



Water Environment
Association of Texas

November 17, 2020

Andreea Vasile, MC 205
Texas Register Rule Development Team
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

VIA ELECTRONIC TRANSMISSION

Re: Comments on Petition for Rulemaking
Docket No. 2019-1620-PET
Project No. 2020-012-PET-NR

Dear Ms. Vasile:

The Water Environment Association of Texas (“WEAT”) appreciates the opportunity to comment on the petition for rulemaking for Docket No. 2019-1620-PET, as it proposes to amend certain public notice requirements (the “Petition”).

WEAT strongly supports sustained and improved public participation/engagement. Transparency and public involvement are important to the regulatory process and WEAT values stakeholder input that can further the protection and enhancement of our water environment.

As the Texas Commission on Environmental Quality (“TCEQ”) considers the Petition, WEAT seeks clarification and offers recommendations on the issues identified below. These comments reflect a need to ensure that any new public notice requirements arising from TCEQ’s action on the Petition are clear and regulated entities can comply with any new public notice language without uncertainty.

1. WEAT respectfully requests that TCEQ provide guidance to assist regulated entities in the implementation of any new TCEQ public notice requirement.
2. If a new alternate language notice publication is triggered, yet there is no local newspaper/publication in a particular language, the publication is published less frequently than once per month, or the publishers refuse to publish notice, WEAT requests that TCEQ ensure that the existing requirements of 30 Tex. Admin. Code § 39.405(h)(8) apply (regarding limited circumstance waivers).
3. WEAT requests that TCEQ apply the same requirements for any new notice trigger so that it follows the existing provisions for alternate language publication that are found in 30 Tex. Admin. Code § 39.405(h)(2)(A)-(C).
4. For the proposed change to 30 Texas Administrative Code § 55.154(h) regarding professional language interpretation services (“The executive director shall provide professional language interpretation services in all cases where alternate language public meeting notice is required

pursuant to § 39.405(h)(1)(C) or (g) of this title of this title”), WEAT asks that TCEQ provide clarification regarding the meaning of “services” and details regarding the planned implementation of such services.

WEAT is glad to discuss these questions in greater detail and can arrange a meeting with agency staff as needed. Please contact me at 210-325-3087 or julie@weat.org if you have any questions regarding these comments.

Sincerely,

A handwritten signature in blue ink that reads "Julie Nahrgang". The signature is written in a cursive style with a large, stylized initial 'J'.

Julie Nahrgang,
WEAT Executive Director