

Logan Harrell

Attached is TCC's comment letter regarding the draft ASVS guidance document.



TEXAS CHEMISTRY COUNCIL

1402 Nueces Street • Austin, Texas 78701-1586 • (512) 646-6400

July 31, 2025

Submitted electronically via TCEQ's Public Comment System

Re: Comment on TCEQ's Draft ASVS Program Guidance Document

Dear Mr. Tran,

The Texas Chemistry Council (TCC) submits the following comment for TCEQ's consideration when finalizing the technical guidance document intended to inform the regulated community on the agency's implementation of the Aboveground Storage Vessel Safety (ASVS) Program. Several of our members' facilities will be directly regulated by this program and we share the same goal as TCEQ for the guidance to provide clarity and certainty in the program's implementation.

TCC represents 60 member companies who own and operate more than 200 manufacturing and research facilities across the state of Texas. Our members have over \$250 Billion in physical assets in the state and support more than 500,000 Texas jobs. Texas chemical manufacturing is the #1 non-energy export in the state with over \$56 Billion in annual exports to customers around the world.

TCC echoes the comment submitted by the Texas Industry Project (TIP), which identifies several changes and recommendations to ensure the guidance is consistent with the statute, Chapter 338 rules, and the agency's preamble. For example, given the complexity of our members' facilities and the variety of manufactured products, the guidance document should provide more clarity on the "allied chemical products" facility exclusion so our members can efficiently evaluate the ASVS Program's applicability at their facilities. TCC supports the recommended revisions and clarifications presented by TIP, which will help establish clear expectations on the program's applicability, ASV registration, proper recordkeeping, future inspections, and compliance demonstration.

TCC also shares similar concerns as TIP regarding the information that was not included in the guidance document yet. For example, TCC would appreciate TCEQ identifying all separate standards and regulations that are incorporated by reference in the Performance Standards and explain how compliance can be adequately demonstrated when the standards overlap for an ASV or are updated over time. Also, to support facility security efforts, TCC recommends the guidance document identify the types of submitted information that will remain confidential consistent with the statute.

TCC looks forward to continuing to engage with TCEQ as the agency implements this new program and refines the guidance document.

Sincerely,

Logan Harrell

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General Counsel & Director of Regulatory Affairs
Texas Chemistry Council