

June 22, 2022

TO: The Sunset Commission of Texas

FROM: Alan Pyle, WaterFleet

RE: The Office of Water, The Texas Commission on Environmental Quality

Introduction and Overview:

This testimony is provided to make the Sunset Commission aware of one company's and one person's experience attempting to work with The Office of Water at the Texas Commission on Environmental (TCEQ) Quality in the following categories: innovation technology and services, emergency water treatment services, and public engagement. As a precursor, I would like to emphasize that it is apparent that the staff of this division are operating to the best of their ability within the framework that has been set up for them. The framework is extremely restrictive and laborious. Individual staff have always been sufficiently courteous during our many engagements. And, we have found success in partnering with technical staff to achieve regulatory goals. We just need to go farther.

Innovation Technology and Services

I have been working with the TCEQ's Office of Water for almost 7 years (and I still am) related to three key water policy areas: (1.) the acceptance of innovative technology and techniques for treating water; (2.) unique circumstances for applying water treatment services; and, (3.) emergency response capabilities. I can report that there is little to no mechanism within the agency to deal with "out-of-the-ordinary" requests regarding these topics. Not only is the mechanism missing, but the management appears determined to prevent innovation in these areas. I can provide extensive testimony as evidence to my statement upon request.

Emergency Water Treatment Services

The state of Texas is located such that many natural disasters can affect the ability of a public water system (PWS) from supplying safe drinking water for periods of

today. Outside of Texas, we have successfully engaged with multiple other states, who frankly, embraced our technology and ideas and agreed to build a framework to allow for regulated services that benefit the public, and the agency.

Summary

In summary, I am submitting this testimony to bring attention to a policy (or lack thereof) that is preventing WaterFleet from offering an alternative water service when and where it is most needed—during an emergency water supply shortage. On one hand, the TCEQ allows me to offer WaterFleet’s water service to industrial workers on industrial sites in rural areas; but on the other hand, the TCEQ will not allow us to offer the same water services during an emergency event. To me, this is a conundrum. I have built a regulatory consultant team to work with technical staff at the TCEQ to build a policy that would address alternative water solutions during an emergency event. We believe the agency has the ability to address the issue administratively; and, we have worked for years with agency staff to do so. But we have not been successful. If the issue cannot be addressed administratively, then we look to the Commission’s guidance on the question of whether or not a statutory solution is a better response.

Alternative water solutions during an emergency water supply shortage should be encouraged by the Texas Commission on Environmental Quality. Not discouraged.

Thank you,

Alan Pyle