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# SIP Revision: Dallas-Fort Worth (DFW) 2008 Eight-Hour Ozone Standard Nonattainment Area Reasonably Available Control Technology (RACT) Update

On September 5, 2018, the commission adopted the DFW 2008 Eight-Hour Ozone Standard Nonattainment Area RACT Update State Implementation Plan (SIP) Revision along with a voluntary Agreed Order with TXI Operations, LP.

## Summary of the SIP Revision

**Adoption Date:** 08/08/2018

**Proposal Date:** 04/04/2018

**EPA Approval Dates:** Approved 02/22/2019 ([84 FR 5601](#)); Approved emissions statement requirements on December 4, 2018 ([83 FR 62468](#))

**Background:** The Federal Clean Air Act (FCAA) requires states to submit plans to demonstrate attainment of the National Ambient Air Quality Standards (NAAQS) for nonattainment areas within the state. On May 1, 2012, the 10-county DFW area, consisting of Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise Counties, was designated a moderate nonattainment area for the 2008 eight-hour ozone standard.

On July 10, 2015, the Texas Commission on Environmental Quality (TCEQ) submitted a SIP revision that included RACT determinations for sources in the DFW 2008 ozone nonattainment area. After the submittal, in discussions with TCEQ staff, the United States Environmental Protection Agency (EPA) Region 6 stated it could not approve the TCEQ's nitrogen oxides (NOX) RACT determination for Kiln No. 5 at the TXI Operations, LP, (TXI) Portland cement kiln facility located in Ellis County. However, EPA Region 6 indicated that if the TCEQ acted to make the 1.95 pounds (lb) of NOX per ton of clinker emission limit contained in TXI's new source review permit (Permit No. 1360A) directly enforceable via an enforceable mechanism such as a voluntary agreed order or rule, it could be considered by the EPA as satisfying RACT.

The TCEQ submitted a letter to the EPA on July 29, 2016 stating that, if adopted by the commission, the TCEQ commits to submit an updated DFW RACT SIP revision by no later than one year from the effective date of final conditional approval to address NOX RACT for TXI Kiln No. 5. On September 22, 2017, the EPA published final conditional approval of the NOX RACT for the DFW 2008 Eight-Hour ozone standard nonattainment area ([82 FR 33026](#)), based on this commitment. The effective date of the EPA's final conditional approval was October 23, 2017.

**Key Changes:** The DFW 2008 Eight-Hour Ozone Standard Nonattainment Area RACT Update SIP revision (Non-Rule Project No. 2017-001-SIP-NR) addresses the United States Environmental Protection Agency's final conditional approval of RACT for nitrogen oxides for the DFW 2008 eight-hour ozone standard nonattainment area through a voluntary Agreed Order No. 2017-1648-SIP (Non-Rule Project No. 2018-010-SIP-NR), with TXI Operations, LP.



This SIP revision also includes an explanation as to how Texas meets Federal Clean Air Act (FCAA), §182 requirements for emissions statements and the EPA's *Guidance on the Implementation of an Emission Statement Program* (July 1992). This information has not been included in a previous DFW SIP revision for the 2008 ozone standard.

## **SIP Narrative and Appendices**

Files linked from this page are in Portable Document Format ([PDF](#)).

### **DFW RACT Update SIP Revision (Non-Rule Project No. 2017-001-SIP-NR)**

- **[Adopted DFW 2008 Eight-Hour Ozone RACT Update SIP Revision](#)**
- Appendices
  - **[Appendix F: Reasonably Available Control Technology \(RACT\) Analysis](#)**
  - **[Appendix I: Agreed Order Docket No. 2017-1648-SIP](#)**

## **Agreed Orders**

### **Agreed Order (Non-Rule Project No. 2018-010-SIP-NR)**

- **[Adopted Agreed Order with TXI Operations, LP](#)**