

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) UPDATE

June 27, 2024, RAQPAC Meeting

HGB 2015 Eight-Hour Ozone National Ambient Air Quality Standard (NAAQS) State Implementation Plan (SIP) Revisions

- On June 20, 2024, the Environmental Protection Agency (EPA) published final approval granting the request from the Governor of the State of Texas to voluntarily reclassify the San Antonio, Dallas-Fort Worth (DFW), and HGB ozone nonattainment areas from Moderate to Serious for the 2015 ozone NAAQS (89 *Federal Register* 51829).

Proposed Vehicle I/M SIP Revision

- On June 12, 2024, the commission approved proposal of the Vehicle I/M SIP Revision (Non-Rule Project No. 2024-014-SIP-NR) and 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles rulemaking (Rule Project No. 2024-013-114-AI). The proposed SIP and rule revision would implement House Bill (HB) 3297, which eliminates the mandatory annual vehicle safety inspection program for noncommercial vehicles and Senate Bill (SB) 2102, which extends the initial registration and inspection period for rental vehicles from two years to three years. The proposed rule would also adjust the maximum fee that inspections stations are allowed to charge for an emissions inspection. The proposed SIP and rule revisions would impact counties that participate.
- The public comment period opened on June 14, 2024 and will close on July 29, 2024. A virtual public hearing will be held for the proposed SIP revision and rulemaking on July 24, 2024 at 7:00 p.m. and will require registration by July 17, 2024. The hearing will be conducted in English, and Spanish language interpretation services will be made available. For more information, please visit the [Proposed SIP Revisions and Public Hearing Information](https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips) section (<https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips>) of the [Texas SIP Revisions](https://www.tceq.texas.gov/airquality/sip/siplans.html) webpage (<https://www.tceq.texas.gov/airquality/sip/siplans.html>).
- For additional information, please visit the [Vehicle I/M Program](https://www.tceq.texas.gov/airquality/mobilesource/im.html) webpage (<https://www.tceq.texas.gov/airquality/mobilesource/im.html>).

Revised Fine Particulate Matter (PM_{2.5}) NAAQS

- On February 7, 2024, EPA finalized its revision of the annual PM_{2.5} NAAQS to 9.0 micrograms per cubic meter and published in the *Federal Register* on March 6, 2024.
- TCEQ hosted a virtual (online) public information meeting on Wednesday, June 26, 2024 at 2:00 p.m. to 3:30 p.m. (CDT) for Harris and Montgomery Counties. The purpose of this public outreach meeting was to provide information on the potential impacts of the EPA's new primary annual PM_{2.5} NAAQS of 9.0 µg/m³. Harris and Montgomery Counties may be potentially affected by the PM_{2.5} NAAQS revision.
- TCEQ will also hold an informal public comment period on the state designations considered by the commission before being sent to the Governor for his consideration for submittal to EPA.
- For more information, please visit the [TCEQ Air Pollution from Particulate Matter](https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm) webpage (<https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm>). For updates, please join the TCEQ SIP/Air Quality update e-mail list: www.tceq.texas.gov/airquality/sip/sipcontact.html.

Electronic Modeling Evaluation Workbook (EMEW) Version 2.4.1

- The Air Permits Division has posted EMEW v2.4.1. The workbooks have been updated to account for the revised annual PM_{2.5} De Minimis level of 0.13 µg/m³. The revised De Minimis level was effective May 6, 2024. It is recommended applicants relying on the revised annual De Minimis level and NAAQS use Version 2.4.1 to document their air quality analysis.
- The new versions can be found here: [New Source Review Application Tools](https://www.tceq.texas.gov/permitting/air/guidance/newsourcereview/nsrapp-tools.html) (<https://www.tceq.texas.gov/permitting/air/guidance/newsourcereview/nsrapp-tools.html>). A summary of the updates can be found here: [Updates on EMEWs](https://www.tceq.texas.gov/downloads/permitting/air/modeling/guidance/emewupdate.pdf) (<https://www.tceq.texas.gov/downloads/permitting/air/modeling/guidance/emewupdate.pdf>). If you have questions, please contact ADMod@tceq.texas.gov.

Emissions Banking and Trading of Allowances (EBTA) Program Annual Report Deadlines

- Annual reports for 2023 - 2024 compliance with the EBTA Program are due by June 30, 2024. Submit reports electronically through the [State of Texas Environmental Electronic Reporting System \(STEERS\)](https://www3.tceq.texas.gov/steers/) (<https://www3.tceq.texas.gov/steers/>). Guidance on how to complete annual reports in STEERS is available on the [EBT](https://www.tceq.texas.gov/airquality/banking/) webpage (<https://www.tceq.texas.gov/airquality/banking/>).

TCEQ Seeks Stakeholder Input on Upcoming Proposed Rulemaking

- TCEQ will host an in-person stakeholder meeting on July 18, 2024, at 6:00 p.m. to 8:00 p.m. (CDT) at the Houston-Galveston Area Council (second floor, 3555 Timmons Lane, Houston, TX 77027) to solicit informal comments on the non-statutory changes included in the proposed rulemaking to amend 30 TAC Chapter 39, Public Notice; and Chapter 55, Requests for Reconsideration and Contested Case Hearings; Public Comment. Spanish translation will be available.
- The proposed rulemaking (Rule Project Number 2024-003-039-LS) will implement changes required by TCEQ's Sunset bill, Senate Bill 1397, and changes recommended in the Sunset Commission's report relating to public notice. It is these proposed changes for which the agency is soliciting comments.
- You may submit written comments using one of the following methods:
 - Mail: Program Supervisor, MC 205
Texas Register/Rule Development Team - Office of Legal Services
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087
 - Fax: fax4808@tceq.texas.gov
 - Online: [TCEQ Public Comment system](https://tceq.commentinput.com/) (<https://tceq.commentinput.com/>)
 - All written stakeholder comments must be submitted by 11:59 p.m. on August 2, 2024.
- For additional information on this proposed rulemaking, please contact Amy Browning at amy.browning@tceq.texas.gov or at 512-239-0891 and refer to rule project number 2024-003-039-LS. You can also view the public meeting notice on [TCEQ's event calendar](https://www.tceq.texas.gov/agency/decisions/hearings/events/tceq-stakeholder-meeting-proposed-rulemaking-rule-project-number-2024-003-039-ls-reunion-de-partes-interesadas-propuesta-de-reglamentacion-proyecto-de-regla-numero-2024-003-039-ls) (<https://www.tceq.texas.gov/agency/decisions/hearings/events/tceq-stakeholder-meeting-proposed-rulemaking-rule-project-number-2024-003-039-ls-reunion-de-partes-interesadas-propuesta-de-reglamentacion-proyecto-de-regla-numero-2024-003-039-ls>).

New Stakeholder Group for federal Clean Air Act Section (FCAA) Section 185 Fee

- TCEQ created an open participation stakeholder group to gather input on developing state regulations to implement the FCAA Section 185 fee in Texas. The FCAA requires a penalty fee if an area fails to meet its severe or extreme attainment date for an ozone NAAQS.
- The [eight-county HGB nonattainment area](https://www.tceq.texas.gov/airquality/sip/hgb/hgb-status) (https://www.tceq.texas.gov/airquality/sip/hgb/hgb-status) must attain the 2008 eight-hour ozone NAAQS by July 20, 2027, based on 2024, 2025, and 2026 monitoring data. If the area does not attain by that date, the Section 185 fee is anticipated to be implemented as early as calendar year 2028.
- The fee applies to major stationary point sources of nitrogen oxides (NO_x) and/or volatile organic compounds (VOC) (ozone precursor pollutants). The fee is required each year after the missed attainment date until the area is redesignated as attainment by EPA.
- Sign up for the [FCAA Section 185 Fee email group](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347) (https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347) to join the stakeholder group and stay up-to-date on the Section 185 fee rule development. The title of the email group is Penalty Fee for Major Stationary Sources Under the Federal Clean Air Act Section 185. The FCAA Section 185 Fee stakeholder group is open participation, and anyone is welcome to join.
- The stakeholder group may be of particular interest to the owners/operators of major stationary [point sources](https://www.tceq.texas.gov/airquality/point-source-ei/psei.html) (https://www.tceq.texas.gov/airquality/point-source-ei/psei.html) of NO_x and/or VOC located in the eight-county HGB area classified as severe nonattainment for the 2008 eight-hour ozone NAAQS. Owners/operators of smaller stationary sources, known as [area sources](https://www.tceq.texas.gov/airquality/areasource/Sources_of_Air_Pollution.html) (https://www.tceq.texas.gov/airquality/areasource/Sources_of_Air_Pollution.html), non-road mobile sources, and on-road mobile sources are not subject to the FCAA Section 185 Fee but are welcome to participate.
- A stakeholder meeting will be held virtually in late summer or early fall 2024. A schedule update will be sent to the [FCAA Section 185 Fee email group](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347) (https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347).
- Please visit the webpage [Stakeholder Group: Federal Clean Air Act Section 185 Fee](https://www.tceq.texas.gov/airquality/point-source-ei/185-fee) (https://www.tceq.texas.gov/airquality/point-source-ei/185-fee). If you have questions, please contact 185Rule@tceq.texas.gov.

TCEQ Honors Texas Environmental Excellence Awards (TEEA) Winners at Environmental Trade Fair (ETF) and Conference Banquet

- The TCEQ welcomed back more than 4,000 registrants to its ETF and Conference at the Austin Convention Center, May 14-15, 2024, and the Governor's TEEA winners were honored at the banquet on May 15, 2024.
- A full list honorees can be found on the [TEEA 2024 Winners](https://www.tceq.texas.gov/p2/events/teea/winners/teea-winners-2024/2024-winners) webpage (https://www.tceq.texas.gov/p2/events/teea/winners/teea-winners-2024/2024-winners).
- The 2025 TEEA application period is now open through August 30. More information on how to apply for the 2025 awards can be found on the [TEEA webpage](https://www.tceq.texas.gov/p2/events/teea/about-teea) (https://www.tceq.texas.gov/p2/events/teea/about-teea).
- Next year's ETF and Conference will be June 3-4, 2025, at the Henry B. Gonzalez Convention Center in San Antonio.