

INSIGHTS

Notice of EPA Approved Texas NPDES Oil and Gas Program Authorization Published in Federal Register on February 12, 2021

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By: [Sara M. Burgin](#)

On Friday, February 12, 2021, Region 6 of the U.S. Environmental Protection Agency (“EPA”) published notice in the Federal Register at 85 *FedReg* 9332 (February 12, 2021) of its January 15, 2021, approval the State of Texas’ October 12, 2020 submittal to the EPA requesting partial National Pollutant Discharge Elimination System (“NPDES”) program authorization for oil and gas discharges (“Notice”). Here is the link to the [Notice](#).

A summary of actions leading up to the approval and general information related to the authority of the Texas Commission on Environmental Quality (“TCEQ”) to implement NPDES permitting, compliance monitoring and enforcement for discharges to surface waters in Texas from oil and gas activities are discussed in [a blog dated January 19, 2021](#), to which a link follows.

The TCEQ has issued notice of an upcoming virtual meeting to be held on March 18, 2021, at 1:30 pm Central Time, during which the TCEQ will discuss the NPDES program transfer and answer questions. To receive additional information related to the meeting and how to join the meeting and/or be added to the HB 2771 stakeholder list to receive information related to TCEQ actions associated with NPDES program transfer, send an email to HB2771@tceq.texas.gov.

It is important for entities in Texas affected by EPA’s approval of the application filed by Texas for NPDES program authorization to assess and understand the full impacts of the action for their facilities.