



It's time to enforce the Clean Air Act in Texas

Kay Westmoreland to: Stanley Spruiell

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Please respond to Kay Westmoreland

Oct 18, 2009

Mr. Stanley Spruiell

Dear Mr. Spruiell,

The Texas Commission on Environmental Quality (TCEQ) is broken. I applaud EPA's proposed ruling that major portions of the TCEQ air permitting process does not adhere to the Clean Air Act, and should be thrown out.

That was a good first step. Now is the time for the EPA to take bold action by:

- Halting any new air pollution permits from being issued by TCEQ utilizing TCEQ's current illegal policy
- Creating a moratorium on the operations of any new coal fired power plants in Texas until the TCEQ cleans up its act by operating under the Federal Clean Air Act standards
- Requiring coal companies clean up their old, dirty plants -- no exemptions, no bailouts, and no special treatment by reviewing all permits issued since the TCEQ adopted its illegal policies and requiring that these entities resubmit their applications in accordance with the Federal Clean Air Act.
- Put stronger rules in place in order to reduce global warming emissions and to makes sure new laws and rules do not allow existing coal plants to pollute old global warming emissions.

Between 1977 and 1991, I was in graduate school and later taught at the University of Pittsburgh. The city and its people were wonderful. But the coal burning electrical plants, from the coal used in the coking industry (the last vestiges of the steel industry left in the city),

and two centuries of burning coal for heat in homes and businesses left terrible scars on the natural landscape, the buildings, and on people's health. Even after the two Pittsburgh Renaissance programs cleaned up

the city enormously, many neighborhoods, poor as well as affluent, were being poisoned by continued burning of coal.

At around 2:00 AM in our neighborhood, the benzene-filled smoke illegally released by the coking mills and electrical plants was so thick you could turn on the light in your bedroom and see the blue

brown smoke suspended in the air around you if the window had been left open. A reddish brown seeped into the clouds over Pittsburgh until around 11:00 A.M. Walking to my office in the 42-story Cathedral of Learning in Oakland area of Pittsburgh about a quarter of a mile away, I could usually see only the first 25 stories of the building, the top half still covered by brown/red tint of the smoke filled clouds.

At that time my next-door-neighbor was an environmental engineer for the E.P.A. who monitored equipment on the stacks at the Braddock mills during the night hours when companies illegally released pollutants that would have been visible to regulators during daytime releases. Most of the plants were releasing pollutants significantly above EPA legal limits. Only occasionally could a small fine be imposed.

In 1998 I moved to Austin. My family had settled in Texas in the late 1820s, one uncle a surveyor for Stephen F. Austin, his brother, the first Episcopal missionary to Texas. My grandfather was one of the first promoters of the rice business from the 1880s until his death in 1920. He sponsored the Texas Rice Pavilion at the Chicago World's Fair

in 1893, bringing in early rice farming families to settle in Colorado,

Wharton, and Matagorda counties. Letters and diaries of family members and others noted the constant the struggles of people trying to settle in Texas in those earliest years. Those who survived and stayed to work the land and create small businesses did so because they saw in the beautiful and abundant natural resources opportunities for their families to live healthier, more prosperous lives. The environmental problems we face in the state now could not have been imagined then. Yet people who live in Texas and those who continue to move here carry

within them the same hopes for a healthier, more fulfilling environment than the places they left.

The abundant resources and beauty of Texas are going to follow the same documented downward environmental spiral as Pittsburgh and other

beautiful cities of the Midwest and Northeast unless Texans receive the EPA's immediate help in forcing the Texas Commission on Environmental

Quality to do the work people of this state commissioned them to do. I am requesting that the Environmental Protection Agency take action to prevent TCEQ air pollution permits as long as those permits illegally

fail to adhere to the Clean Air Act. We need your help in stopping the construction of any coal fired electrical plants in Texas until the TCEQ begins to operate in thorough compliance with the Federal Clean Air Act Standards. Texas citizens ask you to support and enforce stronger environmental rulings to prevent escalation of environmental warming.

Environmental warming poses an immediate threat to our health and our

economy here in Texas. With the extreme statewide drought this summer, the only other places on earth hotter than Austin, Texas (and Phoenix,

Arizona) were Baghdad and Riyadh. Heavy environmental pollution increased the state's vulnerability to La Niña which has created over the entire middle third of Texas a severe drought for the past two

years. The unusually stagnant high pressure system over a good portion of the state during the summer prevented the heavy industrial

pollutants in the Houston and other industrial areas from clearing out.

In 1954 on my other grandfather's dairy farm northwest of Waco, Texas, we helped haul water in large dairy milk cans to cattle when the deep artesian well on the farm went dry during that drought of record. Climatologists predict the present drought in Texas may be even more severe. Crops were decimated on my farm further south in the Upper Coastal area of the state this past year. Rice is the only crop that produced some income. The Lower Colorado River Authority announced

last week that rice farmers can expect their irrigation water to be cut off for farming next year. Real estate investors and highway and power plant construction companies are positioning themselves for another

land grab at the expense of the voting citizens of the state. Texas is in severe need of environmental reform for many reasons.

Texas citizens are relying on the Environmental Protection Agency to force TCEQ to obey EPA laws. At a time of rapidly expanding global population and food shortages, U.S. agricultural markets are growing stronger ties with Latin American neighbors, with Cuba, with various African, Asian, and Middle Eastern countries. Agricultural production and the increasing number of American industries in need of those raw materials is an economic opportunity that will expand rapidly in the future. To protect the health and prosperity of our country and the

future of families all over the globe, Texas and the U.S. need stronger environmental laws. We in Texas need your immediate help creating a moratorium on the operations of any new coal fired power plants in Texas until the TCEQ cleans up its act by operating under the Federal Clean Air Act standards.

Sincerely,

Dr. Kay Westmoreland
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