Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

NOTICE OF PUBLIC HEARING ON PROPOSED REVISIONS TO 30 TAC CHAPTER 113 AND TO THE STATE PLAN

The Texas Commission on Environmental Quality (commission) will conduct a public hearing to receive testimony regarding proposed revisions to 30 Texas Administrative Code (TAC) Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants, Subchapter D, Designated Facilities and Pollutants, Division 1, §113.2069; proposed new Division 6; and proposed revisions to the Federal Clean Air Act (FCAA), §111(d) State Plan for municipal solid waste (MSW) landfills under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations (CFR) §60.23, concerning adoption and submittal of state plans.

The proposed rulemaking would revise Chapter 113 to implement updated federal emission guidelines for existing MSW landfills. The proposed changes to the rules and the §111(d) State Plan would allow TCEQ to administer and enforce these guidelines after federal approval. Currently, existing MSW landfills are required to comply with a federal plan administered by the U.S Environmental Protection Agency (EPA). The proposed revisions to the §111(d) State Plan are required under the FCAA, §111 and the emission guidelines for MSW landfills contained in 40 CFR Part 60 Subpart Cf. States must adopt and submit to the EPA for approval a state plan to implement and enforce the emission guidelines.

The commission will hold a hybrid in-person and virtual public hearing on this proposal in Austin on February 23, 2023, at 10:00 a.m. in Building D, Room 191, at the commission's central office located at 12100 Park 35 Circle. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not be permitted during the hearing; however, commission staff members will be available to discuss the proposal 30 minutes prior to the hearing.

Individuals who plan to attend the hearing virtually and want to provide oral comments and/or want their attendance on record must register by Tuesday, February 21, 2023. To register for the hearing, 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 Wednesday, February 22, 2023, 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_MzRjOGJmNTktODQxNy00MWY2LWE1MTAtODk0ZTY4MTllYTg4%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-

800-RELAY-TX (TDD). The hearing will be conducted in English. Language interpretation services may be requested. Requests should be made as far in advance as possible.

Written comments may be submitted to Cecilia Mena, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to *fax4808@tceq.texas.gov*. Electronic comments may be submitted through the TCEQ Public Comments system at: *https://tceq.commentinput.com/comment/search*. File size restrictions may apply to comments being submitted electronically. All comments should reference Rule Project Number 2017-014-113-AI. The comment period closes February 28, 2023. Copies of the proposed rulemaking and revisions to the State Plan can be obtained from the commission's website at *https://www.tceq.texas.gov/rules/propose_adopt.html*. For further information, please contact Michael Wilhoit, Air Permits Division, at (512) 239-1222.