

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*

February 21, 2017

Mr. Steve Page, Director  
Office of Air Quality Planning and Standards  
Environmental Protection Agency  
Mail Code: 28221T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Attn: Docket ID No. EPA-HQ-OGC-2017-0030

Re: Notice of Proposed Settlement Agreement; Request for Public Comment

Dear Mr. Page:

The Texas Commission on Environmental Quality (TCEQ) appreciates the opportunity to respond to the United States Environmental Protection Agency's (EPA) proposed settlement agreement with the Sierra Club pertaining to the lawsuit Sierra Club v. EPA No. 16-1158 (D.C. Circuit). In the proposed settlement, the EPA offered issuance of two nonbinding guidance documents recommending public notification practices concerning the submission and approval of ambient air monitoring network plans. The proposed settlement agreement requires the EPA to provide the specified guidance documents (in final version) not later than 30 days after finalization of the settlement agreement. The timeframe specified does not allow for public review or comment on the proposed guidance documents. The TCEQ requests that the EPA provide the guidance documents for public review and comment before finalization.

Please direct any questions concerning the TCEQ's comments to Mr. Ramiro Garcia, Jr., Deputy Director, Office of Compliance and Enforcement, at (512) 239-4481 or [ramiro.garcia@tceq.texas.gov](mailto:ramiro.garcia@tceq.texas.gov). We look forward to working with the EPA throughout this process.

Sincerely,

A handwritten signature in black ink, appearing to read "R. A. Hyde".

Richard A. Hyde, P.E.  
Executive Director

Enclosure