

# Inyang Uwak

To whom it may concern:

Thank you for the opportunity to provide comments on Rule Project Number 2024-003-039-LS.

To ensure meaningful community engagement, TCEQ needs to reduce barriers to participation and create a culture of transparency, accountability, and trust. They should also demand the same from facilities seeking new permits/renewals.

I ask that TCEQ prioritize community participation and input before considering the application. Making a preliminary decision before considering community input is NOT community engagement.

All improvements to the permit process should apply to all kinds of permits. Providing 36 hours more after the end of a public meeting or hearing for comment submission would be a powerful change to ensure meaningful input and action by the affected public.

I ask that the TCEQ Adopt a Cumulative Impact Assessment in the review of all Draft Permits to ensure meaningful community input. Participation in environmental decisions by members of the public who are directly affected by those decisions is a moral imperative, and efforts are necessary to ensure that community members are aware of and can easily participate in environmental decision-making processes conducted by public agencies. While I appreciate TCEQ providing this additional rule-making opportunity, I must also call attention to the fact that these recommendations—and the critical concerns underlying them—have been raised with TCEQ persistently and repeatedly for at least a decade and, still, the people directly affected by TCEQ permitting decisions, who are predominately people of color and lower-income, continue to bear the disproportionate adverse health and other effects of inadequate environmental protection, despite their pleas to the contrary while actively participating in permit hearings, comment periods, and other participation opportunities. The need for a "more meaningful opportunity for public input" was also noted in the Sunset Review of the agency. One concrete and impactful shift to achieve the "meaningful public input" goal is for TCEQ to use a Cumulative Impact Assessment to review Draft Permits. TCEQ's current and continued assertion that it cannot consider any permit application in relation to another does not pass the reasonable person standard.

TCEQ must be fundamentally committed to considering community members' needs and concerns in its decision-making. This does not end with the opportunity to provide information and comment, but for that information and comment to have true influence over TCEQ's decisions. Permit applicants should also be required to inform nearby sensitive-use areas within the minimum permitted distances, such as elementary schools, high schools, daycares, and hospitals, when a permit has been submitted to the TCEQ.

To that end, the use of modern and best-practice air quality modeling for permit applications is also recommended. Texas remains the only state in the country not using AERMOD, as the American Meteorological Society/Environmental Protection Agency Regulatory Model Improvement Committee (AERMIC) recommended.

Finally, clarify explicitly the minimum distance requirements between permitted facilities, particularly permits for new permanent construction, and use cumulative air emissions calculations when modeling impact within such minimum distances.

Thank you.

Sincerely,  
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