



December 9, 2010

Mr. Mark Vickery  
Executive Director  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087  
Austin, Texas 78711-3087

Mr. Richard Hyde, P.E.  
Deputy Director, Office of Permitting and Registration  
Texas Commission on Environmental Quality (TCEQ)  
P.O. Box 13087  
Austin, Texas 78711-3087

RE: Air Permits for Major Sources in Counties Neighboring the Houston-Galveston-Brazoria  
Ozone Nonattainment Area

Dear Mr. Vickery and Mr. Hyde:

I am writing with recommendations from the Houston-Galveston Area Council (H-GAC) concerning air permitting of major sources in counties neighboring the Houston-Galveston-Brazoria (HGB) non-attainment area. H-GAC's Board of Directors endorsed these recommendations, prepared by its Regional Air Quality Planning Committee.

H-GAC is concerned that ozone precursor emissions authorized by TCEQ permitting actions in counties neighboring the Houston-Galveston-Brazoria (HGB) nonattainment area could potentially hinder the area's future ability to reach attainment, and have the potential to adversely affect public health.

H-GAC requests that TCEQ examine potential impacts from increased NOx and VOC emissions on public health and the ozone nonattainment area when it reviews any Prevention of Significant Deterioration (PSD) permit application for a source in a county neighboring the nonattainment area. The review should include any required modeling associated with the permit application. Such a review will help ensure that ozone reduction efforts and investments made in the nonattainment area continue to be effective and not significantly impacted by emissions sources outside the area.

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H-GAC recognizes that TCEQ has limited technical guidance from the Environmental Protection Agency (EPA) regarding appropriate screening tools and ozone modeling protocols that would enable permitting reviews to be accomplished in the most efficient manner. H-GAC recommends that TCEQ seek further EPA technical guidance on modeling and permitting issues. Obtaining this guidance could improve the permitting process and provide greater clarity and certainty to both the regulated community and the public.

The nonattainment area has made significant strides towards improving air quality in recent years through a concerted effort and considerable financial and resource investment by area governments and local industry. The expected strengthening of the ozone standard in the near future by EPA will make achieving that standard a more daunting exercise.

It is crucial that our local governments, industry and the state continue to protect public health by taking appropriate steps to allow the area to attain the ozone standard. We also need to insure our region's economic future and preserve our investments for cleaner air. H-GAC is committed to this shared effort and look forward to working with TCEQ to accomplish these important goals.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jack Steele', with a stylized flourish at the end.

Jack Steele

JS/jbf