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Robert M. Malina

Colleagues:

Thank you for the opportunity to have my comments on the TCEQ read before the Sunset
Commission.

I am a resident of Matagorda County which as you know has been in the news as the proposed
site for the White Stallion coal- and pet coke-fired power plant, which has potentially negative
consequences for the health of the population and of the environment.

There are three things inherently wrong with the TCEQ:

First, something is amiss when three commissioners, political appointees, can dismiss the
recommendation of their own administrative law judges and their own office of public interest.
According to the administrative law judge, there were objections to the initial White Stallion
application and two were not satisfactorily addressed in the updated application. Yet, the
commissioners granted the air quality permit.

Second, something is also drastically amiss when the former executive director of the Texas
Natural Resource Conservation Commission (the predecessor of the TCEQ) was a
consultant/lobbyist for White Stallion.

Third, the TCEQ has no incentive to deny permits. A major portion of their funding comes from the permits that they issue!

In a related matter, Matagorda County is largely rural, small in population (about 38,000) and rather removed from major urban centers to count in decisions that may drastically influence our quality of life and health – contrary to what our state representative, Mr. Randy Weber indicates. Pardon my bluntness, we are essentially without representation. I had the opportunity to attend a “town hall” session with Mr. Weber. When I asked him about the potential health consequences of the proposed coal- and pet coke-fired plant, he had nothing to say. He could not even deliver a coherent reply to my question. I came away with the impression that he had, and perhaps still has, little clue about the health consequences of the proposed plant for the health of the population and the environment of the county he is supposed to represent. Why should he? Well, he lives in Brazoria County and is willing to compromise the health our county for the sake of temporary construction jobs and at most 150 permanent jobs. And, it is highly probable that many of the latter will not go to local residents.

In summary, I recommend that the Sunset Commission critically evaluate the TCEQ, specifically its actual and potential impacts on the quality of the environment of all Texans. As presently constituted, it is not doing its job and is heavily predisposed to bow to the whims of the petro-chemical and coal-fired power plant industries. The TCEQ needs to be re-structured so that it has the health of the population and the environment of all Texans as its primary mission. Otherwise, as an entity heavily influenced by politics, it should be eliminated.

Thank you.