

# Kevin Overton

SUBJECT: Comments on Proposed Revisions to 30 Texas Administrative Code Chapters 115 & 117 and to the State Implementation Plan

Kelly Keel, Executive Director  
Texas Commission on Environmental Quality  
12100 Park 35 Circle  
Austin, TX 78753

Dear Director Kelly and Staff:

I appreciate the opportunity to comment on the proposed revisions to Texas Administrative Code (TAC) 115 & 117 and the State Implementation Plan (SIP). I am a retired environmental scientist and environmental consultant with over 40 years of experience in air quality in Texas. The one constant in my career has been the continuing problem of air quality in Texas.

With each set of changes to the SIP modest control strategies are developed and we are told that these changes will result in the reductions that will produce the reductions to bring the North Texas non-attainment area into compliance with the National Ambient Air Quality Standards (NAAQS) for ozone. I acknowledge the success in reducing ozone levels in North Texas, but it must be recognized that the NAAQS for ozone has never been achieved for the Dallas-Fort Worth region.

There is a need for a revised strategy to achieve compliance. As stated above, each new SIP results in modest changes. In some efforts the changes are addressed to stationary sources. In other efforts the changes are directed towards mobile sources. However, each set of changes is limited in scope and severity. The North Central Texas Council of Governments (NCTCOG) has proposed an extensive list of proposed strategies and actions that are comprehensive and innovative. I strongly urge that the TCEQ evaluate and implement as many of the strategies and actions proposed by the NCTCOG as are practical. The list of actions proposed by the NCTCOG can be found here (<https://www.publicinput.com/Customer/File/Full/f59f38ea-a211-4234-9c0c-7372d4d29eee>).

In addition to the above comment, I would like to direct attention to a recent event that may provide valuable insight on the effectiveness of some of the central strategies that consider prominently in previous attempts to reduce ozone levels. In the ozone season of 2020 traffic levels in the Dallas-Fort Worth area were drastically reduced due to the COVID 19 shutdowns. Workers that normally travelled on the roads of north Texas were forced to work from home due to workplaces shut down. According to the NCTCOG, traffic in 2020 declined by 50% in early spring 2020 and was still 17% lower in December 2020 (<https://www.nctcog.org/trans/about/publications/pnt/2021>). This is important because the reduction of ozone precursor emission from transportation sources is an important strategy to improving ozone levels. The removal of so many mobile sources should have had a similar impact to replacing a significant number of internal combustion engines with zero emitting Electric Vehicles. However, data demonstrates that the impact of the lower traffic did not produce an impact consistent with the anticipated result. The annual average ozone levels for the three-year period ending in 2020 was 76 ppb. The average for the period ending in 2019 was 77 ppb. IN 2019 there were 29 days with ozone levels exceeding the NAAQS. In 2020, despite the significant reduction in emissions from mobile sources, there were 21 ozone levels exceeded the NAAQS.

I strongly suggest a comprehensive evaluation of the data from 2020 with regard to ozone levels. The NCTCOG data mentioned here is for mobile sources, but it is logical that stationary source emissions would be lower in this period as well. Hopefully, the TCEQ has resources to evaluate the stationary source data from this period as well. It may not be possible to include any conclusions from an evaluation from this data in this revision of the SIP. However, the evaluations would be useful to future efforts to reduce ozone emissions. It would also provide a unique opportunity to comprehensively evaluate the mechanism of air quality in DFW.

Finally, I was involved in the creation of the City Dallas Comprehensive Environmental & Climate Action Plan (CEDAP). Although this effort was directed mainly to efforts to reduce Green House Gas (GHG) emissions, I learned from my involvement in the CECAP that an integrated approach to GHG reductions and ozone precursor emissions has significant advantages over a single-minded focus on one or the other. I acknowledge that the TCEQ is not prepared to address GHG emissions in this SIP revision, but it may be possible to use some of the strategies and actions that have been successful in reducing GHG emissions to reduce ozone precursor emissions.

One other important lesson learned from CECAP is the importance of actionable goals and targets. In the CECAP the City of Dallas placed specific goals and targets that require actions. This strategy should also be applied to the SIP and other rule making actions. Here is a link to the City of Dallas CECAP. I believe that it would be worth your time to look it over and see the innovative approaches that the City used without having the regulatory authority that the TCEQ can bring to bear  
([https://27aabd9a-6024-4b39-ba78-f6074e2fc631.filesusr.com/ugd/349b65\\_e4f9a262cebf41258fd4343d9af0504f.pdf](https://27aabd9a-6024-4b39-ba78-f6074e2fc631.filesusr.com/ugd/349b65_e4f9a262cebf41258fd4343d9af0504f.pdf)).

This concludes my comments. Again, I appreciate the opportunity to provide you with these comments. I believe that it is critical that improvements to our air quality come from this SIP revision. The importance that I place on this is obvious in that I am taking the time to make these comments on my own. If you have any questions or comments, please do not hesitate to contact me at (817) 929-9901 or by email at [kgoverton@gmail.com](mailto:kgoverton@gmail.com)

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