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ATTN: VW Settlement  
Via email to [VWsettle@tceq.texas.gov](mailto:VWsettle@tceq.texas.gov).

May 18, 2018

Re: Volkswagen Environmental Mitigation Trust comments by Air Alliance Houston

Dear Mr. Dayton,

Air Alliance Houston (AAH) believes that everyone has a right to breathe clean air and that where you live should not determine your health. AAH appreciates the opportunity to submit comments and recommendations to the Texas Commission on Environmental Quality (TCEQ) regarding projects to be funded by the Volkswagen (VW) Environmental Mitigation Trust (EMT).

First, we'd like to take this opportunity to underscore the great harm done to public health by Volkswagen's fraudulent manipulation of the public trust as well as highlight environmental justice concerns. The defeat devices used by VW to falsify the results of nitrogen oxide (NOx) emissions tests resulted in four to seven times more NOx in on-road driving conditions than emission tests suggest. The elevated levels of NOx and VOC contribute to harmful ozone formation and produce increased levels of co-contaminants such as fine particulate matter (PM 2.5). The unexpected pollution resulting from VW's use of these defeat devices has therefore placed additional undue risk on the health of vulnerable populations by elevating the presence of chemical compounds which contribute significantly to the aggravation of health conditions such as respiratory chronic diseases, asthma, cardiovascular illnesses, and risk of cancer.

It is important to recognize that communities and neighborhoods in close proximity to the Port of Houston in the Houston-Galveston area, such as Pasadena, Galena Park, and Manchester, face significant daily air pollution issues related to the Houston Ship Channel operations. Moreover, these communities are relatively close to major highways where air pollution from traffic is unavoidable. Many of the communities adjacent to the Houston Ship Channel are low-income and/or communities of color and suffer disproportionately from the public health impacts of air pollution.



As advocates for regional environmental justice communities, AAH strongly believes that the distribution of VW EMT funds should be allocated to the populations and areas that are most impacted by the health effects associated with higher levels of exposure to air pollution. Because environmental justice issues are already longstanding concern in these communities, at the very least, residents should also be involved in the development of project recommendations and the implementation of projects should be prioritized in these areas. To support this effort, TCEQ should take the initiative to establish a committee with representation from low-to-moderate income neighborhoods to ensure accountability for the equitable allocation of funds that will benefit environmental justice communities. For example, supporting charging stations in high-income areas for Teslas drivers and other high-cost cars is not the most efficient use of resources that would benefit the greatest number of people and most impacted communities.

In closing, Air Alliance Houston strongly recommends that the allocation of the VW EMT funds are equitably distributed to projects that will benefit communities with the greatest environmental and public health risks. We propose that TCEQ engage the public in the process of allocating funds and particularly offer accountability for residents most impacted by air pollution. Projects should be prioritized in communities near heavy-volume traffic and the Houston Ship Channel. These communities are already at greater risk due to multiple sources of pollution associated with the operations near the Port. The potential for NOx and diesel emissions to damage health is further exacerbated in low-income and communities of color that have low access to health insurance and health care. As such, it is imperative to equitably distribute resources to these communities.

For your reference, we have included a series of maps from various sources that illustrate the disparities in exposure to traffic pollution and community health in communities along the Houston Ship Channel. AAH appreciates the opportunity to submit comments and recommendations to TCEQ regarding projects to be funded by the VW EMT. This funding provides a unique opportunity that can be used to improve public health for the most vulnerable communities. If you have any questions, I can be reached at [REDACTED] or (713) 528-3779.

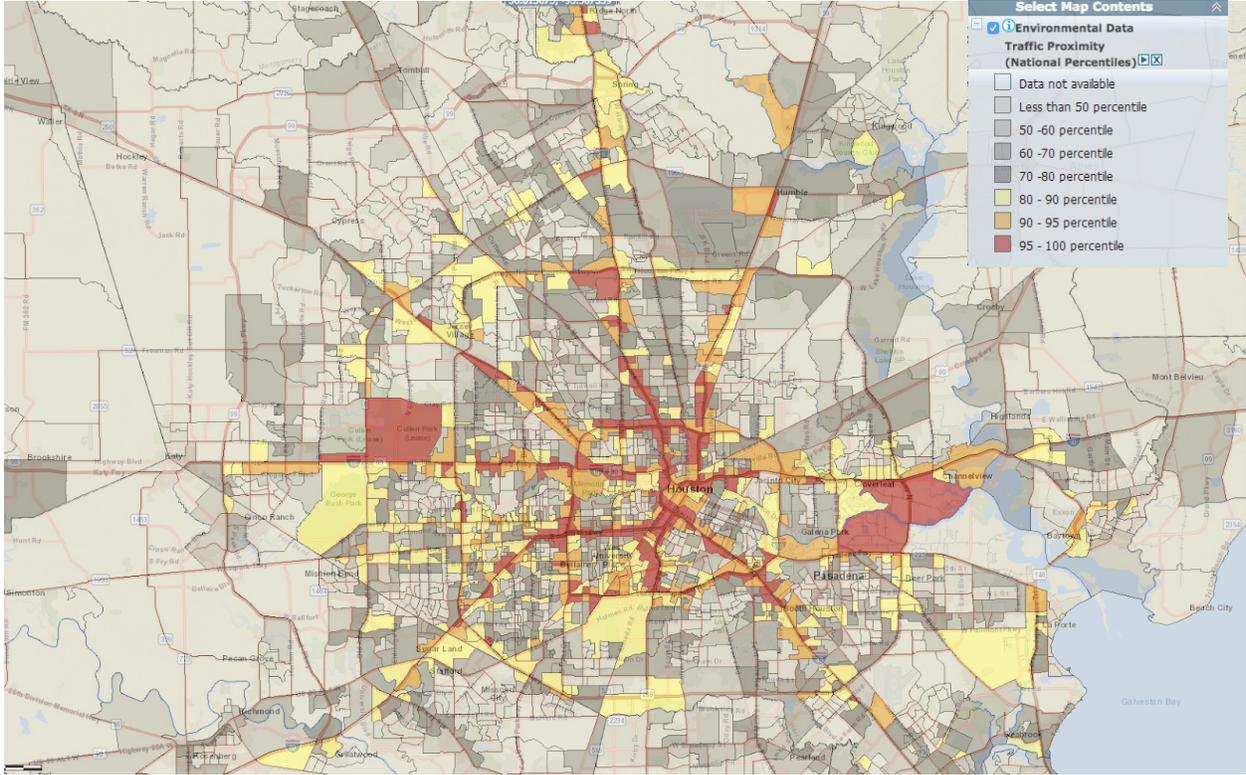
Sincerely,

A handwritten signature in black ink, appearing to read "Bakeyah S. Nelson". The signature is fluid and cursive, written over a light blue horizontal line.

Bakeyah S. Nelson, Ph.D.



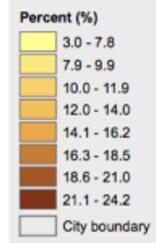
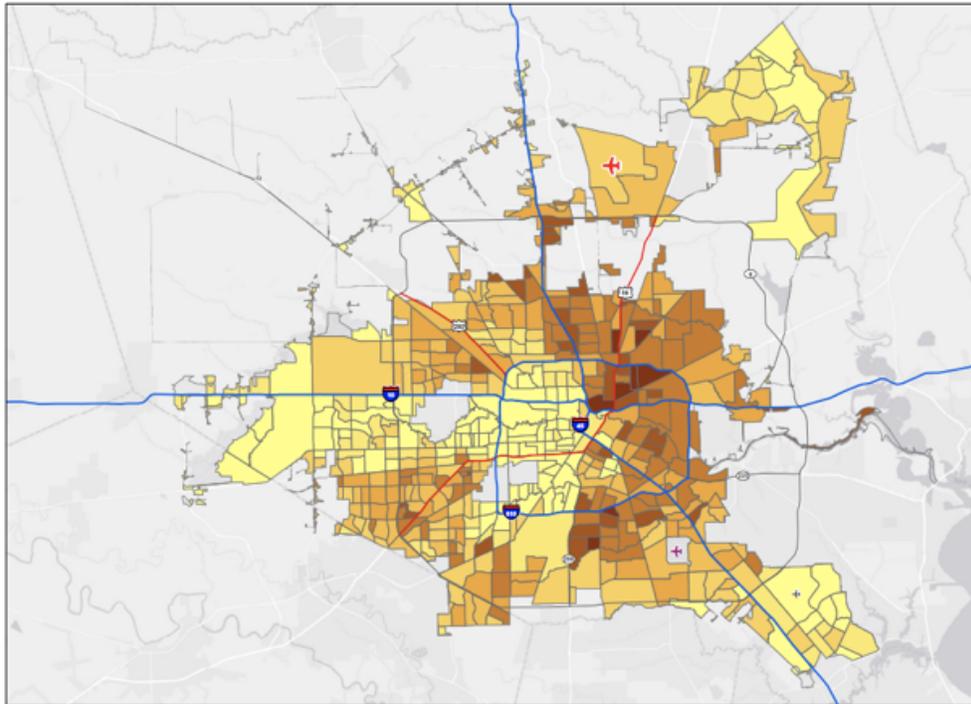
## Traffic Proximity and Volume



Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2017)

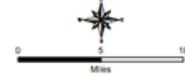


### Physical health not good for $\geq 14$ days among adults aged $\geq 18$ years by census tract, Houston, TX, 2014



Classification:  
Jenks natural breaks (9 classes) based on data for all 500 cities' census tracts. Legend depicts only those data classes within this map extent.

Census tracts with population less than 50 were excluded from map.

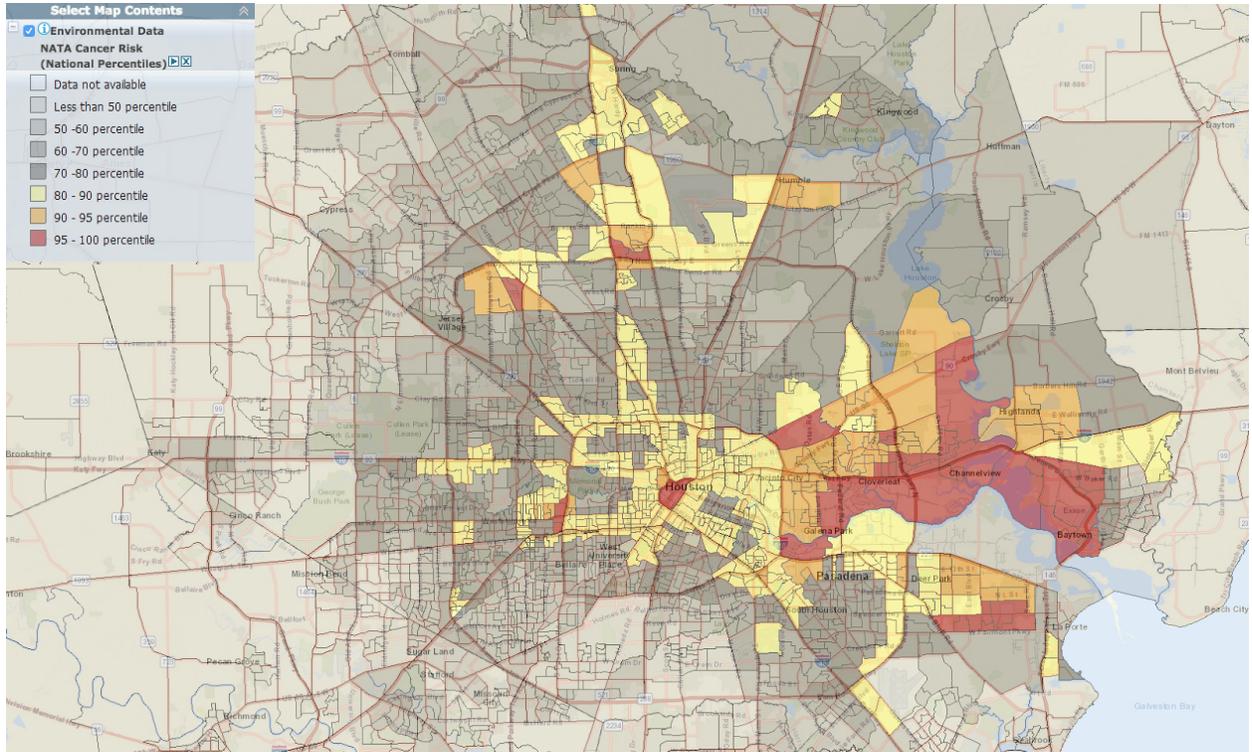


Data sources:  
CDC BRFSS 2014, US Census Bureau 2010 Census, ACS 2010-2014.





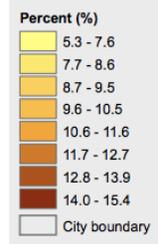
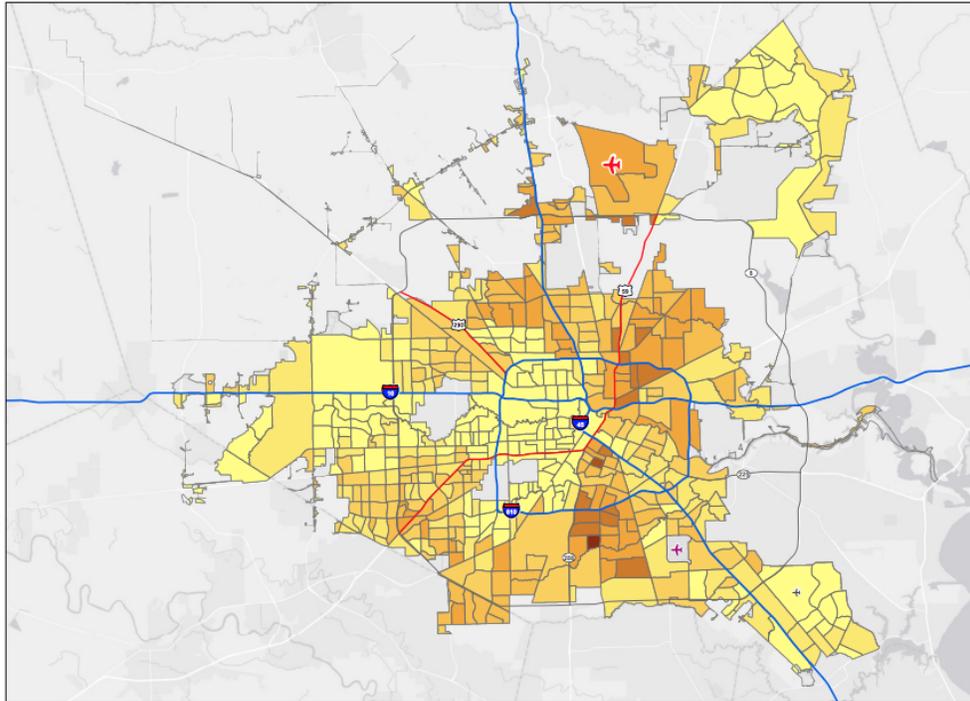
## National Air Toxics Assessments (NATA) Cancer Risk



Source: EPA's Environmental Justice Screening and Mapping Tool (Version 2017)

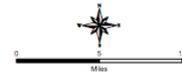


### Current asthma prevalence among adults aged $\geq 18$ years by census tract, Houston, TX, 2014



Classification:  
Jenks natural breaks (9 classes) based on data for all 500 cities' census tracts. Legend depicts only those data classes within this map extent.

Census tracts with population less than 50 were excluded from the map.



Data sources:  
CDC BRFSS 2014, US Census Bureau 2010 Census, ACS 2010-2014.

