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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2025-2301; FRL-13623-01-R6]

Air Plan Approval; Texas; Collin County Second 10-Year Maintenance Plan for the 2008 Lead Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: Pursuant to the Federal Clean Air Act (CAA or the Act), the U.S. Environmental Protection Agency (EPA) is proposing to approve a revision to the Texas State Implementation Plan (SIP) containing the State's plan for maintaining the 2008 Lead (Pb) National Ambient Air Quality Standard (NAAQS or standard) through 2037 for the Collin County area, submitted by the State of Texas, through the Texas Commission on Environmental Quality (TCEQ) on September 25, 2025.

DATES: Written comments must be received on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].**

ADDRESSES: Submit your comments, identified by Docket No. EPA-R06-OAR-2025-2301, at *https://www.regulations.gov*. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e. on the web, cloud, or other file

sharing system). For additional submission methods, please contact Nia Riddick by telephone at 214-665-7256, or by email at: *riddick.nia@epa.gov*. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit *https://www.epa.gov/dockets/commenting-epa-dockets*.

Docket: The index to the docket for this action is available electronically at *http://www.regulations.gov*. While all documents in the docket are listed in the index, some information may not be publicly available due to docket file size restrictions or content (e.g., CBI).

FOR FURTHER INFORMATION CONTACT: Nia Riddick, EPA Region 6 Office, Infrastructure and Ozone Section; telephone number: 214-665-7256; email address: *riddick.nia@epa.gov*. We encourage the public to submit comments via *https://www.regulations.gov*. Please call or e-mail the contact listed above if you need alternative access to material indexed but not provided in the docket.

SUPPLEMENTARY INFORMATION: Throughout this proposed rule, the use of "we," "us," or "our" is intended to refer to the EPA. We use multiple abbreviations and terms in this proposed rule. While this list may not be exhaustive, for ease of reading and for reference purposes, the EPA defines the following terms and acronyms here:

CAA	Clean Air Act
CBI	Confidential Business Information
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
FR	Federal Register
NAAQS	National Ambient Air Quality Standard
Pb	The chemical symbol for lead
SIP	State Implementation Plan
TCEQ	Texas Commission on Environmental Quality
TPY	Tons per year
$\mu g/m^3$	Micrograms per cubic meter

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I. Executive Summary

A. What Action is the EPA Taking?

The EPA is proposing to approve the Collin County maintenance plan for the 2008 Pb NAAQS, adopted by TCEQ on September 10, 2025, and submitted by TCEQ as a revision to the Texas SIP on September 25, 2025.[1] This second maintenance plan demonstrates maintenance of the 2008 Pb NAAQS through the end of the second 10-year portion of the maintenance period beyond redesignation (through 2037).

B. *What is the Legal Authority and What Are the Requirements?*

In accordance with the Federal Clean Air Act, 42 U.S.C. 7401, the EPA is proposing to approve the Collin County second 10-year maintenance plan as it meets all applicable requirements under CAA sections 110 and 175A.

II. Background

On November 12, 2008, the EPA promulgated a revised Pb NAAQS of 0.15 micrograms per cubic meter ($\mu g/m^3$).[2] Upon promulgation of a new or revised NAAQS, CAA section 107 requires the EPA to designate as nonattainment any area that does not meet (or that contributes to ambient air quality in a nearby area that does not meet) the NAAQS for the pollutant. This is based on the three most recent years of complete, quality assured, and certified ambient data at the conclusion of the designation process. On November 22, 2010, EPA published its initial air quality designations for the 2008 Pb

[1] The September 25, 2025, SIP submission is included in the docket for this action.
[2] *See* 73 FR 66964 (November 12, 2008).

NAAQS based upon air quality monitoring data for calendar years 2007 through 2009.[3] Effective December 30, 2010, the EPA designated a portion of Collin County, defined as the part of Collin County bounded to the north by latitude 33.153 North, to the east by longitude 96.822 West, to the south by latitude 33.131 North, and to the West by longitude 96.837 West, which surrounds the Exide Technologies (Exide) facility property, as nonattainment for the 2008 Pb NAAQS.[4]

Following the approval of a sale of undeveloped land surrounding Exide's plant to the City of Frisco on June 4, 2012, Exide chose to close the plant and cease all production activities. All recycling activities ceased operation on November 30, 2012, and decontamination and demolition of the Pb recycling facility was completed by August 15, 2013. As the smelting operation's Pb emissions were the principal cause of the area's nonattainment of the 2008 Pb NAAQS, the destruction of the facility eliminated stationary source emissions in the area. Any future point source of Pb emissions in the area would be required to obtain a new source review permit. Therefore, stationary source operations involving Pb emissions could not resume without Exide, or any other company, becoming a new source and being subject to new source review permitting requirements. In order to obtain a new source review permit, a new facility would be required to install best available control technology to limit Pb emissions and demonstrate that a violation of the 2008 Pb NAAQS would not result from construction or operation.

Under EPA's regulations at 40 CFR part 50, the 2008 Pb NAAQS is attained when the area has a 3-month rolling average below the NAAQS evaluated over a 3-year period.[5] Following the closure of the Exide facility, the area attained the standard, and on November 2, 2016, TCEQ submitted a redesignation request and the first 10-year

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[3] *See* 75 FR 71033 (November 22, 2010).
[4] *See* 40 CFR 81.344.
[5] *See* 40 CFR 50.16.

maintenance plan for the Collin County Area. In 2017, the Collin County area was redesignated to attainment for the 2008 Pb NAAQS, and the 10-year maintenance plan was approved, effective September 27, 2017.[6]

The primary EPA guidance on maintenance plans and redesignation requests is the September 4, 1992, memorandum from John Calcagni, titled "Procedures for Processing Requests to Redesignate Areas to Attainment" (the "Calcagni Memorandum").[7] The Calcagni Memorandum outlines the key elements of a maintenance plan, which include the following: attainment emissions inventory, maintenance demonstration, monitoring network requirements, verification of continued attainment, and contingency plan elements.

Eight years after redesignation of any area as an attainment area, CAA section 175A(b) requires the State to submit an additional revision of the applicable SIP for maintaining the NAAQS for 10 years after the expiration of the first 10-year period. Accordingly, on September 25, 2025, Texas submitted the second maintenance plan for the Collin County area showing that the area is expected to remain in attainment of the 2008 Pb NAAQS through 2037.

III. EPA's Evaluation of Texas' SIP Submittal

As previously noted, on September 25, 2025, TCEQ submitted the Collin County area's maintenance plan to the EPA as a revision to the Texas SIP. The submission includes the maintenance plan, air quality data and emissions inventory information.

The EPA has reviewed the Collin County area's maintenance plan, which demonstrates maintenance of the 2008 Pb NAAQS in the Collin County area through the end of the 20-year period beyond redesignation, as required under CAA section 175A(b).

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[6] *See* 82 FR 29426 (June 29, 2017).

[7] "Procedures for Processing Requests to Redesignate Areas to Attainment" Memorandum from John Calcagni, Director, Air Quality Management Division, September 4, 1992 (hereinafter referred to as the "Calcagni Memorandum"), available at *https://www.epa.gov/ground-level-ozone-pollution/procedures-processing-requests-redesignate-areas-attainment*.

As a general matter, the following is a summary of CAA section 175A requirements[8] and the EPA's evaluation of how each requirement is met.

A. Attainment Emissions Inventory

For maintenance plans, a State should develop a comprehensive, accurate inventory of actual emissions for an attainment year to identify the level of emissions which is sufficient to maintain the NAAQS. A State should develop this inventory consistent with the EPA's most recent guidance on emissions inventory development. For Pb, the point source inventory should contain all sources that emit 0.5 or more tons of Pb per year.[9] As previously noted, the EPA determined that the Collin County area had attained the 2008 Pb NAAQS at the time that it redesignated the area to attainment.[10] The Collin County area continues to attain the 2008 Pb NAAQS, as shown in Table 3 below. Texas selected 2015 as the base year (i.e., attainment emissions inventory year) for developing an emissions inventory for Pb, for which projected emissions could be developed for 2026, and 2037. The attainment inventory identifies a level of emissions in the area that is sufficient to attain the 2008 Pb standard. In addition to comparing the final year of the plan (2037) to the base year (2015), Texas compared interim years (2029, 2032, and 2035) to the baseline to demonstrate that the years in between are also expected to show continued maintenance of the 2008 Pb standard. The emissions inventory consisted of a review of the stationary source emissions from the facilities located within the former nonattainment area.

Table 1 – Collin County Pb Nonattainment Emissions Inventory for Baseline Year 2010 (tons per year (tpy))[11]

[8] *See* Calcagni Memorandum (September 4, 1992).
[9] *See* 40 CFR 51.117(e)(1).
[10] *See* 82 FR 29426 (June 29, 2017).
[11] Interim years included in this table align with the triennial data years of the full National Emissions Inventory (NEI).

Source	2010 Base Year	2015 Attainment Year[12]	2017	2020	2023
Exide	1.06	0	0	0	0

B. Maintenance Demonstration

EPA guidance recommends that a State may demonstrate maintenance of the NAAQS by either showing that future emissions of Pb will not exceed the level of the attainment inventory or by modeling to show that the future mix of sources and emission rates will not cause a violation of the NAAQS.[13] In either case, to satisfy the demonstration requirement, the State should project emissions for the 10-year period following redesignation. The State's maintenance plan submission expressly documents that the area's emissions inventories will remain below the attainment year inventories through 2037. Texas's plan demonstrates maintenance of the 2008 Pb NAAQS through 2037 by showing that current and future emissions of Pb for the area remain at or below attainment year emission levels. When the Exide facility was operating, as shown above in Table 1 as the 2010 baseline, the emissions of Pb were 1.06 tons per year (tpy). Due to the permanent shutdown of Exide on November 30, 2012, and complete decontamination and demolition of the facility by August 15, 2013, Pb emissions inventories in the area have been zero tpy since 2013 and are projected to remain at zero tpy in the horizon year of 2037. Following Exide's shutdown, no other permitted Pb sources are currently located within the Collin County area and no new permitted Pb sources are projected. The EPA, therefore, is proposing to find that the State's 10-year maintenance demonstration requirement is met for the Collin County Area.

The maintenance plan includes a maintenance demonstration that:

[12] All recycling activities at Exide ceased operation on November 30, 2012, and decontamination and demolition of the facility was completed by August 15, 2013, falling between the 2010 base year and the 2015 attainment year.
[13] *See* Calcagni Memorandum (September 4, 1992).

(i) Shows compliance with and maintenance of the 2008 Pb NAAQS by providing information to support the demonstration that current and future emissions of Pb remain at or below 2015 emissions levels.

(ii) Uses 2015 as the attainment year and includes future emissions inventory projections for 2026, 2029, 2032, 2035 and 2037.

(iii) Provides actual (2015) and projected emissions inventories in tpy, for the Collin County area, as shown in Table 2 below.

Table 2 – Collin County Projected Future Emissions Inventory from Attainment Year 2015 through 2037 (tpy)

Source	2015 Attainment Year	2026	2029	2032	2035	2037 Horizon Year
Exide	0	0	0	0	0	0

C. Monitoring Network

There are two regulatory ambient air Pb monitors in the Collin County area, Frisco Eubanks (480850009) and Frisco Stonebrook (480850029).[14][15]

Table 3 – Pb Design Values (µ/m^3) for Monitors in the Collin County Area from 2012 to 2024[16]

Site Name	AQS Site ID	2010-2012	2011-2013	2012-2014	2013-2015	2014-2016	2015-2017	2016-2018	2017-2019	2018-2020	2019-2021	2020-2022	2021-2023	2022-2024
Frisco 5th Street	48085003	.37	.19	.12	.05	.01	.01	.01	.01	.00	--	--	--	--
Frisco 7	480850007	.20	.19	.07	.02	.02	.01	.01	.01	.00	--	--	--	--

[14] Previously, the Collin County Pb monitoring network included four regulatory Pb ambient air quality monitors: Frisco 5th Street (480850003), Frisco 7 (480850007), Frisco Eubanks (480850009), Frisco Stonebrook (480850029). The TCEQ recommended decommissioning the Frisco 5th Street and Frisco 7 monitors in the 2018 Annual Monitoring Network Plan (AMNP). EPA approved this recommendation, and the Frisco 5th Street and Frisco 7 monitors were decommissioned on December 31, 2018. *See* docket for EPA's approval letter for the 2018-2019 AMNP.

[15] These two air monitors are located near the former Exide Technologies facility, which was a lead battery recycler until shutdown in 2012. Closure of the former Exide Technologies site is ongoing under a state-issued RCRA permit, and associated remediation at and around the facility is occurring under other State authorities.

[16] Table 3 data were obtained from EPA's Air Quality System (AQS) via report type AMP480, on April 6, 2026. *See* docket for AQS report AMP 480_2369520.

Frisco Eubanks	480850009	.76	.52	.31	.08	.02	.01	.01	.01	.01	.00	.00	.00	.01
Frisco Stonebrook	480850029	.18	.18	.07	.07	.01	.01	.01	.02	.02	.02	.02	.07	.08

As shown in Table 3, the design values derived from the monitors in the Collin County area have been below the level of the 2008 Pb NAAQS since redesignation. Additionally, the design value in the attainment year (2015) was 0.08 μ/m^3 and this value has not been surpassed at any monitor in recent years. As the Pb levels have dropped and remain relatively stable, it is reasonable to conclude that the Collin County area will not exceed the 2008 Pb NAAQS during the second 10-year maintenance period. TCEQ has committed to maintaining an air monitoring network in accordance with the requirements of 40 CFR Part 58 to verify the area's continued attainment status and meet EPA regulatory requirements in the Collin County Pb maintenance area. TCEQ continues to work with the Agency through the air monitoring network review process to determine the adequacy of the Federal air monitoring network, additional monitoring needs, and recommended monitor decommissions. For further details on monitoring, *see* the 2025-2026 Texas Annual Monitoring Network Plan[17] as well as the EPA's approval letter for the 2025-2026 Annual Network Plan, which can be found in the docket for this proposed action.

D. Verification of Continued Attainment

The State of Texas, through TCEQ, has the legal authority to enforce and implement the requirements of the Collin County area Pb maintenance plan. This includes the authority to adopt, implement and enforce any subsequent emissions control contingency measures determined to be necessary to correct future Pb attainment problems.

[17] *See* docket for the 2025 through 2026 Annual Network Plan and EPA's approval letter for the 2024 through 2025 Annual Network Plan.

Verification of continued attainment is accomplished through operation of the ambient Pb monitoring network and the periodic update of the Collin County area's emission inventories. TCEQ will continue to conduct proactive efforts including reviewing monitoring data and evaluating trends in an effort to identify possible violations as early as possible. In addition, TCEQ will continue to develop and submit to the EPA updated emission inventories for all point source categories at least once every three years consistent with the requirements of 40 CFR part 51, subpart A, and 40 CFR 51.117.

E. Contingency Plan

CAA section 175A requires that a maintenance plan contain such contingency provisions as the EPA deems necessary to assure that the State will promptly correct a violation of the standard that occurs after the redesignation of the area as an attainment area.[18] The maintenance plan should identify the contingency measures to be adopted, a schedule and procedure for adoption and implementation, and a time limit for action by the State. A State should also identify specific indicators to be used to determine when the contingency measures need to be implemented. The maintenance plan must include a requirement that a State will implement all measures with respect to control of the pollutant that were contained in the SIP before redesignation of the area to attainment in accordance with CAA section 175A(d).

In the September 25, 2025, maintenance plan, TCEQ commits to adopt and implement necessary corrective actions in circumstances that would trigger a warning or action level response. As noted previously, decontamination and demolition of the Exide Pb recycling facility was completed by August 15, 2013, eliminating stationary source emissions in the area. As no future Pb emissions are anticipated, efforts to design detailed contingency provisions for these areas based on the potential for future new sources is not

[18] *See* CAA section 175A(d).

feasible. If plans were to develop for new sources to be sited in or near these areas that could result in violations of the NAAQS, they would be subject to the administrative and legal processes required by State and Federal law. The contingency plan included in the submittal includes a two-stage triggering mechanism to determine when contingency measures are needed and a process of developing and implementing appropriate control measures.

A warning level response will be triggered whenever a three-month rolling average concentration of 0.135 μg/m^3 of Pb, (90% of the 2008 Pb NAAQS) occurs at any of the ambient monitoring sites in the Collin County Pb attainment area monitoring network. If a warning level response is activated, TCEQ will conduct a study to determine whether the Pb design value indicates a trend toward higher design values. The study will evaluate whether the trend, if any, is likely to continue and, if so, determine the measures necessary to reverse the trend taking into consideration ease and timing for implementation as well as economic and social considerations. Implementation of necessary measures in response to a warning level will take place no later than 12 months from the conclusion of the most recent calendar year. If the warning level study should determine that action is necessary to reverse the noted trend, the action level response will be triggered and procedures for measure selection and implementation outlined in the contingency plan will be implemented.

An action level response will be triggered whenever a two-year average of the three-month rolling average concentration of 0.143 μg/m^3 (95% of the 2008 Pb NAAQS) or greater occurs at any of the ambient monitoring sites in the Collin County Pb attainment area monitoring network. A violation of the 2008 Pb NAAQS (any three-month rolling average that exceeds 0.15 μg/m^3) will also prompt an action level response. In the event that the action level is triggered and is not found to be due to an exceptional event, malfunction, or noncompliance with a permit condition (if a permit exists), or rule

requirement, TCEQ, in conjunction with the entity/entities believed to be responsible for the exceedance, will evaluate additional measures needed to assure future attainment of the 2008 Pb NAAQS. Once additional measures have been evaluated, measures that can be implemented in a short time will be selected and made effective within 18 months from the close of the calendar year that prompted the action level.

Currently, no new sources of Pb are projected for the Collin County area, and any changes to control measures would be subject to the administrative and legal processes required by State and Federal law, including publication of notices, an opportunity for public hearing, and other measures required by Texas law for rulemaking or permitting. EPA proposes to find that the contingency provisions in Texas' second maintenance plan for the Collin County area for the 2008 Pb NAAQS meet the requirements of the CAA section 175A(d).

IV. Proposed Action

The EPA is proposing to approve the second 10-year maintenance plan for the 2008 Pb NAAQS for the Collin County area into the Texas SIP under CAA section 175A. The maintenance plan meets all applicable requirements for maintenance plans and related contingency provisions in CAA section 175A, including a demonstration that the Collin County area will continue to maintain the 2008 Pb NAAQS until September 27, 2037, the end of the 20-year maintenance period.

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve State choices, provided that they meet the criteria of the CAA. Accordingly, this action merely proposes to approve State law as meeting Federal requirements and does

not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Is not an Executive Order 14192 (90 FR 9065, February 6, 2025) regulatory action because this action is not significant under Executive Order 12866;
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq*.);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997) because it approves a State program;
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001); and
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act.

In addition, the SIP is not proposed to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the proposed rule does not have Tribal implications and will not impose substantial direct costs on Tribal governments or preempt Tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Lead, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401 *et seq*.

Dated: November 9, 2026.

Walter Mason,
Regional Administrator,
Region 6.

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