

COMMENTS TO THE SUNSET ADVISORY COMMISSION MEETING

DATE: December 15, 2010, 9:00 AM

SUBMITTED BY: Sr. Elizabeth Riebschlaeger, ccvi

AGENCY REPRESENTED: None; testifying as an individual citizen of the State of Texas, USA

(Related materials attached.)

INTRODUCTION:

Good morning. It is always a privilege to participate, as a citizen, in the democratic process of government. I would like to thank the Commission for its openness to the voices of the public in this meeting, and in local Town Hall meetings around the State.

The perspective of ordinary citizens in the day-to-day workplace and neighborhoods of Texas offers a different, but "real world" view of the issues under consideration. Good stewardship of the environment is each citizen's responsibility, since it sustains fundamental health, quality of life and both commercial and small business interests for us all. I believe that it is critically important for these values of local communities to have equal priority with those of corporate interests in the decisions made by the Texas Commission on Environmental Quality and the Legislature.

**SUNSET COMMISSION HEARING/TCEQ  
STATE CAPITOL, AUSTIN, TX  
DECEMBER 15, 2010**

**ORAL STATEMENT SUBMITTED BY SR. ELIZABETH RIEBSCHLAEGER**

I come here today to call not only for the Texas Commission on Environmental Quality's continued existence, but for a strengthening of its role, and a renewal of its true purpose: to work for the public good of all Texans. I call on the Commission to carry out their mission through balancing three critical values: preservation of clean water, air and earth, the protection of the public health, and genuinely wise economic development. Further, I believe that in doing so, the TCEQ should give **first priority** to those business interests **already operating** in Texas communities. and not to large multinational corporations whose purpose is the profit of their shareholders and that of their officers.

**The question must be posed: "At what cost should this development take place?"**  
**Who, if anyone, in the community should be sacrificed for this development? And are these sacrifices justified, given any long-term negative effects on those entities?**

Here's a closer look, for example, at the damages that can occur to other businesses, from just one of those six new coal-fired plants being sought, the plan for economic development through construction of the **White Stallion Coal Fired Plant in Matagorda County near Bay City.**

White Stallion's 60-foot high smokestacks will release 100 lbs. of poisonous mercury each year onto the Colorado River and down into Matagorda Bay. **(1/70<sup>th</sup> of a teaspoon of Mercury wind-borne into a 25-acre lake will make the fish unfit to eat. Lavaca Bay has been closed to the taking of fish and crabs since 1988 by the Texas Department of State Health Services, due to mercury contamination by the Alcoa plant there.)**

**Commercial interests:**

1. Seafood from Matagorda County shrimp and fish farms will also be unfit for consumption.
2. Local Matagorda County seafood farms, fishermen, shrimpers and wholesale plants will also see their businesses destroyed, when mercury contaminants will have made the Colorado River unfishable.
3. **Local farmers and ranchers will be dealing with the effects of the plant's toxic emissions on their land, finding their water and land contaminated with mercury and dioxin, toxins being absorbed by their livestock, making the unfit for human consumption.**

4. **Tourism and construction industries** will be impacted, as recreational fishing is shut down, river water is contaminated and local fresh seafood is unavailable. Texans with second homes will no longer want to visit, and those planning new homes in Matagorda County will abandon them. **Many coastal communities across the nation, local Commissioners Courts and State Tourism Departments have joined voices in opposing the construction of new coal plants in their areas.**
  
5. **Water**, our most precious resource will clearly be under even more stress and demand. White Stallion coal Plant **will remove 36,000 acre-feet of water from the Colorado river per year—that is, 56 square miles of water 1 foot high (east Matagorda Bay is 59 square miles).** This is water that would be replenishing the estuaries and bays, and providing refuge for wildlife and migrating birds that draw sportsmen and bird watchers from around the nation, creating an environmental disaster and still another area of economic loss to the area.
  
6. **Coal ash**, a deadly by-product of a coal plant will become a part of the environment. White Stallion will store coal ash waste on site. As planned, it would be located **in the 100-year flood plain.** According to the EPA Sea Level Rise Map, it would be **flooded several times per month—contaminating waters that flow freely where they will, carrying the contamination with it.**

**The following organizations have all voiced their opposition to these new coal plants:**

**The Coalition of Texas Mayors, the National Wildlife Association, the National Audubon Society, Ducks Unlimited, the American Bird Conservancy, the Environmental Defense Fund, the Sierra Club, the American Association for the Advancement of Science, the Union of Concerned Scientists, the National Resources Defense Council, the American Association for the Advancement of Science and Texas Public Citizen.**

**Public Health interests:**

1. Asthma accounts for 14 million lost days of school missed annually”(CDD)—another expense and another challenge to children struggling to succeed in their education. Businesses would experience work day losses and also have to provide medical insurance payments for the treatment and hospitalization of their workers, not to mention suffer the loss of their productivity

But the bottom line is, who will pay for these new healthcare costs and lost businesses to the local economies? The large corporation that will own, operate and profit from this coal plant will not see this as their responsibility. They will have retreated to their corporate offices in major cities to prepare reports on their large profits for their

shareholders, while public officials and healthcare professionals are left to struggle with increased costs associated with that operation, and those profits.

The thousands of construction workers needed to build the plant will have left the area and moved on to other jobs, leaving behind only the few necessary to operate the new plant. There is no assurance that local people will qualify for these specialized jobs.

This story of the TCEQ's permitting activities at the cost of Texas communities expense are being repeated as they seek to permit new nuclear plants, in spite of new information on the truth about the impact of Three Mile Island on the public health there, as they permit the fracking process proceeding furiously over the Barnett and Eagle Ford Shale regions, utilizing 15 million gallons of water per well, and injecting sometimes unidentified chemicals into the ground—some of probably known carcinogens, or permitting the dumping in Texas underground in West Texas, toxic radioactive waste from entities outside the state.

**The TCEQ's mission is critical to Texas' future economic and public health. But the TCEQ has failed greatly in that mission. I call on the Sunset Commission to shore up this important agency, and appoint Commissioners who put Texas environment, health and genuine economic interests first, not the profits of corporations, and scientists who will be truly freed to fulfill their mission on behalf of the common good of the people of Texas and our environment.**

Thank you.

**SUBMITTED BY:** \_\_\_\_\_  
**Sr. Elizabeth Riebschlaeger, ccvi**

**DATE:** \_\_\_\_\_

STATEMENT TO THE SUNSET COMMISSION  
DECEMBER 14, 2010  
STATE CAPITOL  
AUSTIN, TX

SUBMITTED BY: Sr. Elizabeth Riebschlaeger, ccvi  
PO Box 364  
Cuero, TX 77954

I come here today to call not only for the Texas Commission on Environmental Quality's continued existence, but for a strengthening of its role, and a renewal of its true purpose: to work for the public good of all Texans. I call on the Commission to carry out their mission through balancing **three critical values: preservation of clean water, air and earth, the protection of the public health, and genuinely wise economic development.** Further, I believe that in doing so, the TCEQ should give **first priority** to those business interests **already operating** in Texas communities. and not to large multinational corporations whose purpose is the profit of their shareholders and that of their officers.

**The question must be posed: "At what cost should this development take place?" Who, if anyone, in the community should be sacrificed for this development? And are these sacrifices justified, given any long-term negative effects on those entities?**

There is reason to believe that by fast-tracking, for example, the permitting of six new coal fired plants across Texas, the TCEQ places low priority on some of these values. Besides commercial gains for large corporations, there will be losses for some long-standing and successful businesses owned by Texans. **The ranching, farming, both commercial and recreational fishing industries, seafood industries, tourism, construction of second homes that go with tourism and vacation habits of families—all would suffer if these new coal plants are built near the Texas coast and inland lakes and rivers.**

#### **COMMERCIAL IMPACT AND COSTS.**

Clearly, job creation and economic development that benefits everyone in a local community is a primary objective of government and business organizations. **However, the question must be posed: "At what cost should this development take place?" Who, if anyone, in the community should be sacrificed for this development? And are these sacrifices justified, given any long-term negative effects on those entities?** (We have only to recall the record of certain plants around Lavaca and Copano Bays and their impact on those waters to understand the damage that can occur.)

Here's a closer look at the damages that can occur to other businesses, from just one of those six new coal-fired plants being sought, for example **White Stallion Coal Fired Plant in Matagorda County near Bay City.**

## **Ranches and farms.**

While these large corporations, often based out-of-state, are reaping millions in profits for their shareholders, local farmers and ranchers will be dealing with the effects of the plant's toxic emissions on their land, finding their **water and land contaminated with mercury and dioxin, toxins being absorbed by their livestock, making the unfit for human consumption.** The ranching and food farming industry in this region will be practically shut down through contamination of the land so carefully cared for by generations of families. Some of these agricultural businesses have been highly productive for six to eight generations of the same family through their dedication to good stewardship of the land.

**Seafood industries.** White Stallion's 60-foot high smokestacks will release 100 lbs. of poisonous mercury each year onto the Colorado River, Matagorda Bay, and local Matagorda County seafood farms, fishermen, shrimpers and wholesale plants will also see their businesses destroyed, when mercury contaminants will have made the Colorado River unfishable. **(1/70<sup>th</sup> of a teaspoon of Mercury wind-borne into a 25-acre lake will make the fish unfit to eat. Lavaca Bay has been closed to the taking of fish and crabs since 1988 by the Texas Department of State Health Services, due to mercury contamination by the Alcoa plant there.)** Seafood from Matagorda County shrimp and fish farms will also be unfit for consumption.

**Tourism and construction industries** will be impacted, as recreational fishing is shut down, river water is contaminated and local fresh seafood is unavailable. Texans with second homes will no longer want to visit, and those planning new homes in Matagorda County will abandon them. **It is no wonder that many coastal communities across the nation, local Commissioners Courts and State Tourism Departments have joined voices in opposing the construction of new coal plants in their areas.**

**Water**, our most precious resource will clearly be under even more stress and demand. White Stallion coal Plant will remove **36,000 acre-feet of water from the Colorado river per year—that is, 56 square miles of water 1 foot high (east Matagorda Bay is 59 square miles).** This is water that would be replenishing the estuaries and bays, and providing refuge for wildlife and migrating birds that draw sportsmen and bird watchers from around the nation, creating an environmental disaster and still another area of economic loss to the area.

**The local lands, towns and communities, even those inland from the coast.** Coal ash, a deadly by-product of a coal plant will become a part of the environment. White Stallion will store coal ash waste on site. As planned, it would be located **in the 100-year flood plain.** According to the EPA Sea Level Rise Map, it would be **flooded several times per month—contaminating waters that flow freely where they will, carrying the contamination with it.** (One can recall the recent aluminum by-product toxic mud flow into villages and homes in Hungary to imagine what this might be like.)

And one can only imagine the horrific impact if a hurricane were to come ashore in Matagorda, bringing with it a 20-25 foot surge that would carry these coal-ash toxins inland for miles, contaminating land, water tanks, homes, and everything in its path.

**There have to be reasons why the following organizations have all voiced their opposition to these new coal plants: The Coalition of Texas Mayors, the National Wildlife Association, the National Audubon Society, Ducks Unlimited, the American Bird Conservancy, the Environmental Defense Fund, the Sierra Club, the American Association for the Advancement of Science, the Union of Concerned Scientists, the National Resources Defense Council, the American Association for the Advancement of Science and Texas Public Citizen all oppose the construction of new Coal Fired Power Plants.**

So, having considered all these factors, one has to ask if it is truly “economic development” that benefits the community to allow the construction of any so called, but misnamed “clean coal” plant to be built in any part of this state or nation. Even if a thousand new construction jobs are created during the construction phase, most of these workers will come from outside the community, and leave to go to another construction site when it is finished. The only jobs remaining will be the operating jobs, and one has to question just how many of those there will really be “permanent new jobs” for the community, given the degree of automation that plants are incorporating in their operational plans today.

**PROTECTING THE PUBLIC HEALTH THROUGH PROTECTION OF THE ENVIRONMENT:** It is well-known that there is a high risk of endangering the public health in any of the operations associated with production in these coal-fired plants, and even nuclear plants. (*Cf. Include Sturgis article from Facing South, April 3-5, 2009 and Mioko-Smith article published for the 10<sup>th</sup> anniversary of the Three Mile Island Accident in 1989.*)

**HEALTH IMPACT AND COSTS.** *The proposed White Stallion Coal Plant in Matagorda County were allowed to add enough new CO2 emissions equal to adding 1.7 million cars to Matagorda County roads?* the following organizations have all voiced their opposition to these new coal plants: The Coalition of Texas Mayors, the National Wildlife Association, the National Audubon Society, Ducks Unlimited, the American Bird Conservancy, the Environmental Defense Fund, the Sierra Club, the American Association for the Advancement of Science, the Union of Concerned Scientists, the National Resources Defense Council, the American Association for the Advancement of Science and Texas Public Citizen All, except one member, of the Matagorda County Medical Society oppose the construction of White Stallion coal plant, as do the American Medical Association, Physicians for Social Responsibility, the National Institute of Health, and the American Lung Association.

Health problems, especially in children, impacts their education and with it, there future.

*Asthma accounts for 14 million lost days of school missed annually”(CDD)—another expense and another challenge to children struggling to succeed in their education. Businesses would experience work day losses and also have to provide medical insurance payments for the treatment and hospitalization of their workers, not to mention suffer the loss of their productivity while they deal with the asthma caused by the White Stallion emissions.*

**So, considering medical care costs, allowing any of these so-called “clean coal” plants to be built and operated in Texas would cause them to rise, and the system is already in great stress.**

**The BP disaster** is but one well-known and publicized example of this fact, and the full impact of that spill on the future of the long-standing commercial interests in the Gulf of Mexico may not be known for years. The number of toxic cleanup sites known to cause cancer and other health problems around the nation is another example of this fact. Millions have been spent to correct our mistakes of the past, perhaps due to ignorance of the impact of thousands of new chemicals on us. But today, we know better, and there is no excuse for adding hundreds if not thousands of new toxic waste sites for the next generations to pay to clean up. I am reminded of the Native American saying: “We are not saving the earth for our children and grandchildren; we are borrowing it from them”.

It would be a supreme irony if, in seeking to provide jobs and economic growth for a region, **we would allow any corporate developers to destroy the health of those worker/providers and of their children they purport to employ by polluting the air they breathe, the water they drink, and the soil in which their food is grown.** This pollution will have a lasting, destructive effect on the health and commerce of local and regional communities as a long-term result, for the “benefit” of short-term money and jobs.

After these new coal and nuclear plants are built, **all constructions jobs will end, the specialized workers who came for the duration will leave the local community, leaving behind a threatened earth, water and air from the emissions from these so-called “clean” coal plants, a greatly diminished supply of safe water available for public use,** and with this environmental impact, destroyed or threatened pre-existing local commercial interests and businesses, such as ranching, farming, commercial and recreational fishing and the small business they support, such as those associated with the tourist industry or equipment businesses.

Also, the “**fracking**” process used to extract the oil and gas from the **Barnett and Eagle Ford shale regions** of Texas uses chemicals are known to cause cancer; yet some of these companies refuse to disclose the names of the chemicals they are mixing with the water (15 million gallons per oil well) for fracking, and then reinjecting into the earth. This is happening at an alarming rate, without the full effects of these chemicals and this process on the earth and water supplies being fully understood.

It is the responsibility of the TCEQ to certify that these chemicals will not harm the environment or the health of Texans. (And let me say here that I am one of ten cousins who have a lease in an Eagle Ford shale county, and may stand to benefit generously from those mineral rights. However, I would not want to benefit at the cost of the land or water supplies of those persons living there.

Meanwhile, in the wake of these destroyed local commercial interests and environmental damage, the giant corporations in other states or countries who own the plants or produce the wells and pipelines they have built and left behind are making millions if not billions in profits for their owners and shareholders—but often not for the local people left behind to live next to these plants or to drink contaminated water. This is the record many of multinational corporations in foreign countries. **Is the TCEQ willing to let this exploitation of the Texas environment and our citizens happen here?**

This is the United States of America, where our Constitutional government assigns to our public officials the mission to serve the Common Good of the people, and to see to the protection of our environment and our public health. **We need the Texas Commission on Environmental Quality to work in tandem with the Environmental Protection Agency to not allow it to happen here in Texas, because the impact of their decision will be irreversible.**

**These corporations know their own record.** They promise thousands of jobs, but without pointing out that these will be only for the construction phase of the project. **They don't point out that few jobs will remain for local communities.** What they seek to do is to use the local community to provide a setting for another of their corporate operations site to reap their profits, most of which will not remain in Matagorda County or in any community that allows these plants to be built.

If and when these large corporations leave any community like Bay City and Matagorda County, they will have run the risk of leaving behind contaminated air, water and land, and the destruction of long-standing local businesses and industries, and families with providers and children disabled by chronic health problems associated with these. And this does not even take into consideration the amount of contaminants that would be borne inland for hundreds of miles on the seabreeze.

**This kind of “economic planning” makes no real lasting economic or healthcare sense at all for these local and regional communities.** In the future, it will be the taxpayers who will foot the bills for cleanup and healthcare costs so coming generations can recover their economy from restored water, land and air and their neighbors and family members can survive the effect of pollution. **This is not the kind of “economic development” most informed citizens can support, I think.**

When considering commercial operations that pose the threat to the environment or the public health, the TCEQ should, **at the very minimum, proceed with genuine care and caution, drawing on scholarly scientific studies independent of commercial interests, or those of the industries themselves, to assure that any risk is at a**

**minimum, and every possible preventive measure has been taken to protect the common resources that support the public's well-being and genuine business interests.**

In all things, balance is the key, but **there is one value that is so fundamental that it serves as a basis for the support of all other values, and that is the respect for human life and the environment that sustains it.** When we don't, people and their communities degenerate and die, rather than thrive, either economically or in terms of the public health or both.

I suggest that taking into consideration the factors listed above that are threats to the land, water and air of Texas, and the exorbitant costs associated with damage to the public health and all the cost factors associated with those results, it is hard to argue that permitting more nuclear and any coal plants in Texas would be a wise choice for Texas' commercial life. **While the few and the far away would reap millions, most Texans in these local communities would not have jobs or income from these plants. Their only inheritance and that of their children may well be environmental and health problems for them and their families now and for future generations.**

**I ask the State Legislature and the Texas Commission on Environmental Quality to fulfill its mission of putting the environment first. If they do not, then in fact, commercial interests will suffer and the public health costs will rise. Act in favor of both business interests, the public health in balance, and the health of our environment, so fundamental to it. Please keep Texas' future bright with promise for generations to come.**

SIGNED: \_\_\_\_\_  
Sr.Elizabeth Riebschlaeger, ccvi

DATE: \_\_\_\_\_