# TCEQ LogoNational Comments

# Executive Review Summary

**TCEQ Proposed Comments On:**

***Federal Register*, Vol. 82 No. 189, October 2, 2017,** Agency Information Collection Activities; Proposed Collection; Comment Request; Implementation of the 2008 Ozone National Ambient Air Quality Standards for Ozone, State Implementation Plan Requirements, EPA ICR No. 2347.03. Docket ID No. EPA-HQ-OAR-2010-0885

**Overview of Proposal:**

On October 2, 2017, the United States Environmental Protection Agency (EPA) published in the *Federal Register* a notice announcing that it is planning to submit to the Office of Management and Budget a request to renew an existing approved Information Collection Request (ICR) 2347.02, Implementation of the 2008 National Ambient Air Quality Standards (NAAQS) for ozone. This ICR is scheduled to expire on January 31, 2018. The EPA is soliciting comments on specific aspects of the proposed ICR with regard to additional state implementation plan (SIP) activities under the 2008 eight-hour ozone NAAQS during the period from February 1, 2018 through January 31, 2021.

**Summary of Comments:**

The comment letter addresses the following topics:

The proposed cost associated with the EPA’s estimated burden to implement additional SIP activities under the 2008 ozone NAAQS during this time period is too low, without clarification or alternative estimates.

* The EPA has indicated that the 2008 ozone NAAQS will be revoked upon finalization of the 2015 ozone NAAQS. If this happens as expected, then there would likely be no additional burden to states in developing submittals for the 2008 ozone standard during the ICR period from February 1, 2018 through January 31, 2021, as long as no states are required to prepare additional SIP revisions to address antibacksliding obligations or for areas reclassified to higher classifications for the 2008 ozone standard. However, there could be responsibilities and costs for activities that remain applicable for the revoked standard.
* If the 2008 ozone NAAQS is not revoked or revocation is delayed, then the TCEQ disagrees with the methodology that the EPA used to account for the estimated agency burden in fulfilling the SIP activities associated with 2008 ozone nonattainment in the Dallas-Fort Worth and Houston-Galveston-Brazoria nonattainment areas.
* The TCEQ recommends that a more realistic estimate of burden associated with implementing the 2008 ozone standard be developed. The burden, based on current average salary projections, in each Texas nonattainment area alone is expected to be:
	+ between 45,000 to 50,000 hours of labor; and
	+ an estimated total cost of $2,019,248.

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**Office of Legal Services: Terry Salem/OLS/Environmental Law Division**

**Deputy Director Approval: Steve Hagle, P.E./Office of Air**

**Deadline: 11/1/17**