

# Genesis Granados

Gwen Ricco Via electronic filing  
Office of Legal Services  
Texas Commission on Environmental Quality  
P.O. Box 13087, MC 205  
Austin, Texas 78711-3087

Re: Updates to Public Participation Rules to Implement Sunset Legislation - RPN 2024-003-039-LS

Dear TCEQ Commissioners,

Thank you for the opportunity to comment on RPN 2024-003-039-LS- Updates to Public Participation Rules to Implement Sunset Legislation. My name is Genesis Granados, and I am the Senior Manager of Environmental Justice Programs at Air Alliance Houston. I am sending this letter on behalf of Air Alliance Houston and the proposed changes to Chapters 39 and 55. We commend the TCEQ for implementing intentional public participatory changes brought on by their Sunset Review process and stakeholder meetings. These changes will strengthen aspects of their Sunset bill, especially when it comes to promoting transparency, communication, and strengthening opportunities for public engagement in the permitting process for air permits.

The proposed amendments to Chapter 55, along with rulemaking changes to Chapter 39, will help expand definitions within the public participation process, making language more accessible, reflecting clearer stakeholder feedback requests, and creating less complex, accessible rules to facilitate public participation. Along with these changes, requiring permit information to be posted on the TCEQ website and expanding sign posting requirements at facility sites (with larger signs and longer posting times) can help to ensure that information is visible and accessible from the beginning to the end of the permitting process. These amendments will contribute to ensuring that our impacted communities are better able to meaningfully engage in decisions that affect them and their health in a manner that they can understand, but also actively participate. A thing for TCEQ to keep in mind is the misuse of public notice guidelines by industry that often limits the exposure of the information (i.e. not posting notices in a relevant newspaper of the community or public areas of use by the community) and ask is for better agency awareness and system of accountability that will ensure that applicants will do their due diligence of truly informing and updating communities about their permits.

Additionally, extending the comment submission and timeframe to request a contested case hearing following a public meeting to at least 36 hours after for air quality permit applications with consolidated notice provides more opportunity for community members to participate, especially those who become aware of permits after the public meeting. With that said, expanding this timeframe for all permit types, not limited to consolidated notices, would even further expand resident participation. Furthermore, clarifying the Executive Director's role in extending comment periods and outlining the communication actions to inform residents of the time extension will provide adequate time for reviewing, understanding, and responding to complex permits.

Clarifying the criteria for requesting Contested Case Hearings and expanding the authority to allow any legislator to request a permit meeting for certain permits will broaden opportunities for accountability and ensure that elected officials can better represent the interests of their constituents.

Overall, these rule changes reflect the initial steps that the TCEQ is taking toward building trust,

accessibility, and transparency in the permitting process with our communities. TCEQ has an opportunity to become a robust regulator with these changes; Air Alliance Houston urges TCEQ to adopt and fully implement them, and to continue identifying accessible ways to ensure all Texans have meaningful participation in decisions that affect their health and environment.

Thank you for the opportunity to comment.

Regards,

Genesis Granados

Senior Manager

Environmental Justice Programs



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Thank you for the opportunity to comment.

Regards,

A handwritten signature in black ink, appearing to read 'G. Granados', with a horizontal line extending from the middle of the signature.

Genesis Granados

Senior Manager

Environmental Justice Programs

