

VALLEY PSYCHIATRIC CLINIC

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Chief Docket Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE

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TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: TCEQ Docket No. 2008-0421-IWD; SOAH Docket No. 582-4233

Dear Staff:

Please note this report as my exception and a brief to the findings of Thomas H. Walston, Administrative Law Judge on the above titled matter. The Taiwan Shrimp Village Association (TSVA), the Arroyo Aquaculture Association (AAA), and the Harlingen Shrimp Farms (HSF) operate an underwater pig farm that uses the Arroyo Colorado as a sewage lagoon. The claims presented by the "scientists" working for the TCEQ and the Texas Parks and Wild Life are factually in error. The water quality data presented by the shrimp farms is simply a fraud. No one came to the hearing who actually grow shrimp or fish, nor who test the water at the shrimp farms. Instead they were represented by absentee "administrators." If the actual producers showed up they would have to perjure themselves. The shrimp farms (now fish farms) discharge from a dumping ditch approximately 30-50 yards from my home - any fool can see the result - it remains absolute filth.

There have been changes for the better. The Southern Star Shrimp Farm has bankrupted and been taken over by the bank that financed it. The AAA and HSF have been operating a small percentage of their ponds. These positive changes don't come because of the price of shrimp or tilapia, nor do they come from the poor water quality management provided by the TCEQ. These changes come because the shrimp farms/fish farms are choking on their own pollution and infected filth. One can only hope that the disease they have introduced into their ponds destroys them before these people kill off the Arroyo Colorado.

The TCEQ's "own experts" testified in the Harlingen hearing that the tidal penetration into the Arroyo Colorado runs all the way to Cemetery Road (that is above the Port of Harlingen). This means the bacteria, viruses, and untreated sewage released by the shrimp farm is pushed far west and easily overlaps with the most contaminated part of section 2201 of the Arroyo Colorado.

No one with a medical degree and any knowledge of infectious disease would okay the dumping of viral and bacteria laden waters into a body of water approved for high aquatic use. People swim and water ski and fish right where the sewage is dumped.

It is my opinion, stated with reasonable medical certainty, that this deliberate behavior rises to the level of negligent endangerment of the local population. Tara virus in the laboratory infects human cell lives. Necrotizing bacterium was originated by Mr. Gregg and Mr. Janeke at their Bayview facility and now thanks to their hard work spread down the western coast of Mexico. To treat such a dangerous bug with a few tons of antibiotic laced shrimp food thrown into a 5 acre pond, then declare the infestation "cured" and to sell the shrimp to the unsuspecting public in my opinion may be criminal behavior. Those that actively support and encourage these actions are equally at fault, i.e., the politicians who hustle for the polluters should be held responsible for the morbidity and mortality resulting from the known pollution.

Toxic blue green algae releases a toxin that drives away aquatic life much like the red tide - if they don't flee they die. It is equally toxic to hamsters and rats in the laboratory. Hopefully, it will be continuously toxic to the shrimp and tilapia grown in the filth farms because these creatures can't flee. Unfortunately, the toxic blue green algae waters will be released into the Arroyo Colorado.

It is laughable medical ignorance to proclaim that human beings don't have a "hepatopancreas." Hepato equal liver and pancreas equals pancreas, and human beings have those two organs in their abdominal cavity closely and tightly connected to one another. I am sure "the scientists" have noticed that most crustations are smaller than humans, hence, the two organs are fused into a "hepatopancreas."

The application and reapplication for permits to pollute have a section clearly noted as a "criminal background check." The forms as they were filled out claims that this section is not applicable to this permit and it is my position that it is very applicable and a criminal background check should be done on all the principles involved in the Southern Star Shrimp Farm, the AAA, the TSVA and the HSF.

Solutions to the filth farms are easy. Honest objective water quality monitoring can be done by the students of the Texas A & M at Kingsville airtime program. They actually built a clean aquaculture facility near Port Mansfield.

The AA, HSF and TSVA can easily operate a closed loop. A water well pumps up water and after it is used for growing, the water is injected back into the underground water cable. Clean aquaculture facilities do it routinely.

Respectfully,



Robert O. Collier, M.D.

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September 2, 2009

Mr. Ziegler
FDA - CCC

Re: Taiwan Shrimp Village,
Arroyo Aquaculture Association, &
Harlingen Shrimp Farm

I want to file a formal complaint regarding food safety.

There are large shrimp, and now fish farms, located at Arroyo City, with a second smaller location near Bayview, Texas.

I want to file a complaint against these operations as I feel they put dangerous contaminated food into the commercial food market for the unsuspecting public to consume. I have been part of administrative law hearings wherein these three shrimp farms are trying to renew their permit to pollute via the TCEQ. On July 13, 2009 a very long hearing was held in Harlingen. Prior to that hearing I obtained answers to questions in the discovery process from the attorneys representing the shrimp farms, who speak for the shrimp farmers. Also, more information was received and confirmed via testimony, especially from an employee of Texas Parks and Wildlife, a Mr. Robert Adame.

Discovery questions yield worksheets which show repeated findings of infestations with tara virus, necrotizing hepatopancreatic bacterium, and HE (hemocytic enteritis). The tara virus infestations have resulted in a couple of temporary quarantines of the shrimp farms; worst of these occurred in 1995 and 2004, but it appears there may be multiple other smaller outbreaks. The necrotizing bacterium outbreaks are recurrent as well and according to written and sworn testimony from the representatives of the shrimp farm and from Mr. Adame, the process goes in this manner. On at least one occasion in 2006, the necrotizing bacterium reached extreme proportions and supposedly with the clearance of FDA, a off-label use of Oxytetroccline was used. The shrimp ponds are 5 acres that holds 100's of thousands of gallons of water, likely millions of shrimp in various diseased stages, and large amount of shrimp food laced with Oxytetroccline are broadcast into the pond. Prior to doing this, Mr. Adame says the Texas Parks and Wildlife takes sick shrimp, send them up to A & M, confirm they have got NHP and

*Y. Adame
9-2-09*

leave it up to the shrimp farms and the FDA to use the Oxytetroccline. A couple of weeks later Mr. Adame, or one of his subordinates, test a few shrimp again by sending them to A & M lab, and in this particular example in 2006, claimed that all was clear. In other words, that the pond was "cured" and the shrimp farmers were free to harvest the shrimp and sell them to the unsuspecting public. Mr. Adame is very careful to step around the question of how it could possibly be safe to sell such contaminated foods to the public, stating that is an issue between the FDA and the shrimp farms. I have lived on and off since 1983 at Arroyo City and my home is about 50 yards away from the dumping ditch for the shrimp farms. While it is a certainty that viruses and bacteria are now a toxic farm of algae that produces HE are released into the waters of the Arroyo Colorado, it sounds very likely that at least necrotizing bacterium contaminated shrimp are sold to the consuming public. I have contacted the Texas Department of Health and they have no records of ever having tested any foods grown in these ponds, even though the shrimp farms personnel claim that "occasionally they drop by and check on things." I suspect this one example is simply the tip of the iceberg and it's standard operating procedure is to harvest and sell into the market diseased shrimp.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Collier', with a long, sweeping horizontal stroke extending to the right.

Robert O. Collier, M.D.