# National Comments


# Executive Review Summary

**TCEQ Proposed Comments On:** Notice of Proposed Withdrawal of the Control Techniques Guidelines for the Oil and Natural Gas Industry; EPA Docket ID No. EPA-HQ-OAR-2015-0216

**Overview of Proposal:**

On March 9, 2018, the United States Environmental Protection Agency (EPA) issued a notice in the *Federal Register* concerning the proposed withdrawal of the Control Techniques Guideline (CTG) for the Oil and Natural Gas Industry. A CTG establishes the EPA’s recommended reasonably available control technology (RACT) for sources covered by the CTG. States are required to address RACT for sources covered by a CTG in any ozone nonattainment areas with a classification of moderate or higher. States in the Ozone Transport Region are also required to implement CTG RACT recommendations regardless of whether the state has an ozone nonattainment area. While the RACT control levels in a CTG are generally referred to as guidance, the EPA’s long-standing policy is that a CTG establishes presumptive RACT. A state proposing to establish RACT less stringent than that recommended in a CTG must demonstrate to the EPA’s satisfaction that the recommended RACT levels in the CTG are not technologically or economically feasible for the source in question. The CTG for the Oil and Natural Gas Industry was finalized on October 27, 2016. The recommended RACT in the CTG was based on the New Source Performance Standards (NSPS) rule Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources, which was finalized on June 3, 2016. The EPA has subsequently granted reconsideration of the Oil and Natural Gas NSPS rule. As the NSPS rule that was the basis for the CTG is under reconsideration, the EPA is proposing to withdrawal the CTG for the Oil and Natural Industry in its entirety.

**Summary of Comments:**

* **The TCEQ supports the EPA’s proposed withdrawal of the CTG for the Oil and Natural Gas Industry.**
* **The federal Clean Air Act (FCAA) intended for the EPA to develop CTG documents to reduce volatile organic compound (VOC) emissions to help areas attain the ozone National Ambient Air Quality Standard (NAAQS). The EPA should never exercise authority granted expressly regarding the ozone NAAQS for the purposes of greenhouse gas reductions.**

**Lead Office: Shelley Naik, Office of Air**

**Internal Coordination:** **Vincent Meiller, Office of Air**

**Office of Legal Services:** Booker Harrison, Amy Browning, Environmental Law Division

**Deputy Director Approval: Steve Hagle, P.E.**

**Deadline (Submittal Due Date):** April 23, 2018