



CITY OF HOUSTON

Houston Health Department

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September 8, 2025

Gwen Ricco
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PO Box 13087
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RE: Comments from the City of Houston Regarding Proposed Revisions
to 30 TAC Chapter 39 and 55 and Corresponding Revisions to The State Implementation Plan

Ms. Ricco:

Thank you for the opportunity to submit comments after the recent notice published for public hearing and comments related to the proposed revisions to 30 TAC Chapter 39 and 55.

Any rules and regulations that can help to better manage facilities with air permits will benefit local communities. Houston is currently in nonattainment for ozone and is trending towards nonattainment for PM 2.5 as well. With no zoning in the Houston area, facilities with air permits legally emit fine particulate matter in neighborhoods next to homes, schools, churches and parks in our city. These permitted facilities produce air pollution, specifically particulate matter emissions including particulate matter 2.5 microns and smaller, referred to as fine particulate matter, that can be inhaled deep into the lungs. Inhalation of fine particulate matter poses serious human health risks including asthma attacks, cardiac arrest, stroke and premature death.

According to Federal Reference Area Monitors, PM2.5 concentrations exceed the EPA's National Ambient Air Quality Standards national yearly standard of 9 ug/m^3 ⁽ⁱ⁾ for PM2.5. If not effectively addressed, the city's ambient air quality level would lead to an EPA designation of nonattainment for PM2.5 that is unhealthy for all Houstonians. In addition, concentrations of PM2.5 can be much higher at the hyperlocal level, from one end of a block to another, than what is indicated by distant Federal Reference Area Monitors. This raises concerns that communities are not being adequately protected, as their exposure to pollution from local area sources may be significantly underestimated by monitoring data from some distance away.

The Houston Health Department supports the rule changes as we believe it will provide several benefits to our communities:

1. Extended comment periods and opportunities to request contested case hearings will give individuals more time to express concerns about air quality permit applications. The comment period for air quality permits will be extended to at least 36 hours after public meetings which will provide local interested parties more time to provide comments that may have been sparked by the discussions during the meeting.
2. The rule change will ensure that application information remains available throughout the review process.
3. Electronic posting of permit applications will ensure easier access to information about proposed facilities.
4. Simplified and clarified rules, including definitions of commonly used terms will make it easier for the public to understand and participate in the permitting process.
5. Extended comment periods for facilities with poor compliance histories will allow communities to scrutinize such applications more thoroughly.
6. Spanish language interpretation and assistance will ensure inclusivity for non-English-speaking residents.

While we support the proposed revisions' goal of enhancing public participation, we believe that the process could be further strengthened by allowing local compliance data (History of complaints resulting in Texas Administrative Code Title 30 nuisance, record keeping, distance requirements, dust suppression, and other violation observations) to be included in the review process. This would ensure the most accurate and comprehensive compliance picture. In addition to compliance data being included, air monitoring data collected by local pollution control programs could also be utilized to further augment the permit approval or re-approval process. It would be beneficial to TCEQ's mission of reducing and preventing pollution to establish a baseline and parameters upon which the data from local programs would be acceptable to the commission during these proceedings. Having a clearer picture of TCEQ's criteria would also aide local programs to be more prudent with our investment in pollution monitoring equipment and training.

Sincerely,

Signed by:



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Loren Hopkins, PhD

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Houston Health Department

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