

From: [Sunset Advisory Commission](#)
To: [Elizabeth Jones](#)
Subject: FW: Public Input Form for Agencies Under Review (Private/Before Publication)
Date: Friday, June 24, 2022 9:10:22 AM

From: Texas Sunset Advisory Commission <sunset@sunset.texas.gov>
Sent: Friday, June 24, 2022 5:46 AM
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 - 03:51

Submitted by: Visitor

Submitted values are:

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

Public Comments

1

First Name

Diane

Last Name

Wilson

Title

executive director and watekeeper

Organization you are affiliated with

San Antonio Bay Estaurine Waterkeeper

Email

City

Seadrift

State

Texas

Your Comments or Concerns

In May 1993, Formosa Plastics submitted a document to TNRCC that was to satisfy the requirements of receiving their wastewater permit, TCEQ Wastewater permit #02436, EPA permit #

TX0085570. The Document was called, "Receiving Water Monitoring Program, Scope of Work for the Formosa Plastics Corporation, Point Comfort, Texas Facility." That program was to make sure that Formosa's wastewater did not destroy Lavaca/Matagorda Bay as did that of Alcoa when their discharges of mercury created a Mercury Superfund in Lavaca Bay in 1994, Fast forward 27 years and 111 trips of the Receiving Water Monitoring Program (which TNRCC/TCEQ okayed)--- an analysis of the data from that program was taken by Harte Research institute for Gulf of Mexico Studies: Influence of Discharge on Long-Term Dynamics of Abiotic and Biotic Resources in Lavaca Bay, by Elizabeth Harris (A Thesis). A startling finding of that report shows that 700 toxic chemicals and over 400,000+ samples were taken and 99.99% were all non detect. Meaning that the levels which the chemicals were tested was placed to high to be detected. Detection Limits were above effects level. There was even no PAH toxicity detected by the Monitoring Program when Carr in 2001 detected PAH, In fact, Carr found the most toxic site in the entire study was Formosa's discharge 001 in Lavaca Bay. So, basically, 27 years of TCEQ sanctioned data shows there is NO information on whether Formosa's discharge has caused a contamination problem. A major researcher in the field, Dr. Paul Montagna, said, "This is a big waste of money!" It is interesting to note that Formosa's website specifically names the Receiving Water Monitoring Program as proving that they have not harmed the bay. From Harte's research of the bays on the Texas Gulf Coast, one bay stands out with big problems: Matagorda/Lavaca Bay. In 2011, Pollack, Palmer and Montagna, discovered that benthic macrofauna were declining dramatically (2 orders of magnitude over) over 20 years in Lavaca/Matagorda Bays. And currently, 27 years of a TCEQ sanctioned program has done exactly nothing to show any data on the toxicity of Formosa's discharge. This has to change!!!

Your Proposed Solution

This Receiving Waters Monitoring Program must be examined again with public participation! Our organization, San Antonio Bay Estuarine Waterkeeper, requests an immediate meeting with the proper TCEQ officials who are responsible for okaying this program.

Attachment

[Elizabeth Harris Thesis Final.pdf](#) (7.76 MB)

My Comments Will Be Made Public

Yes