



EPA Rejects Texas Flexible Permit Rules

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The latest development in the ongoing dialogue between EPA and TCEQ regarding Texas' proposed flexible permit rules is a March 12, 2008 letter from EPA Region 6 expressing concern about the proposed rules and providing specific changes and clarifications that EPA indicates will be necessary for federal approval of those rules. The numerous rule revisions described in EPA's letter address that agency's concerns about the applicability of major new source review ("NSR") program requirements and the practical enforceability of an emission limitation cap that applies to numerous emissions sources. EPA has requested TCEQ provide notification by the end of March 2008 regarding whether Texas will recommend adoption of the EPA-specified program changes. EPA Region 6's letter is available at:

http://www.tceq.state.tx.us/permitting/air/announcements/nsr_announce_3_20_08.html