

Kathleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 6, 2004

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Richard E. Greene, Regional Administrator
U.S. Environmental Protection Agency - Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

Dear Mayor Greene:

On November 17, 2004, the Texas Commission on Environmental Quality (Commission) adopted revisions to the State Implementation Plan (SIP).

The Commission adopted new §§114.80 - 114.87 in new Division 3, Early Action Compact Counties, Subchapter C, Vehicle Inspection and Maintenance; Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program; and Early Action Compact Counties, of 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles; and corresponding revisions to the SIP. The adoption implements the motor vehicle inspection and maintenance program for Travis and Williamson Counties as part of the Austin area early action compact (EAC) plan as authorized by Senate Bill 1159, 78th Legislature, Regular Session, 2003. (Rule Project No. 2004-071-114-AI; Docket No. 2004-0874-RUL)

The Commission adopted new §§114.510 - 114.512 and 114.517 in new Division 2, Locally Enforced Motor Vehicle Idling Limitations, Subchapter J, Operational Controls for Motor Vehicles, of 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles; and corresponding revisions to the SIP. The adoption provides a nitrogen oxides reduction option that local governments could elect to have apply within their jurisdictions to assist with maintaining compliance with the federal ozone national ambient air quality standard. The statewide rules for idling limitations for heavy-duty vehicles will be applicable only within local jurisdictions that enter into a Memorandum of Agreement with the Commission to enforce the rules. (Rule Project No. 2004-072-114-AI; Docket No. 2004-0871-RUL)

The Commission adopted amendments to §115.227 and §115.229 in Division 2, Filling of Gasoline Storage Vessels (Stage I) for Motor Vehicle Fuel Dispensing Facilities, Subchapter C, Volatile Organic Compound Transfer Operations; §§115.412, 115.413, 115.415 - 115.417, and 115.419 in Division 1, Degreasing Processes, Subchapter E, Solvent-Using Processes; and §§115.512, 115.516, 115.517, and 115.519 in Division 1, Cutback Asphalt, Subchapter F, Miscellaneous Industrial Sources; of 30 TAC Chapter 115, Control of Air Pollution from Volatile Organic Compounds; and corresponding revisions to the SIP. The adoption lowers the exemption level for facilities subject to Stage I vapor recovery controls from 125,000 gallons to 25,000 gallons of gasoline in a calendar month in the four counties in the San Antonio EAC area (Bexar, Comal, Guadalupe, and Wilson Counties) and in the five counties in the Austin EAC area (Bastrop, Caldwell, Hays, Travis, and Williamson Counties); extends the control requirements for cold solvent cleaning, open-top vapor degreasing, and conveyORIZED degreasing to the four counties in the San

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RE: November 17, 2004 adopted SIP revisions

Antonio EAC area and to the five counties in the Austin EAC area; and extends the control requirements for cutback asphalt to the five counties in the Austin EAC area. (Rule Project No. 2004-073-115-AI; Docket No. 2004-0872-RUL)

The Commission adopted revisions to the SIP concerning the attainment demonstration for the Northeast Texas EAC area including Gregg, Harrison, Rusk, Smith, and Upshur Counties. The adoption contains results of photochemical modeling and technical analyses in support of the demonstration of attainment of the eight-hour ozone standard by 2007 and maintenance of that standard through 2012. (Project No. 2004-077-SIP-NR; Docket No. 2004-0832-RUL)

The Commission adopts revisions to the SIP concerning the attainment demonstration for the San Antonio EAC area including Bexar, Comal, Guadalupe, and Wilson Counties. The adoption contains results of photochemical modeling and technical analyses in support of the demonstration of attainment of the eight-hour ozone standard by 2007 and maintenance of that standard through 2012. (Project No. 2004-085-SIP-NR; Docket No. 2004-0873-SIP)

The Commission adopts revisions to the SIP concerning the attainment demonstration for the Austin EAC area including Bastrop, Caldwell, Hayes, Travis, and Williamson Counties. The adoption contains results of photochemical modeling and technical analyses in support of the demonstration of attainment of the eight-hour ozone standard by 2007 and maintenance of that standard through 2012. (Project No. 2004-086-SIP-NR; Docket No. 2004-0870-SIP)

Enclosed are the proposed revisions to the SIP, a public hearings certification, a complete record of the public hearings, and the accompanying orders. I look forward to your expeditious approval of these SIP revisions.

Sincerely,



Kathleen Hartnett White
Chairman

KHW/lb

cc: The Honorable Rick Perry, Governor of Texas
Ms. Wendy Wyman, Environmental and Natural Resources Policy Director, Office of the Governor
Mr. Glenn Shankle, Executive Director, Texas Commission on Environmental Quality

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This is to certify that the attached are true and correct copies of a revision to the Texas State Implementation Plan, adopted on November 17, 2004, pursuant to 40 Code of Federal Regulations (CFR) § 51.104. Prior to the adoption of this revision, public hearings were held pursuant to 40 CFR § 51.102(a), and notice of the hearings was given which conformed to the requirements of 40 CFR § 51.102(d). I am the custodian of the records of the Texas Commission on Environmental Quality (Commission).

A handwritten signature in cursive script that reads "Jim Muse".

Jim Muse
Records Administrator, Policy and Regulations Division
Texas Commission on Environmental Quality

Texas Commission on Environmental Quality
Public Hearings
August 23, 24, and 26, 2004

Concerning Revisions to the
State Implementation Plan concerning the
San Antonio Area Early Action Compact
Rule Project No. 2004-085-SIP-NR

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INTRODUCTION

The Texas Commission on Environmental Quality (commission) held public hearings to receive testimony regarding proposed revisions to the state implementation plan (SIP), concerning the San Antonio Early Action Compact (EAC) Ozone SIPs. Public hearings were held: August 23, 2004, 2:00 p.m., at the Texas Commission on Environmental Quality, 12100 North I-35, Building F, Room 254S, Austin; August 24, 2004, 10:00 a.m., at the Longview City Hall Council Chambers, 300 West Cotton Street, Longview; and August 26, 2004, 10:00 a.m. and 7:00 p.m., at the Alamo Area Council of Governments Board Room, 8700 Tesoro Drive, Suite 100, San Antonio.

This SIP revision for the San Antonio area including Bexar, Comal, Guadalupe, and Wilson Counties describes how the state will demonstrate attainment with the 8-hour ozone standards by December 31, 2007 and maintain the standard beyond that date. The Alamo Area Council of Governments (AACOG) representing the 4-county area, entered into an EAC with the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) with the purpose to develop and implement a Clean Air Action Plan (CAAP) to ensure ground-level ozone concentrations comply with the 8-hour ozone standard. This SIP revision was developed from the CAAP and contains the results of photochemical modeling and other analyses which show that the San Antonio area will attain and maintain the 8-hour ozone standard by 2007.

The comment period closed August 30, 2004. All testimony and comments have been reviewed and seriously considered. This hearing record contains a complete record of the public hearings and is divided into the following four sections:

- o Public Notification and Proposal
- o Written and Oral Testimony
- o Evaluation of Testimony
- o Staff Recommendations (including order and *Texas Register* publication)

Additional copies of this hearing record are maintained in the commission's central office at 12100 Park 35 Circle, Austin, Texas 78753. For further information, contact Gerry Wolfe at (512) 239-4703..