

Cecelia Hartley

From: Sunset
Sent: Monday, November 29, 2010 10:40 AM
To: Cecelia Hartley
Subject: FW: Staff Report Feedback

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From: Sunset
Sent: Monday, November 29, 2010 10:19 AM
To: Sunset
Subject: Staff Report Feedback

Agency name: Environmental Quality, Texas Commission on

Response to staff report: The Texas Commission on Environmental Quality (TCEQ) is not fulfilling its mission to "protect our state's human and natural resources...." I moved my residency from Shoreacres (southeast Harris county) in December 2010. One of the reasons was the deteriorating environmental quality of the area.

Sources of pollution are not being forced to comply with permit requirements. The problems identified by TCEQ are not being attacked, thus the weak penalties set by legislators are not being enforced.

In some cases the hearing examiners send a report requesting "no build" to the trio of appointed commissioners. This study requires support without overruling paid staff because of the political or economic pressure on commissioners, determining the outcome.

Houston-Galveston's air is full of deadly toxic emissions. The residents living and working in this toxic soup hanging over the county deserve protection by TCEQ. Meaningless fines are being assessed because of the low dollar effect on a company's bottom-line earnings. This of course is due to the legislative cap on fines. Therefore, polluters must be held responsible for each type of chemical released during a violation. Each chemical violation deserves its own fine. Lumping multiple chemical emissions by a single company into one violation punishable by a single penalty is not acceptable. It becomes more practical to pay the fine and continue emitting, while damaging the environment.

When determining permitting, the cumulative impacts of all sources of pollution must be taken into consideration. In 2003, the Port of Houston Authority was issued a permit to build the Bayport Container Port. It includes large scale diesel emission from ships, up to 7,000 trucks a day, trains and dockside heavy equipment. At the same time this facility was granted a permit, the Houston-Galveston area was in a non-attainment area for air quality. Where was the TCEQ to protect the human health and environment.

From 2001 to 2006 the Texas Department of State Health Services' Texas Cancer Registry study for lung cancer elevations did 51 studies. Thirty-five percent identified multiple zip codes in Houston, LaPorte and Pasadena with cancer rates higher than expected when compared with statewide rates.

More substantial fines resulting in meaningful penalties, unbiased and knowledgeable permitting, and consideration of cumulative effects of all releases when permitting must be addressed in this Sunset review in order to fulfill the mission of TCEQ.

mary beth maher