

Cecelia Hartley

From: Sunset
Sent: Monday, November 29, 2010 8:28 AM
To: Cecelia Hartley
Subject: FW: Staff Report Feedback

-----Original Message-----

From: Sunset
Sent: Sunday, November 28, 2010 3:50 PM
To: Sunset
Subject: Staff Report Feedback

Agency name: Environmental Quality, Texas Commission on

Response to staff report: A way simply must be found to buffer the TCEQ from the Governor's office. Its functions are not political and they need to NOT be politicized.

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From: Sunset
Sent: Monday, November 29, 2010 8:28 AM
To: Cecelia Hartley
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From: Sunset
Sent: Sunday, November 28, 2010 3:39 PM
To: Sunset
Subject: Staff Report Feedback

Agency name: Environmental Quality, Texas Commission on

Response to staff report: Government officials, legislators and the public are not good at seeing the costs of environmental damage. There are a myriad of examples, and I am choosing to talk about only two: autism and asthma.

If we are going to continue to allow our natural resources to be polluted, I think we need to hold polluters responsible for the societal costs of their handiwork. In Texas, this would mean they pay for the costs of Special Education of children whose diagnosis is Autism. The TCEQ or other entity would collect the dollars and transfer the net amount (gross amount ASSESSED minus a small administrative fee) to the State DOE. At the DOE, the agency would distribute the money to schools with the stipulation that these monies are not used to supplant other funds.

Related to Asthma, polluters would pay for the costs to schools of time spent on asthma treatment that should be spent in classroom learning. Expenses include a portion of school nurse time and staff acting in school nurse absences, training costs, lost classroom time related to children going to the school nurse routinely, costs of communication with the parents of asthma kids, costs of securing inhalers and other medication in the school and on buses. Funds would be handled as in the autism example above.

Some will say polluters aren't the only cause of autism and asthma and so should not pay the whole expense.

I would argue pollution is at the Tipping Point ...but if polluters aren't to pay all of the expense, they should pay at least, at the very least, one third.

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Cecelia Hartley

From: Sunset
Sent: Monday, November 29, 2010 8:29 AM
To: Cecelia Hartley
Subject: FW: Staff Report Feedback

-----Original Message-----

From: Sunset
Sent: Sunday, November 28, 2010 3:24 PM
To: Sunset
Subject: Staff Report Feedback

Agency name: Environmental Quality, Texas Commission on

Response to staff report: My concern is fracking. I think regulation of fracking is an urgent need. Until adequate regulation of fracking is in place (as determined by a professional body), all requests for permits related to fracking need to be denied and or cancelled.

Cecelia Hartley

From: Sunset
Sent: Monday, November 29, 2010 8:29 AM
To: Cecelia Hartley
Subject: FW: WEB EMAIL FEEDBACK

-----Original Message-----

From: Sunset
Sent: Sunday, November 28, 2010 3:21 PM
To: Sunset
Subject: WEB EMAIL FEEDBACK

Name: Ms. Ellen Hansen

City: Austin
State: TX

Organization:

Agency Name: Environmental Quality, Texas Commission on

Comments: My concern is fracking. I believe it is urgent and necessary for Texas to have effective and timely regulation of fracking activities. when the Sunset Reviews come up in Session.

Resolution: 1.Education of legislators and the Governor's office.

2.TCEQ resources are scarce and it is vital the TCEQ staff are highly educated so I hope an administrator or manager from another agency could go to the TCEQ for six months to identify and report any marginal activities that the TCEQ could quit doing. I suggest that these activities do include some prior legislative mandates. Any "savings" would be used within the TCEQ to address the volume of remaining work.

3.Until fracking regulation is adequately in place, all permit requests should be denied and/or cancelled.

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From: Sunset
Sent: Monday, November 29, 2010 8:29 AM
To: Cecelia Hartley
Subject: FW: Staff Report Feedback

-----Original Message-----

From: Sunset
Sent: Sunday, November 28, 2010 3:11 PM
To: Sunset
Subject: Staff Report Feedback

Agency name: Environmental Quality, Texas Commission on

Response to staff report: Re TCEQ Issue 1, I disagree with the thought of transferring groundwater protection functions to the Railroad Commission. I see the logic but also am certain this change will take years away from attention to water quality. I would rather see redundancy and confusion handled by moving water issues to a new Water Quality agency or a new Water Quality Division within the TCEQ. Re TCEQ Issue 2, I think TCEQ needs to have this part of its responsibilities removed because its too scarce resources must be protected for higher priorities. Re the remaining TCEQ issues, I agree with the recommendations though I would like to go further toward effective regulation and protection of the environment.

ELLEN HANSEN

Texas Commission on Environmental Quality
Sunset Review comments

Thank you for the opportunity to comment on the Sunset Review of the TCEQ.

I am certain that many of the 3,000 employees are knowledgeable, skilled, responsible people who have the expertise and the desire to protect Texans and our environment. However, the current level of performance and the prevailing 'political will' do not protect Texans and the environment.

In fact, TCEQ performance has made a mockery of the state's investment in having an environmental quality entity. In support of that statement, I ask you to think about particular issues in the Alliance for a Clean Texas's June 2010 document "TCEQ Air Permitting and Enforcement: Improving Texas' Air Quality through the Sunset Review Process". The particular issues are AP 3, 4, 6, 7, 9, 10, 11, 12 and 13, GE 1, 2, 3, 4, 5, 6, 7 and PP 4, 5, 7, 8, 9, 10. (See pages 5-8.)

Regardless of the words we use to describe environmental protection, honoring and respecting our planet is necessary to human life on Earth. It is essential. And, we are failing at it. Exploitation of natural resources affects us in our daily lives, and is rapidly changing our climate in complex ways.

The Sunset Review needs to

- empower the TCEQ to do its work,
- expand the scope of the TCEQ mission, and
- send a clear message to Texans.

TCEQ's mandates need to be expanded and the agency's resources need to be scrutinized, re-targeted and increased. Some of the comments I am making, I make because I believe it is unlikely TCEQ will gain the resources it needs.

- TCEQ needs statutory buffers between its actions and political influence from the Governor's office and the Legislature.
- TCEQ staff need to individually fully understand changes which stem from the Sunset Review.
- Performance measures for TCEQ within the Executive Branch need to be recreated to reflect the mission of the TCEQ.
- TCEQ needs help in identifying the costs of polluted air and water.
- TCEQ needs help in targeting its scarce resources to its highest priorities.

To accomplish what must be done, it seems reasonable that an interim committee should work to redefine and refocus TCEQ's mission, goals, resources and measures.

I think some of the help TCEQ needs can come from other State agencies. I'll give two examples:

- 1) Environmental issues affect people and have costs everywhere...sometimes in ways that are 'not on our radar'. Asthma and Autism are linked to air quality. This doesn't mean that lack of air quality is the cause of Asthma and Autism. It means lack of air quality is a reason both are increasing significantly. Thinking of asthma and other breathing problems, do you know many children are making one or two scheduled, routine trips to the school nurse daily for medication. This means staffing costs, training costs, loss of classroom learning time, costs of communication with parents, costs of keeping medications secure, and so on. The same kinds of costs

happen again, less predictably, when there is an asthma attack. Research conclusively links air pollutants to autism, beginning from the fact that children with autism are more likely to be born in areas with high levels of mercury, cadmium, nickel, trichloroethylene and vinyl chloride. Thinking of Autism, do you know that education costs multiply by two to three for K-12 Special Education. This means staffing costs, training costs, costs of loss of classroom learning time, costs of communication with parents, and so on. Ask your colleagues who work in education. Autism and Asthma have significant hard and soft dollar costs in education. Require DoE to help study these costs and deliver findings to TCEQ and to the public.

- 2) When an agency must retarget its resources and reconsider its resources and activities, the assignment of a short term team of good managers from other agencies can be valuable. Such a team can bring fresh perspectives to bear and then, where needed, be an advocate for the TCEQ with the Legislature for needed statutory changes, etc. This team would build on the Sunset Review and be charged with working out the implementation details.

The work before TCEQ is challenging and daunting. The work would be enough...and there is more, much more. Climate change is having and will increasingly have impacts on all of us. Think food shortage, weather disasters, areas becoming not fit for habitation, water shortages, increasing violence.

Please think about how TCEQ should help Texans, and then, how it could best help. Please begin to plan for TCEQ to partner with other agencies, taking a holistic approach to problems, as population growth and economic challenges continue to interact with environmental issues.

Ellen Hansen