

North Central Texas Council Of Governments

December 18, 2012

Mr. Michael Parrish
MC 205, Office of Legal Services
Texas Commission on Environmental Quality
PO Box 13087
Austin, TX 78711-3087

SUBJECT: Public Comment on Proposed Stationary Diesel Engine Exemption Rule Revisions –
Rule Project Number 2012-031-117-AI

Dear Mr. Parrish:

As chairs of the North Texas Clean Air Steering Committee (NTCASC) and Oil and Gas Task Force, we appreciate the opportunity to comment on the Texas Commission on Environmental Quality's (TCEQ) Proposed Revisions to 30 Texas Administrative Code (TAC) Chapter 117, Subchapter D, Division 2 that limit nitrogen oxide (NO_x) emissions from minor sources in the Dallas-Fort Worth (DFW) ozone nonattainment area. The NTCASC was formed to work in partnership with the TCEQ and the Environmental Protection Agency (EPA) in development of State Implementation Plan (SIP) revisions for the DFW ozone nonattainment area and to support their implementation once approved. Members are appointed by the North Central Texas Council of Governments Executive Board. Attachment 1 contains a Committee roster. Please accept the following comments along with supporting attachments.

Attachment 2 highlights the region's historical fourth highest, eight-hour trend over three-year periods, which continues to fall short of EPA standards. Since the late 1990's, primary focus in minimizing ozone formation has been by way of reducing NO_x emissions. As the ozone standard has continued to become more stringent, all potential emission increases that affect ozone formation are important and need careful consideration, no matter how small they may seem. Each increase in emissions such as the one proposed has the potential of placing more need for reducing on-road emissions and this, in turn, places more stress in demonstrating transportation conformity.

Although the industry needs to adequately train its staff in all areas and phases of the natural gas drilling and extraction process, this proposed exemption cannot be fully supported due to several implications this rule may have on the DFW nonattainment region. There is concern that this exemption could contribute to the continuing exceedance of federal ozone standards in this area; and therefore, we are requesting additional consideration on the following items before a final decision is made:

1. Are there other areas in the State that are in attainment that could host this training site?
2. Based on supporting information, it can be interpreted that only one engine would be newly exempted under this proposed rulemaking. Is this the case? If not, how many engines are included and what is the projected increase in annual emissions?
3. As proposed, does this exemption open the door for additional training sites to be located within the North Central Texas nonattainment area?
4. Has the possibility and impacts of additional engines used for this purpose in the DFW area been taken into consideration?
5. Review of Halliburton's petition for rulemaking identifies the engine location to be located in Carrollton. Can this be confirmed?
6. Please document analysis of emission estimates.
7. Please document technical analysis to determine how the additional emissions from the newly exempted engine will impact air quality monitors and sensitive populations.

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8. Why did the TCEQ propose the threshold for maximum annual operating hours at 1,000, knowing that existing exemptions under §§117.2103(5), §§117.2103(8), and §§117.2103(9) are limited to only 100 hours per year?
9. The proposed rulemaking also includes a new exemption under §§117.2103, Operating Requirements, which prohibits affected engines from being started between the hours of 6 am and noon. Can the TCEQ provide justification as to why an exemption from this requirement is also being included in the proposed rulemaking?
10. Do recent time of day photochemical model sensitivity runs exist that indicate how early morning NO_x and volatile organic compound (VOC) emissions impact afternoon formation of ozone?

In addition to the questions posed above, it is requested that the TCEQ consider the following suggestions for this proposed rulemaking:

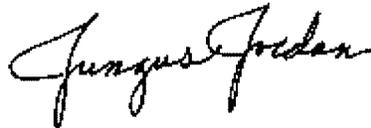
1. Consider locating engines used for training purposes outside of all nonattainment areas rather than providing a special exemption.
2. If the exemption is granted, require that all eligible engines be located away from air quality monitors and sensitive groups.
3. Examine the benefits and feasibility of requiring independent third-party verification of industry-reported monitoring/compliance data.
4. Require training to include smart operating practices such as no idling, proper engine maintenance, and other emission reducing strategies.
5. Require Halliburton to identify and implement emission reduction offsets for increased emissions

The opportunity to comment is appreciated and we look forward to a continued partnership with the TCEQ as we work toward the common goal of cleaner air. Should you have any questions, please contact Chris Klaus, Senior Program Manager, at (817) 695-9286 or cklaus@nctcog.org.

Sincerely,



Mark Burroughs, Chair
North Texas Clean Air Steering Committee
Mayor, City of Denton



Jungus Jordan, Chair
North Texas Clean Air Steering Committee –
Oil and Gas Task Force
Councilmember, City of Fort Worth

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Attachments

cc: North Texas Clean Air Steering Committee
Mike Eastland, Executive Director, North Central Texas Council of Governments
Chris Klaus, Senior Program Manager, North Central Texas Council of Governments

**NORTH TEXAS CLEAN AIR STEERING COMMITTEE
ROSTER**

COUNTIES

Roy Brooks County Commissioner Tarrant County	Maurine Dickey County Commissioner Dallas County	Ron Marchant County Commissioner Denton County
Mark Riley County Judge Parker County	Keith Self County Judge Collin County	VACANT

CITIES

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Linda Koop Councilmember City of Dallas	Amir Omar Councilmember City of Richardson	Darren Rozell Mayor City of Forney

BUSINESS ORGANIZATIONS

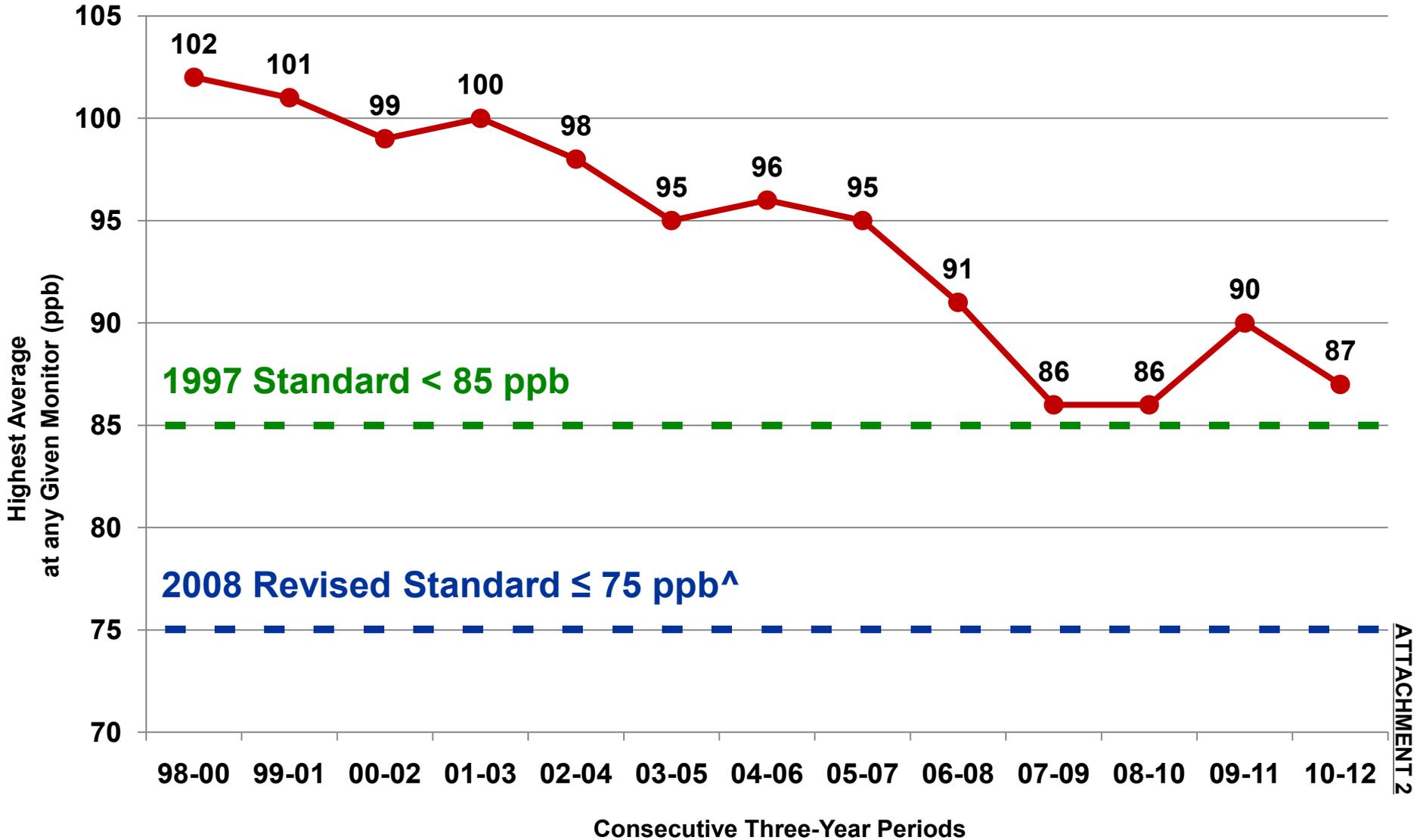
Howard Gilberg Dallas Regional Chamber	Mabrie Jackson North Texas Commission	Tim Keleher Fort Worth Chamber of Commerce
Margaret Keliher Texas Business for Clean Air		

ENVIRONMENTAL INTERESTS

Ramon Alvarez Environmental Defense Fund	Rita Beving Sierra Club/Public Citizen	Jim Schermbeck Downwinders At Risk
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2012 OZONE SEASON

8-Hour Ozone Historical Trends



ATTACHMENT 2

^Attainment Goal - According to the US EPA National Ambient Air Quality Standards, attainment is reached when, at each monitor, the three-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is equal to or less than 75 parts per billion (ppb).