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Comments: The Texas Commission on Environmental quality (TCEQ) has reviewed the above-referenced project and offers the following comments:

The proposed action could potentially be located in multiple counties, some of which are designed nonattainment for the 2008 eight-hour ozone National Ambient Air Quality Standard (NAAQS) with a classification of severe and designated nonattainment for the 2015 eight-hour ozone NAAQS with a classification of serious, therefore, federal Clean Air Act 176(c) general conformity requirements apply. Per federal general conformity regulations at 40 CFR 93.153, a conformity demonstration may be required when the total projected direct and indirect volatile organic compounds (VOC) and nitrogen oxides (NOx) emissions - precursor pollutants that lead to the formation of ozone - from an applicable federal action are equal to or exceed the de minimis emissions level of 50 tons per year (tpy) for ozone NAAQS serious nonattainment areas and 25 tpy for severe nonattainment areas. For emissions analyses conducted to determine general conformity applicability, the TCEQ recommends using a methodology consistent with the requirements of 40 CFR 93.159.

The Office of Water does not anticipate significant long term environmental impacts from this project as long as construction and waste disposal activities associated with it are completed in accordance with applicable local, state, and federal environmental permits, statutes, and regulations. We recommend that the applicant take necessary steps to ensure that best management practices are used to control runoff from construction sites to prevent detrimental impact to surface and ground water.

Any debris or waste disposal should be at an appropriately authorized disposal facility.

Thank you for the opportunity to review this project.