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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

TCEQ Seeks Stakeholder Input on Upcoming Rulemaking Related to the new Chapter 388, Aboveground Storage Vessel Safety Program

The Texas Commission on Environmental Quality (TCEQ or commission) will conduct three virtual stakeholder meetings across the state in July 2022, to solicit informal comments on rulemaking for the new 30 Texas Administrative Code (TAC) Chapter 388, Aboveground Storage Vessel Safety Program.

The rulemaking (Rule Project Number 2022-015-388-CE) would propose a new Chapter 388 to implement Senate Bill (SB) 900, 87th Texas Legislature, which requires the establishment of the Performance Standards for Safety at Storage Vessels (PSSSV) Program to provide for the protection of groundwater and surface water resources in the event of an accident or natural disaster in the state. SB 900 amended the Texas Water Code (TWC) to establish the PSSSV Program within the commission and identifies the safety elements that the commission must include in these standards and the entities regulated under this new program. The bill requires the commission to establish this program by September 1, 2023. The proposed PSSSV Program, now called the Aboveground Storage Vessel Safety (ASVS) Program, will meet the requirements of SB 900 and will include all critical safety elements applicable to aboveground storage vessels that the commission determines to be critical for the protection of ground water and surface water resources.

Virtual Stakeholder Meetings

Stakeholder meetings are an opportunity for the public to provide informal comments to staff prior to the start of formal rulemaking. While staff will review all comments received, the TCEQ will not formally respond to any informal comments.

All Stakeholder meetings will be virtual, at the dates and times below. For members of the public who do not wish to provide informal comments but would like to view the meeting(s), they may do so at the links provided below for each meeting, at no cost:

Tuesday, July 12 at 2:00 p.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDVjNTc1MTYtMDNiMC00NDg5LTlkZTctYzU5ODQ0OTE2NGY1%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Thursday, July 14, 2022, at 10:00 a.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZThiYTU3OTUtODRhNi00MzBiLTlmZjOtYjRkZWVjMWU2OTg2%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Thursday, July 14, 2022, at 6:00 p.m.

Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDEzYzg3NTMtNGRkZS00ZjU5LTgwOTctYjQ0YTYxZTZhMDE4%40thread.v2/0?context=%7b%22Tid%22%3a%22871a83a4-a1ce-4b7a-8156-3bcd93a08fba%22%2c%22Oid%22%3a%22e74a40ea-69d4-469d-a8ef-06f2c9ac2a80%22%2c%22IsBroadcastMeeting%22%3a%22true%7d

Registration

The meetings will be conducted remotely using an internet meeting service. Individuals who plan to attend the scheduled meetings and want to provide informal oral comments **must register by July 6, 2022**. To register for a meeting and provide informal comments during the meeting, please email Rules@tceq.texas.gov and provide the following information: date of meeting you plan to attend, your name, your affiliation, your email address, and your phone number. Instructions for participating in the meeting will be sent two business days prior to the meeting to those who have registered to provide informal oral comments.

Persons who have special communication or other accommodation needs who are planning to register to provide informal comments should contact Sandy Wong, Office of Legal Services at (512) 239-1802 or 1-800-RELAY-TX (TDD). Requests should be made as far in advance as possible in order to allow adequate time to set up accommodations.

Written Stakeholder Comments

Written stakeholder comments may be submitted to Ms. Gwen Ricco, MC 205, Office of Legal Services, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087, or faxed to fax4808@tceq.texas.gov. Electronic comments may be submitted at: <https://www6.tceq.texas.gov/rules/ecomments/>. File size restrictions may apply to comments being submitted via the *eComments* system. All comments should reference Rule Project Number 2022-015-388-CE. The comment period closes July 29, 2022. Please choose one form of submittal when submitting *written* stakeholder comments.

Information on SB 900 language, a bill summary and proposed rulemaking timeline can be found on the Chapter 388 Aboveground Storage Vessel Safety Program web page on the TCEQ's website at <https://www.tceq.texas.gov/permitting/asvs>.

For additional information please contact Mr. Keith Sheedy, P.E., Program Support and Environmental Assistance Division (PSEAD) at (512) 239-1556 or the PSEAD's Main Line at (512) 239-0400.