



July 16, 2026

Texas Commission on Environmental Quality
Texas Regulatory Efficiency Office
rules@tceq.texas.gov

Re: Harris County Pollution Control Services
Air Comments on TCEQ Invites Stakeholder Comments on Potential Rule Changes
Proposed Improvements to TCEQ Rules

To whom it may concern,

Harris County Pollution Control Services (PCS) respectfully submits the following comments as requested by the Texas Commission on Environmental Quality (TCEQ) on agency rules identified for potential improvement through the Texas Regulatory Efficiency Office's (TREG) rule review process.

PCS inspects facilities in Harris County for compliance with environmental laws and regulations, reviews permit applications, and submits comments to the TCEQ on permitting actions. PCS also works closely with the TCEQ's Houston Region 12 office, which refers a substantial number of environmental complaints, including nuisance complaints, from Harris County citizens. PCS then investigates these complaints and, when appropriate, issues Violation Notices and refers cases to the Harris County Attorney's Office or District Attorney's Office for civil or criminal enforcement.

Below is a list of comments and concerns identified by PCS.

- 1. The TCEQ is proposing to remove the following regarding Emission Banking and Trading as they have been determined to be .**

30 TAC 101.336(b)(2) regarding specification(s) on emission monitoring, compliance demonstration, and reporting

30 TAC 101.350(1) regarding for definition of Mass Emissions Cap and Trade Program

30 TAC 101.354(c) regarding specification on allowance deductions of Mass Emissions Cap and Trade Program



30 TAC 101.359(a)(3) regarding reporting of Mass Emissions Cap and Trade Program.

30 TAC 101.376(f)(1) regarding discrete emission credit use of Discrete Emission Credit Program.

30 TAC 101.400(a)(3) regarding Highly Reactive Volatile Organic Compound Emissions Cap and Trade Program.

Comment/Recommendation

While the TCEQ notes that several sections are obsolete and may be removed, PCS recommends that TCEQ retain these sections unless the agency clearly identifies where equivalent requirements are located within the rules. If the TCEQ proceeds with the repeal, PCS recommends adding explicit references or links to the appropriate rule citations. These adjustments would maintain consistency across TCEQ air regulations.

2. **Per the TCEQ, the volatile organic compound definition (116) is frozen at the March 27, 2014, version of 40 CFR §51.100(s). EPA has since added several compounds to the VOC-exempt list. The commission could consider updating this reference to incorporate the most recent federal amendments, which would reduce compliance confusion for facilities that must currently track two different lists of VOC-exempt compounds (state and federal). This alignment would also reduce staff time spent answering inquiries about the difference. This rule is obsolete and references incorrect requirements.**

Comment/Recommendation

PCS recommends that the TCEQ revise the 30 Chapter 101.1 VOC definition to incorporate the appropriate reference directly for the current 40 CFR Part 51 to ensure consistency between federal and state regulations.

3. **The TCEQ believes the following provisions of the Emission Banking and Trading are obsolete and should be removed.**

30 TAC 117.1225(a) regarding alternative case-specific specifications for Houston-Galveston-Brazoria Ozone Nonattainment Area Utility Electric Generation Sources



30 TAC 117.325(a) regarding alternative case specific specifications for Houston-Galveston-Brazoria Ozone Nonattainment Area Major Sources

Comment/Recommendation

PCS recommends that these requirements remain until the TCEQ provides replacement language for consideration by the public prior to implementation of proposed changes. PCS further requests that any updated language reference comply with the requirements of the MECT program and the site's NSR permit.

Thank you for the opportunity to provide these concerns regarding the Potential Rule Changes. Should you have any additional questions or concerns, please contact William Lathan at (713) 274-7263 or by email at william.lathan@harriscountytexas.gov.

Sincerely,

Mr. Herman Rogers
Permit Services Manager

cc: Jesse Dickerman - Harris County Pollution Control Services
Veronyka James - Harris County Judge's Office
Sarah Utley - Harris County Attorney's Office
Nicole Bealle - TCEQ Region 12

WOL/lw