Texas Commission on Environmental Quality
October 30, 2026

Plain Language Summary for Rulemaking Proposal: Chapter 101 Emissions Banking and Trading Rule Updates
Rule Project No. 2026-022-101-AI

Introduction

The Texas Commission on Environmental Quality (TCEQ or commission) is proposing amendments to 30 Texas Administrative Code (TAC) Chapter 101, General Air Quality Rules, Subchapter H, Emissions Banking and Trading, §101.303, §101.304, §101.335, §101.336, §101.352, §101.354, §101.359, §101.376, §101.392, and §101.400; and the repeal of §101.401, §101.501 - §101.504, §101.506, and §101.508.

TCEQ also proposes corresponding revisions to the state implementation plan (SIP) under the requirements of Texas Health and Safety Code, §382.017; Texas Government Code, Chapter 2001, Subchapter B; and 40 Code of Federal Regulations §51.102 of the United States Environmental Protection Agency (EPA) concerning SIPs.

Summary

In 2023, TCEQ conducted a review of 30 TAC Chapter 101, General Air Quality Rules, in accordance with legislative requirements which direct state agencies to review and consider for readoption each of their rules every four years. During this review of Chapter 101, select portions of Subchapter H, Emissions Banking and Trading, were identified as outdated or obsolete.

Additionally, in early 2026, the Texas Regulatory Efficiency Office (TREO) tasked the commission with conducting a review of agency rules to identify outdated or redundant regulations that should be eliminated. One additional rule within Subchapter H was identified as obsolete during the 2026 review. It is recommended that the commission amend Chapter 101, Subchapter H, to repeal rules that are no longer necessary or no longer serve their original purpose.

Public Comment and Public Meeting Information

TCEQ will offer a hybrid in-person and virtual formal public hearing on this proposal in Austin on Wednesday, January 6th, 2027, at 10:00 a.m. in Building E Room 201S, at TCEQ's central office located at 12100 Park 35 Circle.

Individuals who plan to attend the meeting virtually and want to provide oral comments must register by January 4, 2027. To register, 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 meeting. Instructions for participating in the meeting will be sent on January 5, 2027, to those who register for the meeting.

Members of the public who do not wish to provide oral comments but would like to view the meeting virtually may do so at no cost at:
https://teams.microsoft.com/meet/276212316729673?p=EO1oHxlPYnWcK0O59L Spanish

language interpretation services will be provided if requested. For accommodation needs, contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RELAY-TX (TDD) as far in advance as possible.

The comment period for this proposed action opens on December 4, 2026, and closes at 11:59 on January 7, 2027. Submit written comments through TCEQ's Public Comments system at *https://tceq.commentinput.com* or by mail to Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087. Comments may also be faxed to *fax4808@tceq.texas.gov*. Comments must reference Non-Rule Project No. 2026-022-101-AI.

For more information about the proposal or to get help with submitting written comments, contact Grace Hosek, Rule Project Manager, at (512) 239-3055 or *grace.hosek@tceq.texas.gov*.