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Mark R. Vickery, P.G., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

July 11, 2011

Mr. Carl E. Edlund, P.E., Director  
Multimedia Planning and Permitting Division  
United States Environmental Protection Agency  
Region 6  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

Re: Title 30 TAC § 116.620 Oil and Gas Standard Permit SIP Submittal

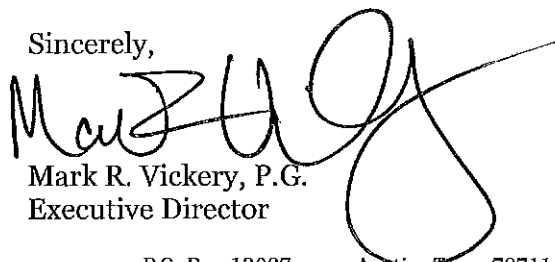
Dear Mr. Edlund:

I received your June 10, 2011 letter requesting withdrawal of Title 30 Texas Administrative Code §116.620 (30 TAC §116.620) from U.S. Environmental Protection Agency's (EPA) consideration of Texas Commission on Environmental Quality's (TCEQ) 1996 State Implementation Plan (SIP) submittal. While the TCEQ stated in the Executive Summary for the non-rule "Air Quality Standard Permit for Oil and Gas Production Sites" adopted by the commission on February 22, 2011, that there was a need to update the standard permit found in 30 TAC §116.620, those statements do not negate the fact that the standard permit has been a valid authorization mechanism, uncontested by EPA, for the oil and gas industry for the past 15 years and which meets the SIP-approved Standard Permit Program adopted by the TCEQ. The TCEQ regularly reviews existing general authorizations and updates them as necessary to reflect current science, new technology, enforceability, and protectiveness. In the adoption process for the non-rule "Air Quality Standard Permit for Oil and Gas Production Sites," the TCEQ concluded that the new non-rule standard permit was appropriate for a specific geographic region in Texas. While we have not initiated a subsequent statewide rulemaking, the agency has conducted stakeholder meetings and will continue its efforts to reevaluate the oil and gas production standard permit consistent with recently enacted state law.

At this time, I am not recommending the commission request withdrawal of 30 TAC §116.620 from EPA's consideration. Any proposed changes to or repeal of 30 TAC §116.620 will include the consideration of current science, new technology, enforceability, and protectiveness and a comprehensive review to ensure protection of public health and the environment, as well as, usefulness to the industry. Proposed changes to 30 TAC §116.620 would require proposal and adoption by the TCEQ commissioners.

We understand that EPA is under a consent decree deadline to take final action on the 1996 SIP submittal for 30 TAC §116.620 no later than October 31, 2011. Thank you for informing us of your concerns.

Sincerely,



Mark R. Vickery, P.G.  
Executive Director