

Kathryn Guerra

Please see attached comments.

July 16, 2026

VIA ELECTRONIC SUBMISSION

<https://tceq.commentinput.com/>

Texas Commission on Environmental Quality

Gwen Rico, MC 205

Office of Legal Services

TCEQ

P.O. Box 13087

Austin, TX 78711-3087

RE: Stakeholder Comments on Potential Rule Changes as Recommended by the Texas Regulatory Efficiency Office (TREO) Rule Review Process

On behalf of Public Citizen, thank you for the opportunity to comment on the rule changes proposed through the Texas Regulatory Efficiency Office rule review process and identified in the document titled Texas Regulatory Impact Matrix (TRIM). We appreciate the agency's stated goal of improving regulatory efficiency and eliminating unnecessary duplication within the Texas Administrative Code. However, we are concerned that the 21-day public comment period does not provide sufficient time for the public to review these proposals and provide meaningful input.

The document includes 180 recommended rule changes affecting numerous chapters of the Texas Administrative Code that govern air quality, water quality, public drinking water, waste management, on-site sewage facilities, and other environmental programs. While many of the proposed changes may appear technical or administrative, they nevertheless represent a substantial revision to the agency's regulations. Evaluating each proposal requires careful review of existing rules, the statutory authority cited by the agency, and the potential implications of removing long-standing regulatory language. This level of review cannot reasonably be completed for 180 rules within a 21-day comment period.

It appears that the TCEQ itself, rather than TREO, submitted the majority of the rules under consideration, TREO having submitted just 23 recommendations and the TCEQ submitting the remaining 157 proposed changes. In 40 instances of the TCEQ-submitted rules, the Notes and Justification column of the matrix state "proposed rule changes", and then only vaguely alludes to what those changes would be instead of clearly articulating the proposed change so that stakeholders can review and provide meaningful comment. These changes and the plainly articulated rule revisions should have been made available for public review at the time of submission to TREO.

We are also concerned that many of the proposed revisions are described only as removing "duplicate statutory language" or repealing rules because they are "duplicative." In some cases, however, the proposal does not identify the specific statutory provision that allegedly duplicates the existing rule. Without this information, the public is left to independently compare numerous

provisions of the Texas Administrative Code and the Texas statutes in an attempt to determine whether the agency's conclusion is accurate. This creates an unnecessary burden on commenters and limits the public's ability to meaningfully evaluate the proposed changes.

Providing a citation to the specific statute or existing rule that duplicates the regulatory language would significantly improve the transparency of this rulemaking. Doing so would allow interested parties to understand the basis for each recommendation, verify whether the identified language is truly redundant, and evaluate whether the existing rule contains additional clarification, implementation guidance, or protections that would not remain if the rule were repealed. Simply stating that a provision is duplicative, without identifying where the same language can be found, does not provide enough information for the public to fully assess the proposal.

Meaningful public participation depends not only on providing notice of a proposed rulemaking, but also on providing sufficient time and information for stakeholders to review the proposal and submit informed comments. Given the number of proposed revisions and the limited explanations accompanying many of them, the current comment period does not provide a reasonable opportunity for meaningful participation.

Accordingly, we respectfully request that the agency extend the public comment period to a full 60 days to allow adequate time for review of these proposed rule changes. We also request that the TCEQ revise the TRIM matrix or otherwise supplement the proposal by identifying the specific statutory or regulatory citation corresponding to each proposed repeal or amendment that is based on allegedly duplicative language and by fully articulating the proposed rule change being recommended in place of the existing regulation.

Providing this additional information would greatly improve transparency, facilitate informed public participation, and strengthen the administrative record supporting any final rulemaking. Lastly, we encourage the agency to set a minimum 60-day comment period going forward for the consideration of rule changes, including those associated with this review. Across the agency, comment periods vary greatly across programs and this inconsistency creates confusion and limits public participation.

We appreciate the opportunity to participate in this process and respectfully request that the TCEQ provide the public with both the time and information necessary to fully evaluate these significant proposed revisions.

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