024

Chapter 118: Control of Air Pollution Episodes

March 5, 2000

Chapter 122: Federal Operating Permits Program
§122.122: Potential to Emit

February 23, 2017

SECTION VI: CONTROL STRATEGY

- A. Introduction (No change)
- B. Ozone (No change)
- C. Particulate Matter (No change)
- D. Carbon Monoxide (No change)
- E. Lead (Revised)
- F. Oxides of Nitrogen (No change)
- G. Sulfur Dioxide (No change)
- H. Conformity with the National Ambient Air Quality Standards (No change)
- I. Site Specific (No change)
- J. Mobile Sources Strategies (No change)
- K. Clean Air Interstate Rule (No change)
- L. Transport (No change)
- M. Regional Haze (No change)

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LIST OF ACRONYMS

AQS	Air Quality System
CFR	Code of Federal Regulations
EPA	United States Environmental Protection Agency
FCAA	Federal Clean Air Act
FR	<i>Federal Register</i>
NAAQS	National Ambient Air Quality Standard
SIP	state implementation plan
TACB	Texas Air Control Board
TCAA	Texas Clean Air Act
TCEQ	Texas Commission on Environmental Quality (commission)
TNRCC	Texas Natural Resource Conservation Commission
tpy	tons per year

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CHAPTER 1: GENERAL

1.1 BACKGROUND

Information on the Texas State Implementation Plan (SIP) and a list of SIP revisions and other air quality plans adopted by the commission can be found on the [Texas State Implementation Plan webpage](https://www.tceq.texas.gov/airquality/sip) (<https://www.tceq.texas.gov/airquality/sip>) on the [Texas Commission on Environmental Quality's](https://www.tceq.texas.gov/) (TCEQ or the commission) website (<https://www.tceq.texas.gov/>).

1.2 PURPOSE

This SIP revision would satisfy the federal Clean Air Act (FCAA), §175A(b) requirement for Texas to submit a second 10-year maintenance plan for the 2008 lead National Ambient Air Quality Standard (NAAQS) for the Collin County area. On October 19, 2016, the commission adopted the Collin County Lead Redesignation and Maintenance Plan SIP Revision (Project No. 2016-003-SIP-NR). On June 29, 2017, the U.S. Environmental Protection Agency (EPA) redesignated the Collin County area to attainment and approved the 10-year maintenance plan, effective September 27, 2017 (82 *Federal Register* (FR) 29426). The second 10-year maintenance plan included in this SIP revision fulfills the requirements under FCAA, §175A(b) and ensures the Collin County area will continue to attain the 2008 lead NAAQS through 2037.

1.3 LEAD HISTORY IN THE COLLIN COUNTY AREA

EPA designated a portion of Collin County as a lead nonattainment area for the 1978 lead NAAQS on November 6, 1991 (56 FR 56694). EPA approved the Collin County lead attainment demonstration SIP revision for the 1978 lead NAAQS on November 29, 1994 (59 FR 60930). EPA redesignated the area to attainment and approved a 10-year maintenance plan on October 15, 1999 (64 FR 55421). In 2009, TCEQ submitted to EPA a second and final 10-year maintenance plan for the 1978 lead NAAQS. The maintenance plan included contingency measures to promptly correct any violation of the 1978 lead NAAQS.

On November 12, 2008, EPA substantially revised the NAAQS for lead. The standard, set at 0.15 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), measured as a rolling three-month average, is significantly more stringent than the 1978 standard of 1.5 $\mu\text{g}/\text{m}^3$, measured as a quarterly average (73 FR 66964). On November 22, 2010, EPA designated a portion of Collin County surrounding Exide Technologies (Exide) as nonattainment for the 2008 lead NAAQS, effective December 31, 2010 (75 FR 71033). Figure 1-1: *Map of Collin County Lead Nonattainment Area for the 2008 Lead NAAQS* provides a visual representation of the boundaries of the nonattainment area and the Exide property.



Figure 1-1: Map of Collin County Lead Nonattainment Area for the 2008 Lead NAAQS.

On August 8, 2012, the commission adopted the Collin County Attainment Demonstration SIP Revision for the 2008 Lead NAAQS and an Agreed Order between TCEQ and Exide. In accordance with FCAA, §172 and implementation guidance published with the November 12, 2008, final lead NAAQS (73 FR 66964), the SIP revision contained a reasonably available control measure and a reasonably available control technology analysis; demonstration of attainment through air dispersion

modeling; a control strategy demonstration; an emissions inventory; a demonstration of reasonable further progress; and contingency measures.

The control measures and contingency measures that were identified for the Collin County Lead Attainment Demonstration SIP revision were made enforceable through Agreed Order No. 2011-0521-MIS between the commission and Exide. The Agreed Order provided that enforceable measures be implemented to reduce lead emissions in the Collin County lead nonattainment area as soon as possible, but no later than January 6, 2014. The attainment demonstration SIP revision and Agreed Order contained contingency measures designed to ensure continued compliance with the standard.

On June 4, 2012, the City of Frisco and Exide approved an agreement involving the sale of approximately 180 acres of undeveloped land surrounding Exide's plant. Under the terms of the agreement, the land around Exide's plant would be purchased by the Frisco Community Development Corporation and the Frisco Economic Development Corporation. The agreement stipulates that Exide will retain ownership of the federal and state permitted plant site, and that Exide will retain responsibility for cleaning up the permitted plant site. The attainment demonstration SIP revision and Agreed Order were revised on August 8, 2012, to reflect this agreement.

Instead of implementing control measures identified in the SIP revision and Agreed Order for continued operation, per Exide's agreement with the City of Frisco, Exide chose the option to close the plant and cease all production activities. Effective November 1, 2012, Exide began curtailing certain recycling operations, and all recycling operations ceased operation on November 30, 2012. Decontamination and demolition of Exide's lead recycling facility was completed on August 15, 2013. Soil remediation activities at the plant site and surrounding property have been completed.

Compliance with the 2008 lead NAAQS is based on 36 three-month rolling averages. Monitoring data showed three-month rolling averages consistently below the NAAQS since January 1, 2013, and by December 31, 2015, the area achieved compliance with the 2008 lead NAAQS. On November 2, 2016, TCEQ submitted to EPA a SIP revision requesting redesignation of the nonattainment area to attainment for the 2008 lead NAAQS and a 10-year maintenance plan for the area (Project No. 2016-003-SIP-NR). EPA redesignated the Collin County 2008 lead NAAQS nonattainment area to attainment and approved the 10-year maintenance plan, effective September 27, 2017 (82 FR 29426).

1.4 PUBLIC HEARING AND COMMENT INFORMATION

TCEQ will hold a virtual public hearing on this proposed SIP revision at the following time on:

Table 1-1: Public Hearing Information

Date	Time	Format
May 09, 2025	10:30 am	Virtual Hearing (Hearing registration details will be provided on the Texas SIP Revisions webpage by April, 07 2025 and in the formal hearing notice publication in the Texas Register)

Individuals who plan to attend the virtual hearing and want to provide oral comments and/or want their attendance on record must register by May 02, 2025. To register for the hearing, please e-mail siprules@tceq.texas.gov and provide the following information: your name, your affiliation, your e-mail address, your phone number, and whether you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on May 07, 2025, to those who register for the hearing.

The public comment period will open on April 7, 2025, and close on May 12, 2025. Written comments will be accepted via mail, fax, or through the Texas Commission on Environmental Quality (TCEQ) [Public Comment](https://tceq.commentinput.com/) system (<https://tceq.commentinput.com/>). File size restrictions may apply to comments being submitted via the TCEQ Public Comment system. All comments should reference the “Collin County Second 10-Year Maintenance Plan” and should reference Project Number 2024-042-SIP-NR. Comments submitted via hard copy may be mailed to Eugenia Reynoso-Moreno, MC 206, State Implementation Plan Team, Air Quality Division, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or faxed to (512) 239-4808. Comments submitted electronically must be submitted through the TCEQ Public Comment system. Comments must be received by 11:59 p.m. CDT on May 12, 2025.

1.5 SOCIAL AND ECONOMIC CONSIDERATIONS

No new control strategies have been incorporated into this revision. Therefore, there are no additional social or economic costs associated with this revision.

1.6 FISCAL AND MANPOWER RESOURCES

The state has determined that its fiscal and manpower resources are adequate and will not be adversely affected through the implementation of this plan.

CHAPTER 2: MAINTENANCE EMISSIONS INVENTORY

2.1 INTRODUCTION

Maintenance plan requirements include a demonstration that the projected level of emissions is sufficient to maintain the annual lead standard due to permanent and enforceable emissions reductions.¹ The analysis of TCEQ emissions inventory data in Section 2.2: *Point Sources*, demonstrates that permanent and enforceable lead emissions reductions have occurred in the former Collin County lead nonattainment area due to the permanent shutdown of the Exide Technologies plant.

The Texas Commission on Environmental Quality (TCEQ) will continue to report point source emissions and other required emissions inventory data as required by the 2008 lead National Ambient Air Quality Standard (NAAQS) and the Air Emissions Reporting Requirements (40 Code of Federal Regulations Part 51, Subpart A).

2.2 POINT SOURCES

Stationary point source emissions data are collected annually from sites that meet the reporting requirements of 30 Texas Administrative Code §101.10. As part of this program, TCEQ compiled emissions inventory data for the former Collin County lead nonattainment area.

The Collin County Attainment Demonstration for the 2008 Lead NAAQS relied on a 2010 emissions inventory. This lead emissions inventory for Collin County consisted of a review of the stationary source emissions from the facilities located within the nonattainment area. The only facility that produced lead emissions within the nonattainment area was Exide Technologies (Exide), which in 2010 emitted a total of 1.06 tons per year (tpy) of lead.

Since Exide permanently shut down on November 30, 2012, no lead emissions have been reported in the point source emissions inventory. As shown in Table 2-1: *Collin County Lead Emissions Inventory Totals (tpy)*, lead emissions in the Collin County area decreased to 0.00 tpy by 2015 due to the permanent shutdown of the Exide facility on November 30, 2012.

Table 2-1: Collin County Lead Emissions Inventory Totals (tpy)

Source	2010 Base Year	2015 Attainment Year	2017	2020	2023
Exide	1.06	0	0	0	0

¹ USEPA: "Procedures for Processing Requests to Redesignated Areas to Attainment" Memorandum from John Calcagni, Director, Air Quality Management Division, September 4, 1992.

CHAPTER 3: MAINTENANCE DEMONSTRATION

3.1 INTRODUCTION

Section 175A(b) of the federal Clean Air Act (FCAA) requires the submission of a second maintenance plan eight years after an area is redesignated to attainment that covers the second 10 years of the maintenance planning period. The maintenance plan must demonstrate that the Collin County area will remain in attainment of the 2008 lead standard for the second 10-year period following the date of the first maintenance plan. Because redesignation of the area to attainment was contingent upon the U.S. Environmental Protection Agency's (EPA) approval of the first 10-year maintenance plan, the Texas Commission on Environmental Quality (TCEQ) set a horizon year for the first 10-year maintenance period of 2028 to allow EPA adequate time for review and approval of that plan. EPA redesignated the Collin County 2008 lead National Ambient Air Quality Standard nonattainment area to attainment and approved the first 10-year maintenance plan, effective September 27, 2017 (82 FR 29426). This second 10-year maintenance plan uses a horizon year of 2037 based on the timing of EPA's redesignation of the area to attainment. The maintenance demonstration is satisfied if the state demonstrates that future lead emission levels are not expected to result in exceedances of the 2008 lead National Ambient Air Quality Standard.

3.2 FUTURE EMISSIONS AND VERIFICATION OF CONTINUED ATTAINMENT

Maintenance is demonstrated when the future-year projected emission totals measured in tons per year (tpy) in the horizon year (2037) are at or below the attainment year totals. Due to the permanent shutdown of Exide Technologies (Exide) on November 30, 2012, lead emissions in the area have been zero since 2013 and are projected to remain at zero in the horizon year of 2037. Table 3-1: *Summary of Future Collin County Lead Emissions (tpy)* reflects this trend. Exide voided its air permits with TCEQ on July 12, 2013, and demolition and decontamination of Exide's operating facility was completed by August 15, 2013. Therefore, stationary source operations involving lead emissions could not resume without Exide, or any other company, becoming a new source and being subject to new source review permitting requirements. This ensures maintenance of the lead standard into the future.

Table 3-1: Summary of Future Collin County Area Lead Emissions (tpy)

Source	2015 Attainment Year	2026	2029	2032	2035	2037
Exide	0	0	0	0	0	0

CHAPTER 4: MONITORING NETWORK

4.1 GENERAL

The ambient air quality monitoring network provides data to verify continued attainment of the 2008 lead National Ambient Air Quality Standard. The Collin County lead monitoring network consists of two sites, Frisco Eubanks (480850009) and Frisco Stonebrook (480850029). Frisco Eubanks and Frisco Stonebrook air monitoring sites each contain a regulatory ambient air lead monitor. Frisco Eubanks also contains a lead collocated quality control monitor and meteorological sensors for wind speed, wind direction, and outdoor temperature.

The monitors are managed in accordance with the U.S. Environmental Protection Agency (EPA) requirements prescribed by 40 Code of Federal Regulations (CFR) Part 58 to verify the area's continued attainment status. The Texas Commission on Environmental Quality (TCEQ) commits to maintaining an air monitoring network that meets EPA regulatory requirements in the Collin County lead NAAQS maintenance area. TCEQ continues to work with EPA through the air monitoring network review process, as required by 40 CFR Part 58, to determine: the adequacy of the lead monitoring network, additional monitoring needs, and recommended monitor decommissions. Details regarding the annual review of the air monitoring network are located on TCEQ's [Air Monitoring Network Plans](https://www.tceq.texas.gov/airquality/monops/past_network_reviews) webpage (https://www.tceq.texas.gov/airquality/monops/past_network_reviews). Air monitoring data from these monitors continue to be quality assured, reported, and certified according to 40 CFR Part 58.

CHAPTER 5: CONTINGENCY PLAN

5.1 BACKGROUND

Section 175A(b) of the federal Clean Air Act (FCAA) requires the submission of a second maintenance plan eight years after an area is redesignated to attainment that covers the second 10 years of the maintenance planning period. Therefore, an updated maintenance plan for the period of September 2027 through September 2037 is required to be submitted to the U.S. Environmental Protection Agency (EPA) by September 27, 2025.

5.2 CONTINGENCY MEASURES AND TRIGGER LEVELS

Since Exide Technologies has permanently shut down, with all the lead recycling facilities having been removed from the site, no future air emissions of lead are anticipated to occur. Therefore, the identification of specific detailed measures is not practical. However, the Texas Commission on Environmental Quality (TCEQ) commits to adopt and expeditiously implement necessary corrective actions in the following circumstances.

5.2.1 Warning Level Response

A warning level response will be prompted whenever a three-month rolling average concentration of 0.135 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) of lead, (which is 90% of the standard) occurs at any of the ambient monitoring sites in the Collin County lead attainment area monitoring network. A warning level response will consist of a study to determine whether the lead design value indicates a trend toward higher design values. The study will evaluate whether the trend, if any, is likely to continue and, if so, determine the measures necessary to reverse the trend taking into consideration ease and timing for implementation as well as economic and social considerations. Implementation of necessary measures in response to a warning level response trigger will take place as expeditiously as possible, but no later than 12 months from the conclusion of the most recent calendar year.

Should it be determined through the warning level study that action is necessary to reverse the noted trend, the procedures for measure selection and implementation outlined under Section 5.2.2 *Action Level Response* will be followed.

5.2.2 Action Level Response

An action level response will be prompted whenever a two-year average of the three-month rolling average concentration of 0.143 $\mu\text{g}/\text{m}^3$ of lead (which is 95% of the standard) or greater occurs at any of the ambient monitoring sites in the Collin County lead attainment area monitoring network. A violation of the standard (any three-month rolling average that exceeds 0.15 $\mu\text{g}/\text{m}^3$) will also prompt an action level response. In the event that the action level is triggered and is not found to be due to an exceptional event, malfunction, or noncompliance with a permit condition (if a permit exists), or rule requirement, TCEQ, in conjunction with the entity/entities believed to be responsible for the exceedance, will evaluate additional measures needed to assure future attainment of the lead National Ambient Air Quality Standard. In this case, measures that can be implemented in a short time will be selected for the measures to be in place within 18 months from the close of the calendar year that prompted the action level. TCEQ will also consider the timing of an action level trigger and determine

if additional, significant new regulations not currently included as part of the maintenance provisions will be implemented in a timely manner and will constitute TCEQ's response.

5.2.3 Control Measure Selection and Implementation

Adoption of any additional control measures into the Texas State Implementation Plan is subject to the administrative and legal processes required by state and federal law. This process would include publication of notices, an opportunity for public hearing, and other measures required by Texas law for rulemaking or permitting.

If a new measure/control is already promulgated and scheduled to be implemented at the federal or state level, and that measure/control is determined to be sufficient to address the upward trend in air quality, additional local measures may be unnecessary. Furthermore, TCEQ will submit to EPA an analysis to demonstrate the measures are adequate to return the area to attainment.