

Regulatory Update - November 2019 - Revision One

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Agency Semi-Annual Agenda Items (Potential Future Rulemaking) <https://resources.regulations.gov/public/custom/js/navigation/main.jsf>

Media/Field	Agency	Topic	Rule	Reference	Link	Rule State	Update	Latest Action(s)
					Link		The Government's Unified Semi-Annual Agenda Spring 2019 issued is reflected here along with previous issues identified in the Fall 2018 Agenda.	
Air	EPA	Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act	40 CFR 63		Link	Proposed Rule	These amendments would address when a major source can become an area source, and, thus, become not subject to national emission standards for hazardous air pollutants (NESHAP) for major sources under Clean Air Act (CAA) section 112. The amendments implement the EPA's plain language reading of the CAA section 112 definitions of "major" and "area" sources as discussed in the January 2018 William Wehrum memorandum titled "Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act." (See notice in 83 FR 5543, February 8, 2018.) This action provides an opportunity for interested persons to provide comment on many of the same issues covered in the 2007 NESHAP: General Provision Amendments (72 FR 69, January 3, 2007).	Notice 02/08/2018
Air	EPA	Supplemental Notice of Potential Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry	TBD		Link	Proposed Rule	The EPA published in the Federal Register the "Release of Final Control Techniques Guidelines for the Oil and Natural Gas Industry" on October 27, 2016 (81 FR 74798). These guidelines provided recommendations for reducing volatile organic compound emissions from existing oil and natural gas equipment and processes in moderate and higher classified ozone nonattainment areas and states in the Ozone Transport Region. In this action, the EPA plans to withdraw these guidelines in their entirety. On March 9, 2018, EPA proposed to withdraw the CTG in its entirety (83 FR 10478). In response to the substantive comments received, EPA is planning to release a supplemental notice of a potential withdrawal.	Supplemental Notice of Potential Withdrawal 09/00/2019
Air	EPA	Parent Company Definition for Toxics Release Inventory (TRI) Reporting	40 CFR 372		Link	Proposed Rule	EPA is developing proposed corrections to the existing regulatory language for the Toxics Release Inventory (TRI) Program. EPA is considering corrections that will: (a) update identifiers, formulas, and names for certain TRI-listed chemicals and (b) update text to indicate for which chemicals the 0.1 percent de minimis concentration applies to remedy a cross-reference to a no-longer-applicable regulatory citation. These proposed corrections are intended to maintain previous regulatory actions and do not alter existing reporting requirements. The proposed changes would not cause an increase or decrease in TRI reporting.	NPRM 11/00/2019
Air	EPA	Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Review	40 CFR 60		Link	Proposed Rule	On June 3, 2016, the Environmental Protection Agency (EPA) published a final rule titled "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources; Final Rule." Following promulgation of the final rule, the Administrator received petitions for reconsideration of several provisions of the rule. The EPA proposed those specific reconsideration issues on October 15, 2018. A number of states and industry associations sought judicial review of the 2016 rule, and the litigation is currently being held in abeyance. On March 28, 2017, newly elected President Donald Trump issued Executive Order 13783 titled "Promoting Energy Independence and Economic Growth," which directs agencies to review existing regulations that potentially burden the development of domestic energy resources, and appropriately suspend, revise or rescind regulations that unduly burden the development of U.S. energy resources beyond what is necessary to protect the public interest or otherwise comply with the law. In 2017, the EPA provided notice to initiate the review of the 2016 rule and stated that, if appropriate, will initiate proceedings to suspend, revise or rescind the rule. Subsequently, in a notice dated June 5, 2017, the EPA further committed to look broadly at the entire 2016 rule. The purpose of this action is to propose amendments to address key policy issues, such as the regulation of greenhouse gases, in this sector.	Final Rule 12/00/2019

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Air	EPA	Renewable Fuel Standard Program: Standards for 2020, Biomass-Based Diesel Volumes for 2021, and Other Changes	40 CFR 80	Link	Proposed Rule	Under section 211 of the Clean Air Act, the Environmental Protection Agency (EPA) is required to set renewable fuel percentage standards every year. This action establishes the annual percentage standards for cellulosic biofuel, biomass-based diesel, advanced biofuel, and total renewable fuel that apply to gasoline and diesel transportation fuel produced or imported in the year 2020. Relying on statutory waiver authority that is available when the projected cellulosic biofuel production volume is less than the applicable volume specified in the statute, EPA is establishing volume requirements for cellulosic biofuel, advanced biofuel, and total renewable fuel that are below the statutory volume targets. We are also establishing the applicable volume of biomass-based diesel for 2021. This rule also addresses the 2016 total renewable fuel RVO, which was remanded to EPA for further consideration by the D.C. Circuit court after the court vacated EPA's use of the general waiver authority in 2016. Finally, this rulemaking includes several regulatory amendments designed to provide clarity and increase opportunities for renewable fuel production.	Final Rule	12/00/2019
Air	EPA	Protection of Visibility: Amendments to Requirements for State Plans	40 CFR 51 & 52	Link	Proposed Rule	As indicated in January 17, 2018, letters to petitioners for reconsideration of the 2017 Regional Haze Rule (Protection of Visibility: Amendments to Requirements for State Plans; January 10, 2017), the EPA will undertake a notice-and-comment rulemaking in which it will address portions of the rule, including but not limited to the Reasonably Attributable Visibility Impairment provisions, the provisions regarding Federal Land Manager consultation and any other elements of the rule it may identify for additional consideration.	NPRM	01/00/2020
Air	EPA	Renewable Fuel Standard Program: Modification of Statutory Volume Targets	TBD	Link	Proposed Rule	Under the statutory provisions governing the Renewable Fuel Standard (RFS) program, EPA is required to modify, or "reset", the applicable annual volume targets specified in the statute for future years if waivers of those volumes in past years met certain specified thresholds. Those thresholds have been met. As a result, EPA is proposing a rulemaking that will propose modifying the applicable volumes targets for cellulosic biofuel, advanced biofuel, and total renewable fuel for the years 2020 to 2022.	Final Rule	02/00/2020
Air	EPA	Review of the National Ambient Air Quality Standards for Particulate Matter	40 CFR 50	Link	Proposed Rule	Under the Clean Air Act Amendments of 1977, EPA is required to review, and if appropriate, revise the air quality criteria for the primary (health-based) and secondary (welfare-based) national ambient air quality standards (NAAQS) every five years. On January 13, 2013, the EPA published a final rule revising the NAAQS for particulate matter to provide increased protection for public health. The current review includes the preparation of an Integrated Review Plan, an Integrated Science Assessment and, if warranted, a Risk/Exposure Assessment, and also a Policy Assessment by EPA, with opportunities for review by EPA's Clean Air Scientific Advisory Committee and the public. These documents will inform the Administrator's proposed decision as to whether to retain or revise the standards. This proposed decision will be published in the Federal Register with opportunity provided for public comment. The Administrator's final decisions will take into consideration these documents and public comment on the proposed decision.	NPRM	03/00/2020
Air	EPA	Review of the Primary National Ambient Air Quality Standards for Ozone	40 CFR 50	Link	Proposed Rule	Under the Clean Air Act Amendments of 1977, EPA is required to review and if appropriate revise the air quality criteria for the primary (health-based) and secondary (welfare-based) national ambient air quality standards (NAAQS) every 5 years. On October 26, 2015, EPA published a final rule revising the NAAQS for ozone to provide increased protection for public health and welfare. The current review will include the preparation of an Integrated Review Plan, an Integrated Science Assessment, and, if warranted, a Risk/Exposure Assessment, and also a Policy Assessment by EPA, with opportunities for review by EPA's Clean Air Scientific Advisory Committee and the public. These documents inform the Administrator's proposed decision as to whether to retain or revise the current standards. This decision will be published in the Federal Register with opportunity provided for public comment. The Administrator's final decisions will take into consideration these documents, CASAC advice, and public comment on the proposed decision.	NPRM	03/00/2020

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Air	EPA	Topic	40 CFR	83 FR	Link	Proposed Rule	Description	Final Rule	Effective Date
Air	EPA	Clean Water Act Methods Update Rule for the Analysis of Effluent	40 CFR 136		Link	Proposed Rule	This regulatory action would amend "Guidelines Establishing Test Procedures for the Analysis of Pollutants" at 40 CFR part 136 by approving test procedures (analytical methods) for use by testing laboratories and others for water monitoring. These test procedures must be used to implement the NPDES program unless the U.S. Environmental Protection Agency (EPA) has approved the use of an alternate procedure. The regulation would also revise, clarify, and correct errors and ambiguities in existing methods and the water monitoring regulations.	Final Rule	03/00/2020
Air	EPA	Fuels Regulatory Streamlining	40 CFR 80	83 FR 20812	Link	Proposed Rule	This action is intended to streamline and modernize EPA's existing fuels regulations under 40 CFR part 80. The purpose of this effort is to update EPA's existing gasoline, diesel, and other fuels regulations to help reduce compliance costs for industry as well as EPA, while improving overall compliance assurance and maintaining environmental performance. In this action, EPA will streamline existing fuels regulations by deleting expired provisions, eliminating redundant compliance provisions (e.g., duplicative registration requirements that are required by every EPA fuels program), removing out-of-date requirements, to replace them with a single set of provisions and definitions that will apply across all gasoline, diesel, and other fuels programs currently under 40 CFR part 80.	Final Rule	06/00/2020
Air	EPA	National Emission Standards for Hazardous Air Pollutants Risk and Technology Review Reconsideration: Oil and Natural Gas Sector	40 CFR 63	80 FR 74068	Link	Proposed Rule	On August 16, 2012, the EPA completed its residual risk and technology review (RTR) and promulgated amendments to National Emission Standards for Hazardous Air Pollutants (NESHAP) that regulate hazardous air pollutants (HAP) from new and existing stationary sources in the oil and natural gas production and transmission/storage major source categories. The 2012 rule amended the NESHAP for these two major source categories (40 CFR part 63, subparts HH and HHH) for the oil and natural gas industry that were promulgated in 1999. On October 15, 2012, the EPA received several petitions for reconsideration to reconsider, clarify, and amend certain provisions of the final 2012 rule. By letter to petitioners dated October 6, 2017, the Administrator granted reconsideration on certain issues brought by petitioners. At this time, we are evaluating these issues to propose reconsideration.	Final Rule	07/00/2020
Air	EPA	Financial Responsibility Requirements Under CERCLA Section 108(b) for the Petroleum and Coal Products Manufacturing Industry	40 CFR 320		Link	Proposed Rule	Section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, establishes certain authorities concerning financial responsibility requirements. On January 6, 2010, the Agency identified classes of facilities within the chemical manufacturing industry; the petroleum and coal products manufacturing industry, which primarily includes refineries and not coal mines; and the electric power generation, transmission, and distribution industry as those for which could develop, as necessary, financial responsibility requirements under CERCLA 108(b). On January 11, 2017, the Agency made a determination to proceed with rulemakings that will either develop proposed financial responsibility requirements under CERCLA 108(b) or determine such requirements are not warranted. This entry identifies the petroleum and coal products manufacturing industry as the anticipated second of the three industries for which the Agency will make such determinations; however, this is subject to change.	Final	12/01/2021
Air	EPA	Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting	TBD		Link	Proposed Rule	Under the New Source Review (NSR) pre-construction permitting program, sources undergoing modifications need to determine whether their modification is considered a major modification and thus subject to NSR pre-construction permitting. A source owner determines if its source is undergoing a major modification under NSR using a two-step applicability test. The first step is to determine if there is a "significant emission increase" of a regulated NSR pollutant from the proposed modification (Step 1) and the second step is to determine if there is a "significant net emission increase" of that pollutant (Step 2). In this action, we are proposing the consideration of emissions increases and decreases from a modification in Step 1 of the NSR major modification applicability test for all unit types (i.e., new, existing, and hybrid units).	Final Rule	To Be Determined
Air	EPA	NAAQs - Ozone - Good Neighbor Obligations	40 CFR 52	83 FR 31915	Link	Final Rule	This action will evaluate and make a determination regarding Clean Air Act section 110(a)(2)(D)(i)(I) ("good neighbor") obligations for the 2008 ozone NAAQS. The Cross-State Air Pollution Rule Update for the 2008 Ozone NAAQS partially addressed this Clean Air Act requirement for 21 eastern states. EPA faces deadlines to fully address this Clean Air Act provision.	NPRM 7/10/2018 NPRM Comment Period End 8/31/2018 Final Rule 12/00/2018	

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Water	EPA	Clean Water Act Hazardous Substances Spill Prevention	Undetermined	Link	Proposed Rule Stage	As a result of a consent decree, the EPA is embarking on a rulemaking for the prevention of hazardous substance discharges under section 311(j)(1)(C) of the Clean Water Act (CWA). Section 311(j)(1)(C) reads, in part: "... as soon as practicable after October 18, 1972, and from time to time thereafter, the President shall issue regulations ... establishing procedures, methods, and equipment and other requirements for equipment to prevent discharges of ... hazardous substances from ... onshore facilities ... and to contain such discharges ..." The CWA hazardous substances and their associated reportable quantities (RQs) are identified in 40 CFR parts 116 and 117, respectively. The EPA will assess the consequences of hazardous substance discharges into the Nation's waters, and evaluate the costs and benefits of potential preventive regulatory requirements for facilities handling such substances.	NPRM 06/00/2018 Final Rule 09/00/2019
Hazardous Chemicals	EPA	TSCA Chemical Data Reporting Revisions and Small Manufacturer Definition Update for Reporting and Recordkeeping Requirements Under TSCA Section 8(a)	40 CFR 711	Link	Proposed Rule Stage	The Chemical Data Reporting (CDR) rule, under section 8(a) of the Toxic Substances Control Act (TSCA), requires manufacturers (including importers) to provide the EPA with information, including processing and use information, on chemical substances that they manufacture (including import) above threshold production volumes. The information is collected every four years and the production volume threshold for reporting a chemical substance is generally 25,000 pounds for a specific reporting year. Before the next reporting period of 2020, the EPA intends to revise the reporting requirements to better align with new statutory requirements resulting from TSCA as amended by the Frank. R. Lautenberg Chemical Safety for the 21st Century Act, address submitters' feedback following the 2016 submission period, and may consider reporting requirements for inorganic byproducts (RIN 2070-AK31). EPA is also proposing amendments to the size standards for small manufacturers, which impacts certain reporting and recordkeeping requirements for TSCA section 8(a) rules, including CDR; this change is being made in accordance with TSCA section 8(a)(3)(C) and EPA's determination that a revision to the current size standards is warranted.	NPRM 12/00/2018 Final Rule 10/00/2019
Air	EPA	LDAR Alternative Work Practice Standards	40 CFR 60, 61, 63 and 65	Link	Proposed Rule Stage	On December 22, 2008, EPA published a voluntary alternative work practice for leak detection and repair using a newly developed technology, optical gas imaging. Since promulgation, advancements have been made in leak detection technologies that warrant examination of revisions to the alternative work practice. Additionally, the agency received a request for administrative reconsideration from American Petroleum Institute (API) on February 20, 2009. This package will address additional alternative work practices and the issues raised for reconsideration.	NPRM 11/00/2018 Final Rule 11/00/2019
Water	EPA	NPDES Pollutant Testing Procedures	40 CFR 136	Link	Proposed Rule Stage	This regulatory action will amend "Guidelines Establishing Test Procedures for the Analysis of Pollutants" at 40 CFR Part 136 to approve test procedures (analytical methods) for use by testing laboratories and others for water monitoring. These test procedures must be used to implement the NPDES program unless EPA has approved the use of an alternate procedure. This action approves new and revised versions of testing procedures approved for analysis and sampling under the CWA. The rule is expected to include primarily method revisions from voluntary consensus standard bodies and Alternate Testing Procedures that are comparable to the current methods. The EPA believes these changes will have a positive impact on NPDES permittees by increasing method flexibility, thereby allowing entities to reduce costs by choosing more cost-effective methods.	NPRM 12/00/2018 Final Rule 12/00/2019
Hazardous Chemicals	EPA	EPCRA - Toxic Release Inventory	40 CFR 372	Link	Proposed Rule Stage	The Toxics Use Reduction Institute (TURI) submitted a petition under section 313(e)(1) of the Emergency Planning and Community Right-to-Know Act (EPCRA) to add 25 chemicals to the EPCRA section 313 list of toxic chemicals subject to reporting under the Toxic Release Inventory (TRI). EPA is evaluating the 25 chemicals to determine if they meet the listing criteria of EPCRA section 313(d)(2). EPA intends to propose the addition of any of the 25 chemicals that meet the EPCRA section 313(d)(2) criteria and for which reports are expected to be filed. Chemicals added to the list would be subject to the TRI reporting requirements.	NPRM 01/00/2019 Final Rule 02/00/2020

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Published Actions (List of Sections Affected)	https://www.gpo.gov/fdsys/browse/collectionCfrFR.action?dispatch=8&selectedPublicationDate=Choose+Date+Range		

Oil and Gas Division	TRRC	Use of Common Storage; relating to Separating Devices, Tanks, and Surface Commingling of Oil; relating to Gas to be Measured and Surface Commingling of Gas	16 TAC §3.25 - 3.27	Link	Adopted	The Commission adopted the amendments to §§3.25 - 3.27 which granted the Commission broad discretion in permitting the commingling of production of oil or gas or oil and gas from two or more tracts of land producing from the same reservoir or from one or more tracts of land producing from different reservoirs; Texas Natural Resources Code §81.051 - 81.052, which provided the Commission with jurisdiction over all persons owning or engaged in drilling or operating oil or gas wells in Texas and the authority to adopt all necessary rules for governing and regulating persons and their operations under Commission jurisdiction; Texas Natural Resources Code §§85.201 - 85.202, which require the Commission to adopt and enforce rules and orders for the conservation and prevention of waste of oil and gas, and specifically for drilling of wells, preserving a record of the drilling of wells, and requiring records to be kept and reports to be made; and Texas Natural Resources Code §§86.041 - 86.042, which give the Commission broad discretion in administering the provisions of Chapter 86 of the Code, authorize the Commission, generally, to adopt any rule or order necessary to effectuate the provisions and purposes Chapter 86, and require the Commission to adopt and enforce rules and orders to conserve and prevent the waste of gas, provide for drilling wells and preserving a record of them, require wells to be drilled and operated in a manner that prevents injury to adjoining property, and require records to be kept and reports to be made.	Effective date February 25, 2019
Oil and Gas Division	TRRC	Specific timeline for notice by publication when an operator seeks an exception to §3.37 or §3.38.	16 TAC §3.37, §3.38	Link	Adopted	The Commission adopted the amendments as proposed, such that a specific notice by publication provision is added in §3.37 and §3.38 and the Commission's general publication rule, §1.43, will no longer apply. The adopted notice by publication provisions in §3.37(a)(4) and §3.38(h)(2) state that if, after diligent efforts, an applicant for an exception is unable to ascertain the name and address of one or more persons required to be notified, then the applicant shall notify such persons by publishing notice of the application in a form approved by the Commission. The amendments require that the notice be published once each week for two consecutive weeks in a newspaper of general circulation in the county where the well will be located, with the first publication taking place at least 14 days before the protest deadline in the notice of application. The amendments also require that the applicant file a publisher's affidavit or other evidence of publication. As with other Commission notice by publication processes, the Commission may request additional information to show the applicant engaged in diligent efforts to locate persons to be notified. The Commission adopts the amendments to §3.37 and §3.38 pursuant to Texas Natural Resources Code §81.051 and §81.052, which provide the Commission with jurisdiction over all persons owning or engaged in drilling or operating oil or gas wells in Texas and the authority to adopt all necessary rules for governing and regulating persons and their operations under the jurisdiction of the Commission; and Texas Natural Resources Code §85.201 and §85.202, which require the Commission to adopt and enforce rules and orders for the conservation and prevention of waste of oil and gas, and specifically for drilling of wells, preserving a record of the drilling of wells, and requiring records to be kept and reports to be made.	Effective date March 18, 2019
Air	TCEQ	Control of Air Pollution from Volatile Organic Compounds	30 TAC 115	Link	Proposed	Based on 2017 monitoring data, the DFW area did not attain the 2008 eight-hour ozone NAAQS and did not qualify for a one-year attainment date extension in accordance with the FCAA, §181(a)(5). On August 7, 2019, the EPA signed the final notice reclassifying the DFW and Houston-Galveston-Brazoria (HGB) areas as serious ozone nonattainment areas. With the final reclassification to serious ozone nonattainment, the state is required to submit a SIP revision to fulfill the volatile organic compounds (VOC) reasonably available control technology (RACT) requirements mandated by FCAA, §172(c)(1) and §182(b)(2). Although the eight-county HGB area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) was also reclassified to serious nonattainment for the 2008 eight-hour ozone NAAQS, the commission determined that RACT is in place for all emission source categories in the HGB area; therefore, there are no changes proposed in this rulemaking that affect the HGB area.	Filed with the Office of the Secretary of State on September 13, 2019. Earliest possible date of adoption: October 27, 2019.

Regulatory Update - November 2019 - Revision One

JBE is restarting its update this month after a period of hibernation during which we grew and responded to our client needs but just could not find the time to keep this going.

The state of Texas has not introduced any significant requirements in 2019, but EPA has made some progress towards its rollback objectives. In the meantime, various rules that have been on the regulatory agenda for some time continued to move through the system. In particular, EPA's RTR reviews are progressing, but well behind its stated deadlines. For an update on their progress see this link: <https://www.epa.gov/stationary-sources-air-pollution/risk-and-technology-review-national-emissions-standards-hazardous>.

The organization has been revised for this issue. Line items are now presented by due date within the various sections, with the older ones first. But we've moved the past actions (in grey) to the bottom of each section so you won't have to wade through them to get to the more urgent information.

You will note some duplication between the LSA section and the Semi-Annual Agenda. We have not made an effort to sort that out because there seems to be some helpful information about EPA's intent in both places.



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November and December 2019 Deadlines

Deadline	Agency	Topic	Required Activity	November 2019													
11/25/19	EPA	NSPS Source Review - Oil and Gas	Public comments must be sent by the designated date.								1	2					
12/05/2019	EPA	MACT for Organic Liquids Dist (EEEE)	Public comments must be sent by the designated date.								3	4	5	6	7	8	9
12/06/2019	EPA	MACT for Ethylene	Public comments must be sent by the designated (revised) date.								10	11	12	13	14	15	16
											17	18	19	20	21	22	23
											24	25	26	27	28	29	30

Regulation Activity

Color Code Explanation:	Entry new	Entry previously reported and still pending	Action now complete
Published Actions (List of Sections Affected)	https://www.gpo.gov/fdsys/browse/collectionCfrFR.action?dispatch=&selectedPublicationDate=Choose+Date+Range		

Air	TCEQ	Control of Air Pollution from Nitrogen Compounds	30 TAC 117	Link	Proposed	Based on 2017 monitoring data, the DFW area did not attain the 2008 eight-hour ozone NAAQS and did not qualify for a one-year attainment date extension in accordance with FCAA, §181(a)(5). The EPA proposed to reclassify the DFW area to serious nonattainment for the 2008 eight-hour ozone NAAQS as published in the November 14, 2018 Federal Register (83 FR 56781). On August 7, 2019, the EPA signed the final reclassification notice. With the final reclassification to serious nonattainment, the state is required to submit a SIP revision to fulfill the nitrogen oxides (NOX) reasonably available control technology (RACT) requirements mandated by FCAA, §172(c)(1) and §182(f). Although the eight-county Houston-Galveston-Brazoria (HGB) area (Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, and Waller Counties) was also reclassified to serious nonattainment for the 2008 eight-hour ozone NAAQS, the commission determined that RACT is in place for all emission source categories in the HGB area; therefore, there are no changes proposed in this rulemaking that affect the HGB area.	Filed with the Office of the Secretary of State on September 13, 2019. Earliest possible date of adoption: October 27, 2019.
Water	TCEQ		30 TAC 222 and 309	Link	Proposed	The rulemaking would allow permittees and applicants to rely on the beneficial reuse of treated wastewater when calculating the amount of land required for disposal of treated wastewater. This would allow permittees and applicants to reduce the acreage dedicated for land application that is currently required by rule. The commission approved the petition to initiate rulemaking with stakeholder involvement. The executive director held a stakeholder meeting on August 9, 2016 and the public was invited to comment on the petition. The public comment period was from August 28, 2016 through October 28, 2016. Based on information presented at the stakeholder meeting, the executive director understands that the petition was made in response to increasing demands on water supplies and decreasing availability of contiguous or neighboring tracts of land that are large enough for domestic wastewater disposal under the commission's current rules. This trend is currently appearing in parts of Central Texas where wastewater discharge to water in the state is restricted by the commission's rules and land application of treated wastewater is the only permissible disposal option. The executive director recognizes that land availability may also be limited in other parts of the state, and that practicable land application options are especially important wherever discharge to water in the state is restricted or infeasible.	Currently under public comment period which will end October 27, 2019.