

## **Comment to Sunset Committee TCEQ**

Thank you for taking these comments during your Sunset process regarding Chapters 39 and 55. Please take the following into consideration:

### **Interpretation of status reports regarding actions taken is difficult. Explanations are necessary.**

When accessing TCEQ documents it is usually easy to find a list of permits, but it is difficult to interpret the status of the permits. For example, if a permittee is asking for a “change” in the permit, there is no specific description of the requested “change”. Even when the change is later granted, the entry that is accessible to the public simply reports that the “change has been granted”. This does not provide the public enough useful information to determine the influence of that change. Updated status reports with significant data should be included in public access materials on the website and during the hearing and comment periods.

### **Complaints should be part of the public hearing and informational distribution process.**

If a complaint is filed through TCEQ, no information is given to the person who made the complaint. For example, there have been multiple complaints of industrial wastewater being dumped into wetlands. At first, your site indicates the complaint process was open and being looked into. But later, the page lists the status as closed with no explanation or notification to the persons filing the complaints. There have also been mistaken references to “receiving bodies of water” for discharges/outflows. This is misleading and puts into question the legitimacy of the permit and the response to the complaint. It is for this reason that complaints should be part of the public notice and comment process. This would be a way for TCEQ and an entity applying for a permit to address the concerns that prompted a complaint.

### **More public hearings with a virtual option should be held.**

I appreciate the effort to hold hybrid meetings for transportation purposes. More of these should be held AND more prior notice (electronic, radio, newspaper) should be given to the public so that members have an opportunity to listen and contribute.

### **Costs of permits and hearings should be paid by the entity requesting a permit.**

Recognizing that an increase in public participation and information distribution may increase costs to the agency, the entity requesting the permits should bear more of that cost. Permit pricing is too low. The amounts charged for the permits cannot possibly be enough to cover even a portion of the scientific and technical work of the agency, let alone the public communication component. Corporations and businesses should pay the true cost of obtaining a permit.

### **“Affected person” definition is too restrictive.**

Restrictions on qualifying as an affected person or party for a contested case hearing are too limiting and do not recognize all who are actually affected. People who live within an arbitrary 1-2 mile radius of a source of pollution are not the only ones impacted. Businesses and people and wildlife well beyond that immediate zone of an industrial project are affected by the diminished water quality and the long term harm to the environment.

### **Cumulative effects must be considered in the scientific equation.**

In the environment in which everything exists it is not realistic to consider each individual degradation event separate from all of the others.