

Mehgan Taack

From: wilsonalamobay@aol.com
Sent: Monday, January 11, 2016 4:02 PM
To: DoNot Reply
Subject: Public comment on Permit Number WQ0002436000
Attachments: Response to Formosa Plastics1.pdf

REGULATED ENTY NAME FORMOSA POINT COMFORT PLANT

RN NUMBER: RN100218973

PERMIT NUMBER: WQ0002436000

DOCKET NUMBER: 2015-1528-IWD

COUNTY: CALHOUN

PRINCIPAL NAME: FORMOSA UTILITY VENTURE LTD

CN NUMBER: CN602650954

FROM

NAME: MS Diane Wilson

E-MAIL: wilsonalamobay@aol.com

COMPANY:

ADDRESS: 600 RAMONA RD
SEADRIFT TX 77983-4203

PHONE: 3612182353

FAX:

COMMENTS: January 11, 2016 Office of Chief Clerk Attn: Agenda Docket Clerk-MC105 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087 Re: Docket No. 2015-1528-IWD, Formosa Plastics Corporation, Texas and Formosa Utility venture, Ltd.; Protestants Response on Permit No. WQ0002436-000 Dear Chief Clerk: Diane Wilson, member and cofounder of Texas Injured Workers, is responding to Formosa Plastics Corporation, Texas and Formosa Utility Venture, Lt. (jointly, "Formosa" or "Applicant") letter of December 28, 2015 to Texas Commission on Environmental Quality (TCEQ) regarding protestant Texas Injured Workers' request for a hearing on Formosa's wastewater permit. Formosa's claim that "Protestants" have not shown that individual members of each Protestant group or association are "affected persons" in their own right is not correct. Texas Injured Workers is an organization of current and former workers from local petrochemical, gas, and oil industries on the Texas Gulf Coast who advocate for health and safety protections in the workplace and value the aesthetics and beauty of the bays as well as the recreational opportunities they afford. Members' livelihoods, health and safety, and recreational opportunities are affected

by Formosa's wastewater discharges. Injured Workers purpose includes pursuit of "whistleblowing" and research activities relating to Formosa's overall environmental record and maintaining a webpage devoted to their findings. See generally <http://texasinjuredworkers.com>, especially links relating to RCRA corrective action at Formosa, http://texasinjuredworkers.com/wp-content/uploads/2013/04/final_draft_DD-FPCTx8-27-09.doc and subsequent consent agreement and final order, http://texasinjuredworkers.com/wp-content/uploads/2013/10/Formosa_FINAL_CAF0_06-2012-0938.pdf. Members affected and requesting a contested hearing are: 1) Ronnie Hamrick: He has spent 20 years working at Formosa Plastics, Point Comfort, primarily, as a shift supervisor at the PVC unit in the old plant. He is a lifelong resident of Calhoun County, Texas and graduated from Calhoun High School. He retired from Formosa Plastics, Texas and is a member of Texas Injured Workers. Mr. Hamrick's love and enjoyment of Lavaca Bay as a recreational fisherman and as a local citizen who values the aesthetics and beauty of the water both for himself and his grandchildren will be put at risk by Formosa's discharge. He lives in Port Lavaca, Texas. 2) Dale Jurasek: He spent over 20 years working at Formosa Plastics, Point Comfort, primarily in wastewater/utilities. He is a lifelong resident of Calhoun County, Texas and graduated from Calhoun High School. Jurasek left Formosa Plastics as a 'whistleblower' citing alleged ' mishandling of Formosa's wastewater reporting, treatment, and discharges into the waters of Calhoun County, Texas. Mr. Jurasek's love and enjoyment of Lavaca Bay as a recreational fisherman and as a local citizen who values the aesthetics and beautiful of the water both for himself and his grandchildren will be put at risk by Formosa's discharge. He lives in Port Lavaca, Texas. Diane Wilson: I am a fourth generation commercial fisherwoman and have lived my entire life in Calhoun County, Texas. My commercial fishing family has worked as fishermen, trot liners, oystermen, crabbers, and shrimpers on San Antonio, Espirto Santo, Lavaca, and Matagorda Bays for over 100 years. The latter two bays (Lavaca and Matagorda) are directly affected by Formosa Plastics wastewater discharge. I began working on the bay at age 8. For the last 40 years I have worked as a commercial fisherwoman and in other occupations directly related to the seafood industry. I live approximately 2 miles from the intracoastal canal, between Seadrift and Port O'Connor. As a fisherwoman whose livelihood, health, and diet has depended and continues to depend largely on a viable seafood industry, the health and sustainability of the waters of Lavaca and Matagorda Bay directly affects me. I am also the founder, president, and member of Calhoun County Resource Watch, a nonprofit environmental group (501.c3) that formed in 1989 with the explicit purpose of promoting conservation of the natural resources in and around Calhoun County, Texas, to prevent degradation of the environment in an around Calhoun County, Texas, and to sponsor such activities and events as may contribute to the general welfare of the area in and around Calhoun County, Texas. Calhoun County Resource Watch has been involved in Formosa Plastic's wastewater permits since their announced chemical expansion in 1989. In 1994 Formosa Plastics, EPA, and Texas Natural Resource Conservation Commission (TNRCC), Jim Blackburn, and I signed an agreement with the implied goal of zero discharge for Formosa Plastics' wastewater discharge. Texas Injured Workers is a project of Calhoun County Resource Watch that formed from an alliance of injured workers and whistleblowers concerned over 'alleged' mishandling of Formosa's wastewater reporting, treatment, and discharges into the waters of Calhoun County. Their concerns were sufficient enough that in 2001 FBI subpoenaed Formosa Plastics' wastewater records and began an investigation into allegations that the company was engaged in intentionally fraudulent water pollution monitoring practices at the Texas facility. A memo from a group of the hourly employees implied that the company was rigging its pollution sampling -- by continuing to run pollutants to Lavaca Bay that is out of spec but "during sample days we run lower flows or shut down problem units to stay in spec." (Memorandum to Walter Chen through Shift Supervisor from hourly employees at Formosa Plastics). For the above reasons Ronnie Hamrick, Dale Jurasek, and Diane Wilson, members of Texas Injured Workers, should be "affected persons" with standing on Formosa's contested case hearing. Thank you very much. Sincerely, Diane Wilson Texas Injured Workers 600 Ramona Rd Seadrift, Texas 77983 wilsonalamobay@aol.com www.texasinjuredworkers.org

January 11, 2016

Office of Chief Clerk
Attn: Agenda Docket Clerk-MC105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Re: Docket No. 2015-1528-IWD, Formosa Plastics Corporation, Texas and Formosa Utility venture, Ltd.; Protestants Response on Permit No. WQ0002436-000

Dear Chief Clerk:

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findings. See generally <http://texasinjuredworkers.com>, especially links relating to RCRA corrective action at Formosa, http://texasinjuredworkers.com/wp-content/uploads/2013/04/final_draft_DD-FPCTx8-27-09.doc and subsequent consent agreement and final order, http://texasinjuredworkers.com/wp-content/uploads/2013/10/Formosa_FINAL_CAFO_06-2012-0938.pdf.

Members affected and requesting a contested hearing are:

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Sincerely,
Diane Wilson
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Seadrift, Texas 77983
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