

## Randy Wright

The City of Portland, Texas, generally supports the proposed 30 TAC Chapter 338 rulemaking establishing the Aboveground Storage Vessel Safety (ASVA) program. We understand that the Texas Commission on Environmental Quality (TCEQ) must promulgate these rules in order to implement Senate Bill (SB) 900, 87th legislative session. SB 900 requires that the TCEQ determine critical safety elements in order to protect groundwater and surface water by following federal statutes/regulations and national consensus standards.

National consensus standards provide best practices and are worthy of consideration when evaluating aboveground storage vessels. However, merely referencing national consensus standards in rulemaking places an undue financial burden/hardship on the public and regulated community because these standards must be purchased from a third party. National consensus standards are expensive, and the newly proposed Chapter 338 references numerous national standards representing a significant financial burden. Rulemaking should be clear and concise. The public/regulated community should not have to purchase national consensus standards in order to determine compliance with TCEQ regulations.

If you have any questions, please feel free to contact me at (361) 777-4510.

Randy Wright, City Manager