

**Texas Commission on Environmental Quality
(TCEQ) Dallas – Fort Worth (DFW) Eight-Hour
Ozone State Implementation Plan (SIP) Stakeholder
Group Meeting Summary**

June 24, 2010, at 7:00 p.m. – 9:00 p.m.

City of Arlington Municipal Building
City Council Chambers
101 W. Abram Street
Arlington, TX 76010

Moderator: Bridget C. Bohac, Office of Public Assistance

Attendees:

Dan Achtermeir, Belk Adams, Jim Ashford, Alok Baskar, Rita Beving, Reed Bilz, Penelope Bisbee, Becky Bornhorst, F. Bracken, Amanda Brimmer, Jason Brown, Michael Brown, Julia Burgess, David Burlingame, Tasha Burns, Mary Cato, Faith Chatham, Cary L. Clark, Lori Clark, Catherine Clyde, Jeana Cole, Kim Collie, Gerri Combest, Jack Cooper, Nicole Cooper, Susan Cooper, Laurence Cottle, David Cozad, Raymond Crawford, Michael Crittenden, Eddie Crosswhite, Rail Daily, John Darling, Janet C. Dickey, Chris Dobson, Guy Donaldson, JoAnn Duman, David P. Duncan, Louise Dunn, Dawn Ellison, Steve Espstein, Cynthia Fava, Kim Feil, Julian Fernandez, John Fischer, Steven Fleming, Cindy Fountain, Samuel Frankenfield, Kimberly Frankland, Jim Frisinger, Jill Fussell, Everet Goar, Peggy Goode, Tom Goode, Susybelle Gosslee, Evelyn Gray, Doreen Greiger, Candy Halliburton, Anita Hamaker, Maralyn Hamaker, Linda Hanratty, Speda Haque, Elizabeth Heddon, Marianne Herrmann, Ulrich Herrmann, Matt Hoffman, Brenda Hogan, Gary Hogan, Pam Humphrey, Harriet Inby, Ed Ireland, Jeff Ireland, Jeffrey Jacoby, Kerrie Kimberling, Shea Kirkman, Forrest Kirrett, Keith Kubal, Sarah Lawrence, James E. Leveson, Lorraine Levine, Randy Loftis, Dormana Long, Sue Ann Lorig, Larry Mansberger, Josie Martinez, Esther McElfish, Nancy McJean, Jan Miller, Kirk Miller, Wendy Miller, Jim Murapaner, Nelda Nellis, Robert Nuss, Juanita O'Neal, Carrie Paige, Fritz Patchen, David P. Perkins, Fransisco Pinto, Ed Pischedda, Jody Pury's, Dewayne Querterous, Judy RAAB, Ana Reyes, Lico Reyes, Laurence Rice, Aust Rich, Paul John Roach, Molly Rooke, Christina Ruggiero, Reilly Ruggiero, Timothy Ruggiero, Linda Sandoval Foley, Kris Savage, Jim Schermbeck, Robert Scott, Lisa Silguero, Diane Smiley, Chris Smith, Stephen Smith, Wendell Smith, Maitri Smithhisler, Erik Snyder, Anthony Spangler, Stashka Star, Shannon Stevenson, Steve Strickland, Gary Stuard, Shaun Sturgis, Wendy Sunshine, Shane Tellekins, Calvin Tillman, Ann Trenton, Michael Tribble, Sandy Tribble, Tami Vajda, Wendy Vann, Robert Vaughn, Madhu Venugopal, Peter Wahl, Donna Watkins, Judith Watkins, Richard Wayne, Audrey Weil, Hoyt West, Shelissa West, Rick Wilder, Chris Williams, Chris Williams, Peter Wilson, Sharon Wilson, Stanley Wimmer, Carl Young, Don Young.

The moderator opened the meeting and introduced Susana M. Hildebrand, P.E., Chief Engineer, who presented opening remarks.

TCEQ Staff Presentations

http://www.tceq.state.tx.us/implementation/air/sip/dfw_stakeholder_2.html

SIP Update – Kathy Singleton, Air Quality Planning Section

Modeling – Doug Boyer, Air Modeling and Data Analysis Section

Potential Control Strategies – Lindley Anderson, Air Quality Planning Section

General Comments

Stakeholders expressed appreciation that the TCEQ held the June 2010 stakeholder meeting to solicit input from the public, and a stakeholder suggested that the TCEQ do a better job of communicating with the public. A stakeholder indicated that the TCEQ has good ideas, and another commended the TCEQ for the air quality improvements that have occurred in the DFW area. A stakeholder commented that the air quality problems in the DFW area are not insurmountable. A stakeholder commended the DFW area on the implementation of several programs: the Smoking Vehicle Program, the Motor Vehicle Idling Restrictions program, the Clean Cities Program of the United States Department of Energy, the Federal Clean Fuel Fleet Program, and the Texas Clean School Bus Program. A stakeholder encouraged the TCEQ to continue to gather facts and make decisions.

A stakeholder questioned why the TCEQ had to end the stakeholder meeting at 9:00 p.m. A stakeholder commented that the presentation was too technical to understand.

A stakeholder commented that the SIP revision should address the unique needs of the DFW Metroplex so that highway funding is not lost and to prevent the area from being perceived as a smog capital. An individual described area smog as a shroud and mentioned that visitors can see the air pollution as they fly into the DFW Metroplex. Individuals commented that there are too many ozone alert days.

Stakeholders commented that North Texas has failed to meet the federal ozone standard for 19 straight years and requested that the TCEQ work harder to improve area air quality. Stakeholders suggested that the science is available to protect and improve air quality and asked how long area residents must wait before the TCEQ takes action. Stakeholders commented that the TCEQ has failed DFW citizens and should not be trusted.

A stakeholder commented that the TCEQ needs an air quality board. Individuals suggested that the TCEQ learn from states that have maintained successful air quality programs, such as Colorado and California.

Stakeholders expressed concern that the TCEQ does not listen to citizens, is out of touch, and is not working for the people of the State of Texas. Stakeholders urged the TCEQ to take action to protect and improve the air quality in the DFW area or step aside and allow those who care about the environment to work on the SIP. An individual commented that the TCEQ may become irrelevant. Stakeholders commented that the United State Environmental Protection Agency (EPA) should intervene. A stakeholder commented that the TCEQ is restricted from fulfilling its purpose by the political body that controls its leadership and allows industry to self-regulate. A

stakeholder commented that the TCEQ has automatically approved industry permits at the expense of the environment. A stakeholder suggested that the TCEQ should move past the 1997 eight-hour ozone standard and aim for the more stringent 2010 eight-hour ozone standard.

A stakeholder questioned whether the meteorology in the 2006 base case model reflects the wind patterns from their normal direction—from the south-southeast and going north-northwest—and asked whether the model focused on the areas in which ozone levels are worst, in northwest Tarrant County at the Eagle Mountain and Keller sites. A stakeholder commented that the TCEQ did not solicit input on the modeling episode that was chosen for the upcoming SIP revision and asked if the modeling reflects the Eagle Mountain and Keller monitors.

A stakeholder disagreed that one has to choose jobs over clean air. A stakeholder supports controls, penalties, inspectors, and monitoring. Stakeholders commented that financial feasibility does not belong in an air quality discussion and should not be considered in lieu of health and environmental concerns. A stakeholder commented that the TCEQ should be renamed the Texas Commission on Environmental Polluters.

A stakeholder requested that volatile organic compounds be regulated in the upcoming SIP revision as they relate to gas drilling, not just benzene.

Human and Environmental Health

Stakeholders commented that citizens deserve clean air to breathe and articulated concern about the health of current and future generations of humans as well as the health of the planet.

Stakeholders expressed concern about the increased incidence of asthma in the DFW Metroplex. A stakeholder commented that one in four eight- and nine-year olds in North Texas suffers from asthma and that asthma caused 1,202 deaths in Texas between 2002 and 2006. A stakeholder commented that one in four, or 25 percent, of children aged eight to nine in the DFW area have asthma compared to 7.1 percent statewide and 9.4 percent nationally.

A stakeholder commented that the American Lung Association reported that pollution affects health and shortens the lifespan and that Dallas, Collin, and Tarrant Counties were graded ‘F’ concerning air quality. An individual stated that dirty air makes illnesses worse, and an individual commented that the area’s dirty air prohibits opening windows. A stakeholder cited four cases of childhood leukemia in one area school, including three other cases in the surrounding community, as having occurred in a two or three year period.

A stakeholder commented that poor air quality makes the DFW area undesirable to those vulnerable to ozone pollution, young children and adults with respiratory problems. A stakeholder commented that soot causes low infant birth weight, which is a direct cost to tax payers. A stakeholder noted that citizens spend thousands of dollars on medicine and drug insurance.

A stakeholder commented that oil and gas flares cause rashes, nose bleeds, and seizures in humans and can cause animals to suffer health problems or premature death. A stakeholder stated that the bad air causes sore throats and a chemical taste and urged the TCEQ not to place

profits above public health. A pre-asthmatic stakeholder indicated that being outside required the use of a painter's mask.

Industry-Related Emissions

Stakeholders commented that the TCEQ should do a better job of regulating industrial sources and an individual commented that it is time for industry to step up and clean up the air. A stakeholder asked if the TCEQ is protecting citizens or large corporations. A stakeholder commented that those who contribute to emissions should be responsible for reducing them. A stakeholder commented that the coal plants, cement kilns, and oil and gas wells should all be included in this SIP revision.

An individual stated that the DFW area will never meet the National Ambient Air Quality Standard (NAAQS) for ozone unless the major polluters are punished and any facility out of compliance be shut down. Another individual commented that fining facilities is not enough. A stakeholder stated that the method of finding and fixing emissions violations should be replaced with jail time for a facility's violation.

Stakeholders commented that a TCEQ staff person insisted there are not enough inspectors to handle site inspections and that the agency is understaffed. An individual cited an instance in which TCEQ staff had to add an inspection request to a running list because there were too few employees to respond immediately. That individual asked about the length of that list.

Oil and Gas Production

Stakeholders expressed concern about proposed gas wells in Dallas and a number of individuals spoke out against area gas wells. Stakeholders commented that oil and gas wells should be shut down if out of compliance. A stakeholder commented that there has been a big improvement in the TCEQ's response time on oil and gas complaints.

A stakeholder commented that the DFW area will never achieve attainment of the NAAQS for ozone if the TCEQ does not seriously address area gas wells. A stakeholder commented that there should be a cap on new gas drilling until there are vapor recovery systems on the existing wells. Stakeholders indicated concern about benzene and methane levels from oil and gas wells. A stakeholder commented that the TCEQ needs to mitigate emissions from the thousands of well heads, compressor stations, and storage tanks. A stakeholder stated that the TCEQ should test emissions closer to the sources for content and concentration levels from drilling rigs, tanks, and wellheads.

A stakeholder was concerned that the TCEQ does not follow up at oil and gas sites after an initial investigation. A stakeholder indicated that the TCEQ has not yet tested one of the biggest producing wells in Arlington. A stakeholder asked why the TCEQ does not require dedicated funds to handle inspection of the increasing number of gas wells in the DFW area.

Stakeholders commented that more monitors are desired in the Barnett Shale area, and an individual suggested that monitors be sited next to every gas well. A stakeholder commented that the oil and gas industry should pay for additional monitors in the Barnett Shale through an environmental impact fee. An individual commented that there is a flaw in the TCEQ response time on Barnett Shale complaints and that it is time for action. A stakeholder suggested that the

TCEQ continue to collect data and develop a special inventory from which to make decisions concerning the Barnett Shale area.

A stakeholder commented that the TCEQ ignored DISH, Texas for over a year and then withheld information from the public. A stakeholder suggested that free VOC blood baseline testing should be provided for those concerned about Barnett Shale area emissions. A stakeholder commented that the TCEQ 12-hour odor response system for Barnett Shale residents is flawed. A stakeholder stated that the TCEQ has documentation that the citizens of DISH are being exposed to toxins, but nothing has happened even though emission controls are available for wells that will cut emissions by 90 percent. A stakeholder commented that the TCEQ should determine the actual content and concentration levels of the emissions from the drill rigs, condensate tanks, and wellheads.

Cement Kilns

Stakeholders expressed concern over Midlothian cement kilns. A stakeholder commented that cement kilns have been burning hazardous waste for over 20 years and another individual commented that cement kilns need to be cleaned up. A stakeholder expressed concern that whole tires are used to fuel old cement kilns. Stakeholders commented that cement kilns should be shut down if out of compliance.

Coal Facilities

A stakeholder expressed anger about coal plants and asked that the TCEQ not issue any permits for new coal plants. A stakeholder commented that the TCEQ should stop permitting new coal plants and expressed appreciation for the EPA taking over permits in Texas.

Suggested Control Strategies

A stakeholder indicated that the TCEQ does not need more strategies, rather, immediate action is required. Some control strategies recommended by stakeholders included, but were not limited to: implementing previous NCTCOG-recommended control measures, installing selective catalytic reduction (SCR) systems on cement kilns, pipelines to transport salt water from gas wells, sustainable energy, vapor recovery systems on oil and gas well activity, gas-to-liquid technology on vehicles, electric engines for gas drilling and compressing, green completion on all wells, and replacing natural gas actuated pneumatic valves with actuated compressed air. A stakeholder stated the need for emission controls similar to cars and commented that it is time to impose similar strict and enforceable standards on coal-fired plants and cement plants.

A stakeholder commented that computer models and acronyms will not solve problems and that improved enforcement is needed. A stakeholder commented that the TCEQ needs an aggressive ozone plan, including green completion, and needs to clamp down on sport utility vehicles and trucks.

Stakeholders commented that the TCEQ ignored solutions recommended by the NCTCOG four years ago and urged the TCEQ to reconsider them for the SIP.

An individual stated that the TCEQ started working on this SIP revision late so the agency would be able to use a shortened timeline as an excuse for not requiring selective catalytic reduction SCR systems on cement kilns. Many stakeholders spoke in favor of requiring SCR on cement

kilns. A stakeholder suggested that emissions would be reduced by 90 percent as a result of requiring SCR on cement kilns.

Stakeholders spoke in favor of vapor recovery systems for oil and gas wells and suggested that they be mandatory. A stakeholder commented that the TCEQ should pressure cities to make vapor recovery systems mandatory in their oil and gas permitting process. A stakeholder suggested that Drill Right TX best practices should be adopted. A commenter stated that it should be mandated that drilling companies join the TCEQ Natural Gas Star program and use spectrometers at all drilling sites to quickly analyze harmful vapors and residues. A stakeholder stated that vapor recovery is required on cars and should be required for gas drilling due to methane. A stakeholder suggested using electrical equipment on oil and gas activities and that TCEQ modeling should capture gas emissions. A stakeholder commented that there should be a cap on new oil and gas drilling.

A stakeholder expressed concern about the availability of the science around air monitoring comparison values and asked why the agency dropped effects screening levels.

Miscellaneous

A stakeholder appealed to the TCEQ to take the lead in introducing better measures to reduce both vehicle pollution, as well as stationary sources and to activate more rigorous regulations, controls and penalties, inspections and monitoring, full disclosure of pollution data, incentives to accelerate pollution control, proactive enforcement measures, and substantial fines for noncompliance. A stakeholder stated that the electrification of the transportation system is needed. A stakeholder would like to all see vehicles, including trucks, be subject to EPA fuel economy requirements.

A stakeholder suggested that the TCEQ should talk to other cities and set-up programs that helped them clean up the air. A stakeholder commented that it is time to build windmill farms for wind energy and switch to solar energy for both residential and business use.

Conclusion

The moderator reminded the stakeholders that the information for submitting comments was on the agenda sheet and thanked everyone for their time and efforts.