

**From:** [Sunset Advisory Commission](#)  
**To:** [Elizabeth Jones](#)  
**Subject:** FW: Public Input Form for Agencies Under Review (Private/Before Publication)  
**Date:** Monday, June 27, 2022 8:22:40 AM

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**From:** Texas Sunset Advisory Commission <sunset@sunset.texas.gov>  
**Sent:** Friday, June 24, 2022 6:22 PM  
**To:** Sunset Advisory Commission <Sunset.AdvisoryCommission@sunset.texas.gov>  
**Subject:** Public Input Form for Agencies Under Review (Private/Before Publication)

Submitted on Fri, 06/24/2022 - 16:36

Submitted by: Visitor

Submitted values are:

**Choose the agency that you would like to provide input about**  
[Texas Commission on Environmental Quality](#)

#### **Public Comments**

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#### **First Name**

Gunnar

#### **Last Name**

Schade

#### **Title**

Dr.

#### **Email**

#### **City**

College Station

#### **State**

Texas

#### **Your Comments or Concerns**

I am an Associate Professor for Atmospheric Science at Texas A&M University writing to provide an example of what I consider professional neglect on the part of TCEQ leadership.

I think this example provides a case in point for the notion that TCEQ leadership is less concerned with reinforcing the law than in the case of a violation than in appeasing the party at fault.

This case involves the blowout of a gas well in Dewitt County in November 2019. The party at fault initially was slow to report the issue, but then acted responsibly, providing extensive cost reimbursements for evacuated citizens and air quality measurements through third parties. TCEQ carried out an evaluation and assessed the incident report, which, however, was not made public. I assisted local residents with concerns about air quality at the time, and proposed a local study of the events to the Texas Air Research Center (TARC), which was funded in 2020 for one year. In 2021, together with fellow scientists from other states who had analyzed satellite observations of the massive emissions of hydrocarbons from the blown out well, we published a scientific manuscript in the prestigious journal Geophysical Research Letters outlining the (internally consistent) emission amounts and impacts of the blowout in terms of methane. As TCEQ was assessing the incident report from the party at fault, I wrote a letter to Commissioner Toby Baker explaining said research. As I had acquired the incident report through an FOI request to the TCEQ, I was able to conclude that the reported emissions drastically underestimate (3x) actual emissions. In addition, the party at fault only reported "natural gas" emissions, despite the fact that the blowout also emitted, and TCEQ had evaluate locally, large amounts of condensate emissions, including air toxics such as benzene, which explain the near-blowout air quality observation at the time and more than justified the carried out evacuations. I provided my initial assessment of the blowout related hydrocarbon emissions based on my TARC funded research project to TCEQ at that time (January 2021). I received no answer or acknowledgement of receipt from Mr. Baker or anybody else at TCEQ. Upon peer-reviewed publication of my research in summer 2021, I followed up with TCEQ, pointing out that its initial assessment of the incident report and the associated fine to be levied were inconsistent with two scientific studies consistently showing a large underestimation of emissions. In addition, I wrote that a characterization of emissions as (harmless?) natural gas while in effect large amounts of toxic hydrocarbons were emitted that travelled tens of miles to two TCEQ air quality monitors in Floresville and Karnes City, was hardly the accurate based on TCEQs own data and the local air quality measurements by third parties during the blowout. Again, I received no answer and no acknowledgement of these analyses.

When the Commissioners finally assessed the fine for the event, as far as I know, the factual circumstances of the blowout were not taken into account, fining the party at fault only for excessive "natural gas" emissions. An explanation for this decision was not provided, at least not to me; and since I was unable to attend the public session last fall in which this was decided, I was unable to speak up on behalf of science.

I would be happy to provide more detail and background (including the publications) for this study should there be any interest. I do not know whether leadership can be legally accused of violating its own rules in its final decision, but it certainly was with respect to the draft decision I reviewed in spring 2021 (as per FOI request). Even if the Commissioners did not fail their legal obligations, they did seem to have ignored vital scientific information related to their decision.

### **Your Proposed Solution**

I am saying "ignored" above because I have no reason to believe the Commissioners had no access to my communications. If communication was at fault, then obviously TCEQ has a larger problem than just for incident evaluation; it would suggest that there is systematic ignorance, which seems unlikely.

Hence, I shall assume that my communications were received and reviewed. If so, I am accusing TCEQ leadership of willful ignorance of scientific information pertaining to a major air quality

violation, and this needs rectification. When such information from third parties, such as myself, exists, it ought to be heard in public session and taken into account appropriately. Fines ought to subsequently be assessed with all information at hand, not only the characterization of the party at fault, who is obviously biased.

**My Comments Will Be Made Public**

Yes