



March 20, 2026

**U.S. Environmental Protection Agency
EPA Docket Center
Office of Land and Emergency Management Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW, Washington, DC 20460
Submitted via www.regulations.gov**

**RE: Docket ID No. EPA-HQ-OLEM-2025-1707
Comments on Clean Water Act Hazardous Substance Facility Response
Plans; Amendment Reconsideration**

Administrator Zeldin:

Western Energy Alliance (the Alliance) is the leader and champion for independent oil and natural gas companies in the western United States. Working with a vibrant membership base for over 50 years, the Alliance stands as a credible leader, advocate, and champion of industry. Alliance members engage in all aspects of environmentally responsible exploration and development of oil and natural gas. Our expert staff, active member committees, and committed board members form a collaborative and welcoming community of professionals dedicated to abundant, affordable energy and a high quality of life for all.

The Alliance welcomes the opportunity to comment on the U.S. Environmental Protection Agency's (EPA) advance notice of proposed rulemaking (ANPRM) on potential amendments to the Clean Water Act (CWA) Hazardous Substance (HS) Facility Response Plans (FRP) regulations that were published in the *Federal Register* on March 28, 2024. The Alliance supports EPA's stated goal in the ANPRM to "address regulatory burden while maintaining planning requirements to protect human health and the environment when responding to Clean Water Act Hazardous Substance worst case discharges."

Our comments specifically respond to Question 11 in Section A – Applicability Issues of the ANPRM:

How should the new CWA HS FRP requirements account for CWA HS in oils that are already subject to 40 CFR part 112 oil FRP requirements? What factors would support establishing an exemption for CWA HS in oils already subject to oil FRP requirements from threshold quantity calculations?

EPA should establish a clear exemption from the CWA HS FRP for onshore oil and gas facilities that are otherwise already subject to and complying with the oil FRP requirements. The regulations at issue in this ANPRM are intended to address non-oil hazardous substances, separate and apart from the regulations addressing oil.

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Requiring onshore oil and gas facilities to also comply with the HS FRP regulations would simply add a regulatory burden, via duplicative response planning requirements, that would not have any impact on human health and the environment. An exemption for these oil facilities from the new requirements for non-oil hazardous substances is appropriate and in complete alignment with the administration's priorities.

Thank you for your time and consideration of these comments. Please do not hesitate to contact me if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'MS', with a long horizontal flourish extending to the right.

Melissa Simpson
President, Western Energy Alliance