



Texas Pipeline Association

SUNSET TCEQ COMMENTS OF THE TEXAS PIPELINE ASSOCIATION
Presented by Celina Romero
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The Texas Pipeline Association (TPA) is an organization comprised of members who gather, treat, process, and transport natural gas and liquids through intrastate pipelines in Texas.

Issue #1: We support the Sunset Commission Staff's recommendation to continue the TCEQ without significant change.

- Texas is better off with its own regulator than with a remote federal agency attempting to perform that job.
- While we do not agree with everything that the TCEQ does, we do respect the breadth of its technical expertise and believe that it does a good job of balancing the interests of environmental protection without unduly burdening economic development.

The TCEQ has been faced with a lot of challenges recently:

- EPA's disapproval of several air quality programs; and
- Air quality issues raised in the Barnett Shale region.
- The TCEQ has responded diligently to these concerns.
- We have observed that the TCEQ is working hard to reach a consensus position with EPA while balancing multiple interests – which include protection of the environment and public health without unduly burdening industry, which is the backbone of our economy in Texas.

- With respect to the Barnett Shale region, the TCEQ has dispatched numerous mobile monitoring teams and put into place several permanent air monitors to ensure the data is collected that demonstrates the public is safe and that the oil and gas activities are protective in the region.
- TPA has been working diligently with TCEQ staff and Commissioners on the revisions to the oil and gas permit by rule – which it is designing to ensure protectiveness of oil and gas activities. Just yesterday the Commissioners extended its time to act on the PBR – allowing all interested parties more time to review the PBR package (which is in excess of 900 pages). We are hopeful that with this additional time we will be able to reach an accord with TCEQ on its provisions.

Issue ## 3 and 4: Relating to Compliance History and Enforcement.

TPA agrees with the Sunset Staff recommendations that improvements are needed in both of these areas. More subjectivity needs to be provided in the Compliance History program for a fair implementation of the concepts “complexity of site” and “repeat violator status.” In addition, because the Compliance History of a former owner is transferred with the site in a transaction, acquisitions by better actors is discouraged rather encouraged by this system.

Finally, we agree with the Sunset Staff’s recommendation that more of the TCEQ’s enforcement policies should be adopted as formal guidelines or policies and subject to public comment to eliminate some of the surprises we encounter in the enforcement process when we are informed of a new interpretation of a rule or policy for the first time in an enforcement meeting.

Overall, we believe that the TCEQ is doing a good job of balancing environmental and business interests. We appreciate the accessibility of the staff, the Executive Director and the Commissioners as we continue to work with them.