

Texas Commission on Environmental Quality (TCEQ)
May 9, 2024

Plain Language Summary of Proposed Rules for Updating the Texas Risk Reduction Program (TRRP) Rules

Introduction

The proposed rule revision would modify 30 Texas Administrative Code (TAC) Chapter 350, Texas Risk Reduction Program (TRRP) rule §350.76. The first part of the proposed revision will update the critical human health protective concentration levels (PCLs) for polychlorinated dibenzo-p-dioxins and dibenzofurans (“dioxins/furans”) and dioxin-like polychlorinated biphenyls (PCBs). These PCLs represent safe levels for chemicals in soil and serve as the cleanup levels for sites entered in Remediation Division programs under TRRP. The current values in TRRP are now considered outdated in light of the most recent scientific data. More recent evaluations support the use of a newer reference dose; therefore, the TCEQ proposes to amend TRRP §350.76 to remove the outdated policy values and update dioxin/furan and dioxin-like PCB calculations for soil PCLs used for residential and commercial/industrial land use.

Additionally, TRRP §350.76 provides specific toxicity equivalency factors (TEFs) for dioxin/furan and dioxin-like PCB compounds to be used when demonstrating attainment of the critical PCL. The proposed rule revision would remove the TEFs based on the 1998 World Health Organization values from the TRRP rule and direct persons to use updated TEFs that are in line with current accepted science.

Summary of Proposed Rule Amendment

The proposed rulemaking (Project No. 2024-023-350-WS) would amend 30 TAC §350.76 to update the chemical-specific approaches used for developing and demonstrating attainment of the critical human health PCLs for dioxins/furans and dioxin-like PCBs.

Public Comment and Hearing Information

The commission will offer a hybrid in-person and virtual public hearing on the proposed rules. The hearing will be held in Austin on Monday, September 30, 2024, at 9:00 a.m. in Building F, Room 2210, at the commission's central office located at 12100 Park 35 Circle. Individuals who plan to attend the hearing virtually and want to provide oral comments must register by Thursday, September 26, 2024. To register, please email Rules@tceq.texas.gov and provide the following information: your name, your affiliation, your email address, your phone number, and whether or not you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on Friday, September 27, 2024, to those who register for the hearing.

Members of the public who do not wish to provide oral comments but would like to view the hearing virtually may do so at no cost at:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MzY3YmVhNjltZWlxOS00OWEyLWI5ZTgtZjYyY2NhNzcxNjg1%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%7d

The purpose of the hearing will be to receive public comments on the TRRP § 350.76 rulemaking proposal (Project No. 2024-023-350-WS). The hearing will be conducted in English. Language interpretation services may be requested. For accommodation needs, contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RELAY-TX (TDD) as far in advance as possible.

The comment period for these proposed actions opens on August 30, 2024, and closes at 11:59 p.m. on October 1, 2024. Submit written comments through the TCEQ Public Comments system at <https://tceq.commentinput.com/comment/search>. Comments must reference Rule Project Number **2024-023-350-WS**.

Copies of the proposed rules can be found on the TCEQ's website at https://www.tceq.texas.gov/rules/propose_adopt.html.

For more information about the proposals or to get help with submitting written comments, contact Scott Settemeyer, Rule Project Manager, (512) 239-2439 or scott.settemeyer@tceq.texas.gov.