

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
John M. Baker, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

September 22, 2000

Dear Regulated Community of the Houston/Galveston Area:

This letter addresses a growing concern at the Texas Natural Resource Conservation Commission (TNRCC) regarding air permitting and the State Implementation Plan (SIP). The TNRCC is developing a SIP for the Houston/Galveston nonattainment area and has proposed rules to implement controls on nitrogen oxides (NO_x) and volatile organic compounds (VOC) to achieve compliance with the National Ambient Air Quality Standard for ozone.

Since the proposal of the SIP, applications for projects have been submitted to the agency which will impact the baseline inventory. We need to understand the impact of the new projects on our ability to meet the federal one-hour ozone standard in the Houston/Galveston area.

I am preparing a report to the Commission which will be discussed in a work session tentatively scheduled for October 20, 2000. The need for your input into this report is paramount. Accordingly, I am asking you to provide a quantification of the NO_x emission allocations for applications submitted on or after September 18, 2000, that you intend to utilize under the proposed cap and trade program. I am also seeking your input on how these allocations can be provided to you while maintaining the integrity of the SIP. I have temporarily put a hold on processing and reviewing for administrative completeness any applications received on or after September 18, 2000 that will use NO_x emission credits, netting, or allocations in the Houston/Galveston area. This hold will remain in place at least until I receive direction from the Commission at the planned October 20th work session.

Accordingly, we will need your response to this request by October 13, 2000. Please understand that the completeness and timeliness of your response will ensure that the Commission arrives at a fair resolution of this issue. It is also imperative that estimates provided be as accurate as possible.

I do not take this action lightly. I am concerned that we have the best data available to make the difficult decisions that confront us. I am aware of the burden and uncertainty this may create. However, I assure you that we will determine the appropriate future course of action quickly and responsibly.

Thank you for your understanding and cooperation. Please send your response to Mr. John Steib, Director, Air Permits Division, Office of Permitting, Remediation & Registration, MC-163, P. O. Box 13087, Austin, Texas 78711-3087 or you may fax your response to (512) 239-1070. Should you have any questions please call (512) 239-1334.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey A. Saitas".

Jeffery A. Saitas, P.E., Executive Director
Texas Natural Resource Conservation Commission

[Click here to send an electronic response](#)