

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 2, 2016

U.S. Environmental Protection Agency
EPA Docket Center
NPDES Applications and Program Updates Rule Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW.
Washington, D.C. 20460

Attention: Docket ID No. EPA-HQ-OW-2016-0145

RE: NPDES Applications and Program Updates Rule; Proposed Rule 40 CFR Parts 122, 123, 124, et al.

The Texas Commission on Environmental Quality (TCEQ) is providing comments on the Applications and Program Updates Rule; Proposed Rule 40 CFR Parts 122, 123, 124, et al., which was published for public comment in the May 18, 2016 *Federal Register*.

The TCEQ appreciates the opportunity to provide comments on the NPDES Applications and Program Updates Rule. The TCEQ supports some of the proposed changes, particularly those that allow flexibility. However, the TCEQ has significant concerns about increased workloads and cost to both the TCEQ and regulated community.

The enclosed document discusses, in detail, these and other concerns and provides a number of recommendations. EPA should thoroughly consider the TCEQ's concerns and recommendations before adopting a final rule that would mandate many new requirements to NPDES permitting without considering the increased cost, resource needs, and significant consequences to the regulated community and authorized states, tribes, and territories.

If you have comments or questions concerning the enclosed comments, please contact David W. Galindo at (512) 239-0951 or by e-mail at David.Galindo@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Hyde".

Richard A. Hyde, P.E.
Executive Director

Enclosure