

With comments #018

Attachments

1.4.21 TAEP Support for TCEQ Delegation



January 4, 2021

Docket No. EPA-R06-OW-2020-0608

To whom it may concern:

The Texas Alliance of Energy Producers (the Alliance) submits these comments today in support of the Texas Commission on Environmental Quality's (TCEQ) request for National Pollutant Discharge Elimination System (NPDES) program authorization for discharges of produced water, hydrostatic test water, and gas plant effluent, hereafter referred to as oil and gas discharges, in Texas.

With over 2,600 members, the Alliance is the largest state oil and gas association in the United States. Our members hail from nearly 30 states and 300 cities. We represent the upstream (exploration and production) segment of the oil and gas industry; our members are oil and gas operators/producers, service and drilling companies, royalty owners, and a host of affiliated companies and industries in Texas and beyond.

Pursuant to HB 2771, which the Texas Legislature passed in 2019, authority for certain discharges of oil and gas waste discharge was transferred from the Texas Railroad Commission to TCEQ. Because TCEQ already houses the non-oil and gas waste discharge program in its Texas Pollutant Discharge Elimination System (TPDES) program through its delegated authority from EPA, transferring this responsibility to TCEQ was the right decision.

TCEQ has shown its ability to handle the TPDES program very well since 1998 and there is no question that they will handle the oil and gas waste discharge program with equal sophistication and stewardship. We can rest easy knowing that this important responsibility will reside at an agency that has a fantastic record of keeping Texas clean and that the program must still be administered using the strict standards set by EPA.

As Texans, we understand the importance of a strong regulatory regime to keep the environment clean and to penalize bad actors. We believe that transferring this program from EPA to TCEQ will accomplish that goal, while allowing for some regulatory efficiency for our members by allowing them to avoid two separate and distinct lengthy permitting processes for one potential discharge point.

Thank you for your serious consideration of these comments and of this request for program authorization. Sincerely,

Jason Modglin
President, Texas Alliance of Energy Producers



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