Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim 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 116

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 116, Control of Air Pollution by Permits for New Construction or Modification, §116.615, under the requirements of: §382.011, General Powers and Duties; §382.023, Orders; §382.051, Permitting Authority of the Commission; Rules; §382.0513, Permit Conditions; §382.05195, Standard Permit; and Texas Government Code, Chapter 2001, Subchapter B.

The proposed rulemaking would amend §116.615 by adding language requiring that the owner or operator of concrete batch plants authorized under TCEQ's Air Quality Standard Permit for Concrete Batch Plants comply with certain public notice and hearing requirements if they propose to move the registered concrete batch plant to a new location on the site. The owner or operator shall submit a new or amended registration and fee and comply with the public notice requirements, including the opportunity to request a contested case hearing, unless the new location is greater than 440 yards from any property line.

The commission will hold a hybrid in-person and virtual public hearing on this proposal in Austin on **April 6, 2023, at 10:00 AM** in Building E, Room 201S, 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 Monday, April 3, 2023. To register for the hearing, please email [HYPERLINK "mailto:Rules@tceq.texas.gov"] and provide the following information: your name, your affiliation, your email address, your phone number, and whether you plan to provide oral comments during the hearing. Instructions for participating in the hearing will be sent on April 5, 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:

[HYPERLINK "https://teams.microsoft.com/l/meetup-join/19%3ameeting_N2I1ODU0ZDAtNzJmNC00NzQ0LWFjMmEtMmNiNTQwMGQyMWUx%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). Requests should be made as far in advance as possible.

Written comments may be submitted to Gwen Ricco, 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: [HYPERLINK "https://tceq.commentinput.com/comment/search"]. File size restrictions may apply to comments being submitted electronically. **All comments should reference Rule Project Number 2022-034-116-AI**. The comment period closes **April 10, 2023**.

Copies of the proposed rulemaking can be obtained from the commission's website at [HYPERLINK "https://www.tceq.texas.gov/rules/propose_adopt.html"]. For further information, please contact David Munzenmaier, Air Permits Division, (512) 239-6092.