Brad Patterson: Good afternoon, it is April 22, 2021. It is 2:00 PM. I’d like to welcome to everyone to this public hearing being conducted by the Texas Commission on Environmental Quality or TCEQ. My name is Brad Patterson and I’m with the Office of the Chief Clerk. I would also like to introduce Amy Browning and Adam Taylor who are with the Environmental Law Division. This is a public hearing on rule project number 2020-018-039-LS. I’ve got a script to read where I will summarize some of the changes that are being proposed in this rule package. Before I do that, I’d like to go over the logistics for participating in today’s public hearing.

Written comments may be submitted at any time during the hearing or until April 26, 2021 using the Rules e-comments page on our website; this is the link to our e-comments page. This link is also available in the notice of today’s hearing that is available as a handout attached to today’s webinar. The notice also provides a mailing address and a fax number to submit your comments. For those participating by computer, you have a control panel on your desktop. There is an audio window that you can open and close, it shows that you are connected either by computer audio. If you have working speakers and a working microphone, we encourage you to participate using your computer. However, if at some point you realize that your computer microphone is not working you can switch to a phone call. You would press the radio button next to phone call and it will display a phone number with an access code and a pin number. You will dial the phone number, enter the access code followed by the pound sign, and enter the pin number followed by the pound sign to be connected to the webinar via your phone. You’ll be listening to us with your phone and talking to us through your phone you will need to leave the webinar running on your computer to stay connected, but you do have that option if your computer’s audio isn’t working. On your control panel there is a mute button that will be red with a line through it to show that you’re muted. When you hear us call your name, you’ll need to unmute yourself by pressing that button. It should turn green to show you’re live and then state your name for the record and provide your comments.

In the notice of the hearing, we also provided conference lines. One conference line is for English speakers who do not have access to the computer or access to the internet. That conference line is like any other conference line, meaning that if you call in, you’ll be able to hear everyone else who’s called in to that conference line. So, it’s very important that once you call in and get connected that you mute your own phone so that others who are listening on that conference line won’t be distracted by any background noise or interference. That conference line is being monitored by my colleague Jessie and she will let me know if we are encountering any auto issues on that line. The number for that conference line is 844-368-7161 and the collaboration code is 435007. Also, in the notice of hearing we provided a separate conference line for those persons who wanted to listen and participate in the hearing in Spanish. At this time, I will ask Flor Dimassi with our interpretation team to come on and read this aloud for me.

Flor Dimassi: Thank you Brad. (Spanish translation to be provided by the interpretation team.)

Brad Patterson: Thank you Flor. And as a reminder if you provide your comments in Spanish, please stop every two sentences so that our interpreters can interpret into English for the benefit of the rest of us listening. And then for my English speakers who are participating in today’s hearing, please pause after every sentence just so our interpreters who are interpreting simultaneously have the opportunity to stay caught up with us. I’m going to call on you in the order in which you registered for the public hearing. When you hear me call your name, you’ll need to unmute yourself by pressing the microphone button on your control panel or unmute your phone if you’re on a phone line. Even though you hear me call your name, please state your name for the record and then provide your comments. As we did on Tuesday, we’re also going to just ask that you limit yourself to four minutes so that we give everyone an equal opportunity to provide their comments during today’s hearing. Once the timer reaches zero, you’ll need to wrap up your statement and give someone else an opportunity to provide comments. As a reminder, today is not your last opportunity to provide comments on the rule.
project. The deadline to comment on the proposed rules is April 26th. As so, if you'll just bear
with me for a moment, I will read through a summary of the proposed changes that this rule
project will cover.

This rule project will make changes Title 30 Texas Administrative Code Chapters 39 and 55.
The changes apply to alternative language, public participation requirements for permit
applications that are subject to House Bill 801 which was passed by the 76th Texas Legislature in
1999. The proposed rulemaking would: extend requirements for alternative language notice to
notices of public meetings when alternative language notice is required for NORI and NAPD
publication; require alternative language notice to be posted on the commissions website for
applications where the notice would otherwise be waived because of a lack of newspaper
publication available; require that notice for a public meeting on air applications be mailed out
by the Chief Clerks Office at least 30 calendar days prior to the meeting; require applicants to
provide interpreters for public meetings when alternative language comments are received at
least two-weeks before a public meeting, the ED determines there is a need for such services, or
such services are requested by a local legislature; require the Executive Director to provide a
response to comments in an alternative language when comments are received in an alternative
language or if the ED determines a community need for the translations, or if requested by a
local legislature; when requests for contested case hearing are received in an alternative
language the Executive Director, Office of Public Interest Council, and applicant would be
required to provide any responses in the alternative language; require permit applicants to
provide a brief, plain language summary of their proposed project. The summary would be
translated and posted on the TCEQ's website when alternative language publication is required;
and allow the Chief Clerk's office to transmit the response to comments by mailing out notice
that the response is available electronically on the commissions website or available to be
mailed upon request.

If you are not familiar with the proposed changes, copies of the proposal as published in the
Texas Register are available on the TCEQ website at www.tceq.texas.gov/rules/prop. We also
have the hearing notice attached as a handout so that if anyone is planning to submit written
comments you can quickly find the information on where to fax or mail those in or submit via
e-comments. We will continue to accept written comments on this proposal until April 26th,
2021. This hearing is structured strictly for the receipt of oral or written comments. Open
discussion is not allowed during the hearing. However, if anyone has additional questions
regarding this proposal there will be an opportunity after the hearing to have your questions
answered. Once again, please limit your comments to four minutes. Again, we will accept
written comments until April 26, 2021. We would just like to be sure that everyone is given an
opportunity to speak this afternoon. Also, if someone has already addressed your concerns it’s
not necessary to repeat those comments word for word you can simply endorse those
comments and we'll be- make sure to acknowledge that those were your concerns as well.

We will now begin receiving testimony in the order in which you registered. Once I call your
name you will need to unmute yourself, state your name for the record, and provide your
comments. I will call on you in groups just so that you can be prepared uh, today we will start
with Cinthia Cantu, who will be followed by Xochitl Avalos, and then Juan Parras, and then Juan
Elizondo. So, let’s start with Cinthia. Cinthia go ahead.

Cinthia Cantu: Okay. Cinthia Cantu. Hello everyone, my name is Cinthia Cantu, and I am a
concerned resident of the Houston calling in support of the new rule. The community members
from all around Texas, corporations, the city, and the state should all be on the same page with
such a delicate topic. To get there we must understand each other. Clearly this isn't happening
because we wouldn't be here trying to give a reason on why we should have the right to
understand what these companies are requesting or reporting in these public meetings in our
language which is Spanish. Stop minimizing what the people of color have to say. We live in
communities that are actually being affected, we literally experience these disadvantages unlike
the people making the rules or owners of these polluting companies. Please take this step forward and work with the communities that are being directly impacted. Thank you.

**Brad Patterson:** Alright, thank you Cinthia. Alright, up next is Xochitl Avalos. I do not see that Xochitl is on the webinar. Let’s check in with the English language conference line. Is Xochitl Avalos on this conference line? Xochitl Avalos? Alright, I’m going to check with the Spanish interpreters. Is Xochitl Avalos on this line? Xochitl Avalos. Thank you. That will bring us to Juan Parras.

**Juan Parras:** I just want to confirm that you can hear me.

**Brad Patterson:** Go ahead Juan.

**Juan Parras:** Okay. I would like to say that if this policy moves forward and becomes a requirement that it will be greatly appreciated not only here in the state of Texas but obviously in communities throughout. I want to just give you an example that I’m before- doing the environmental justice work I used to be an international union organizer and I was primary only the reason I was hired to do or work for the international union is because they needed to get Latinos into the unions that did not know English or didn’t have connection to many Spanish speaking persons to encourage them to join the unions. And so, it’s an issue that is, it’s a national issue, it helps people get organized and it helps people participate. And I’m looking forward to the day that this policy would be in effect in our state so that there will be more participation is our hope and also that they will be involved in issues that they care about that they previously were afraid to get into because of the lack of their proficiency in English. So again, I just want to thank you for moving forward and I hope this will be the policy of the state of Texas at TCEQ to make available translations, in person and in writing to communities that request and need it. Thank you for your services to our great state of Texas. Thank you.

**Brad Patterson:** Thank you Juan. Up next is Juan Elizondo. Let’s see, I am going to check on the English conference line first. Is Juan Elizondo on this line? Hi are you Juan Elizondo?

**Female Voice:** For some reasons he wasn’t able to attend. He is actually an educator for a high school. A lot of other past communities so that he was not able to attend because of his school profession and he is actually out on the field right now. So are debating that the cultural high school/middle school students (unintelligible) count on Mondays. But he will be submitting (unintelligible) he was unable to attend, and he just wanted me to relay that message.

**Brad Patterson:** Alright, thank you very much. Our next group will start with Isabel Segarra Trevino, who will be followed by Yudith Nieto, Anna Parras, and then Seth Johnson. So, we’ll start with Isabel.

**Isabel Segarra Trevino:** Hi Brad, Amy, and Adam thank you again for arranging this meeting and proposing this rule. I will deliver comments that are substantially similar to the ones I delivered on Tuesday but today I will be delivering them in Spanish. Like Brad said, my name is Isabel Segarra Trevino, and I am hear on behalf of Harris County and Harris County is very supportive of this rule. Uh, so for my comments, (Spanish translation to be provided by the interpretation team.)

**Brad Patterson:** Isabel. Isabel. Do you mind letting one of our interpreters come onto the webinar and interpret into English?

**Isabel Segarra Trevino:** I don’t mind.

**Brad Patterson:** Okay.

**Isabel Segarra Trevino:** (Spanish translation to be provided by the interpretation team.) Here in the county, Harris County approximately 44% of the people do not speak English in their houses. And approximately 20% of our people do not speak English or speak very little...
English that why it is very important for the county. And it’s, even though you are calling it a new rule it’s not actually new. Before Texas was named Texas, it was Mexico here so that it was a bilingual government. And they had no sign, and it was very clear that everyone understands the rules and they be able to follow them. So, the county supports this rule but it’s nothing new this is something that we should have been doing many, many years ago. So, the county has several comments and I’m going to provide them in a written form so right now everyone can hear them I’m going to provide a list of those comments for everyone to hear. The county recommends for any meetings or events that would last more than one hour to have at least more than one interpreter because the interpreters get tired after awhile and they do perform well when they are tired. The county also recommends to have a list of newspapers or magazines that are published in other languages. The last thing is that they are saying that they’re going to be a new requirements for these proposals that are going to be offered by the agency so that the thing is that those new proposals should also be translated as well into the other language. And also, the county recommends that many of these people do not read or write or at least they don’t read too much. They actually suggest that everything should be done with explanations with different formats so that it can be clear for them. Thank you very much and we would also have written comments as well.

Brad Patterson: Alright, thank you Isabel. Up next will be Yudith Nieto.

Yudith Nieto: Yes, can you hear me?

Brad Patterson: I can. Go ahead, state your name please and provide your comments.

Yudith Nieto: Thank you for holding this meeting. My name is Yudith Nieto I am one of those caring for Pasadena communities’ organizations and also, I’m a community member myself and a language justice worker. I am in support of the proposed rule I think it is important to make this information accessible to include some of the most vulnerable communities not just in the city of Houston but throughout the whole state. We have mono-language Spanish speakers in our communities as well as other languages. Of course, you all know that the city of Houston is one of the most diverse cities in the US that also includes the state of Texas. So, it makes sense to include alternative languages both to be interpreted orally and also document translation and so I appreciate you offering each of the interpretation during this meeting, I thank you for that. And as a community member and language justice worker I am definitely believed that we need to be inclusive of these folks of these members, community members and the fence line of the industries that are most impacting their health, their air, and their overall wellbeing. They should be informed, and they should at the table and at these meetings to be a stakeholders and decisions makers. It’s not just the right thing to do but it’s the most responsible and I would also, this also includes them from the beginning of these processes so that we don’t go back and forth including community members last minute or when it’s too late for them to have a decision or give comments when it’s about their own lives. I will also be including written comments and recommendations as Isabel stated. It isn’t interpretation as you can all see right now. It’s important to invest in the platform with language interpretations so that we can have it simultaneously and not consecutively so that it doesn’t eat at the time of people’s meetings. So that more people can be involved so that more people can be included, and more voices can be heard. I will also be sending recommendations in from our language justice collective, where we work towards supporting language access in virtual spaces. So, you’ve but a lot of practice into this and thank you for holding this meeting and thank you for supporting the interpretation during this meeting as well.

Brad Patterson: Thank you. Up next is Ana Parras

Ana Parras: Good afternoon my name is Ana Parras I am the co-director of Texas Environmental Justice Advocacy Services. Throughout the many years TEJAS has been working and advocating in our communities. The task of translation has always fallen on community organizations like ours. To have to translate notices from TCEQ and place a burden of having to
do mailouts in dual language for the benefits of the communities well-being and to have their voices heard. We as individuals and as a community organization are still advocating for our communities during this hearing process. We are advocating for this process to be handled with fairness and equity in dual language. The changes being proposed and comments that have been raised are especially important to front line fence line communities that are affected daily by the cumulative impacts from the petrochemical industry that surrounds them. For us that are older and have seen and have lived the many shared experiences of having to translate important documents for a relative or explaining when an individual just asks. Just seeing the frustration in their faces and the need to express themselves and ask questions makes this process today of upmost importance to our community. I look at what is happening today, here and now as something that is long overdue by our state. The state needs to make sure that every site and document is translated for there to be equity and transparency for the communities that TCEQ is supposed to be protecting. Thank you for your time we will be submitting additional comments.

Brad Patterson: Alright, thank you. Up next will be Seth Johnson.

Seth Johnson: Hi, thank you. I'm Seth Johnson I work at Earthjustice and I'm here to urge the commission to improve and adopt the proposal. Like Ana said or is the case with TEJAS, Earthjustice will also be joining more detailed written comments and I'm going to try and focus on a few issues here. I know you've heard from some of the people in groups involved with various comments that are going to come in and I would generally support what those groups have said also. And just from participating in this hearing, you know, I know at the top you urged people to speak slowly and to pause every so often. I have to confess I don't remember if you asked for people speaking in English to pause after every couple of sentences or if that was just for people in Spanish. So, if you want me to pause more let me know but reminders might be helpful along the way too.

So, I think this proposal is an important first step to realize the promise of democracy and to help Texans improve their own lives. People have the fundamental right to be able to participate meaningfully in important governmental decisions that will affect their lives, and this includes public meetings on proposals that could lead to more air and water pollution that harm people's health and wellbeing. So, people must be given notice in languages they read. Meeting must accommodate the difference languages they speak. With careful thought and planning, this can be done in a way that allows more people to participate meaningfully and respect people's time. This includes the multilingual notice, adequate interpretation services, translation of documents, things like that, that, that it proposes. There are other things that would be helpful too, like timeslots and prioritization for when people can provide oral comments so that people, you know, know when they'll be able to have their say.

And further include notices upfront about TCEQ's appearance to nondiscrimination policies to ensure that participants know why this matters. With the proposals a good first step there are some flaws however, the trigger for alternative language notice will predictively fall short. One option for TCEQ to consider might be to have alternative language notice be the default in key counties where there are known to be many people with limited English proficiency and that could help. The proposed short plain language summary requirement is a good start. Some more information would be helpful and easy to include too like a brief summary of the health effects of pollution at issue with that issue. The demographics of the relevant area and the applicant’s environmental compliance stats. This information would help community members understand what’s an issue in the permitting proceeding and participate in a more meaningful way. Even when full alternative language notice or documents aren’t required, TCEQ should adapt, adopt the practice and require that at the start of a document there should information so that someone with limited English proficiency can obtain language assistance and this is similar to what’s done with other documents and would be very easy to do. Overall, I'd urge the commission to improve and swiftly finalize changes to its rules to ensure that all Texans,
regardless of their languages have the full and fair opportunity to participate in environmental
proceedings like this one. This is an important momentous thing to do, it's really not that hard,
and it's absolutely the right thing to do. Thanks for your time.

Brad Patterson: Thank you. Before I call on our next speakers a couple of reminders, yes, I
did request that English speakers just pause between each sentence, like an extra heartbeat or an
extra second just to give the interpreters who are interpreting simultaneously an opportunity to
stay caught up with us. Also, if you are listening on one of the conference lines, either the English
language conference line or the Spanish interpretation conference line, please mute your own
phone until you are called upon to speak, thank you. Our next two speakers will be Shiv Srivastava
and Yvette Arellano. We’ll start with Shiv.

Shiv Srivastava: Good afternoon Amy, Adam, and Brad. My name is Shiv Srivastava I’m
commenting as a community member and as part of the Fenceline Watch. I’d like to begin by
thanking TCEQ for providing opportunity to make comment on the proposed rule. I will also be
submitting these comments in written form. While I encourage the TCEQ is taking steps to
come into compliance with Title 6 of the Civil Rights Act in order for the proposed rule to truly
accomplish equitable access to the public input process for all Texans we put forth the
following recommendations. In reference specifically to the plain language summary proposed
by... (Audio Lost)

Brad Patterson: Shiv, we lost you. Shiv? If you're there we cannot hear you anymore Shiv.
Shiv we will come back to you in just a couple of minutes. That will bring us to Yvette Arellano.
Yvette? We just lost Yvette as well. Shiv can you hear me? You’ll need to unmute yourself.

Shiv Srivastava: Uh yes. Hi.

Brad Patterson: Okay.

Shiv Srivastava: Okay. I am back.

Brad Patterson: Shiv, shiv if you'd like maybe just start over.

Shiv Srivastava: Yeah sure, thank you I appreciate that. Good afternoon Amy, Adam, and
Brad. My name is Shiv Srivastava I’m commenting as a community member and as part of the
Fenceline Watch. I’d like to begin by thanking TCEQ for providing opportunity to comment on
the proposed rule. While I encourage the TCEQ is taking steps to come into compliance with
Title 6 there are a few suggestions that would provide more equitable access to the public input
process. Recommendations are as follows: In reference to the plain language summary
proposed in 39.405(k), this summary should include a list of health, environmental, and
chemical impacts of any proposed application as well as ...(Audio Lost)

Brad Patterson: Shiv, we lost you again. Sometimes technology isn’t all it’s cracked up to be
unfortunately. Shiv, are you there?

Shiv Srivastava: Technical review compliance history, impact analysis and affects screening
levels. Uh, okay I’m back. I'm going to go ahead and uh, can you hear me?

Brad Patterson: I can now. You were gone for about 30 seconds.

Shiv Srivastava: Okay. The TCEQ should develop a standardized template for the plain
language summary that all applicants use for uniformity of format and information. Since this
will be the applicants’ responsibility to provide this plain summary, the TCEQ should provide a
stylus that all applicants follow so the public can understand in a uniform manner amongst the
many different applicants that will be utilizing this plain language summary. Additionally,
require automatic alternative language notice of interpretation in counties that have been
identified to house large populations of limited English proficient populations. Future meetings
should not be held in venues in which state ID is required to enter as this serves as a barrier.
between equitable community involvement in the public input process. Additionally, oral
translation provided by the applicant as proposed by 39.426(C)(2) should be unbiased,
professional, third party, unaffiliated interpreters. Finally, in reference to 39.426 B 5 A and B
alternative language notice, alternative language notice should be provided both online and
offline if a suitable alternative language newspaper cannot be identified. Rather than sequester
that solely online alternative notice should be posted in community points of interested such as
schools, community centers, and public transportation stops as well as notice and alternative
language on the radio. This spirit behind language access is to increase public participation in
the public input process on behalf of Texans that have historically been faced with barriers to
equitable participation. There remain great inequities in access to the internet that
disproportionally impact the very same communities that suffer from language isolation such
as LEP individuals. Many LEP and non-English households often lack access to reliable internet
connections, the hardware necessary to use them, and the technical knowledge necessary to
locate the kind of information that TCEQ is seeking to post online. A peer research study from
2017 showed that LEP individuals are at a market disadvantage when it comes to online tools.
74% of Spanish speaking households reported internet usage, in comparison smaller 94% of
English dominated household utilize the internet in relation to Spanish speaking households.
We are in support of this rule and greater equity and access into the public input process, but
we must make sure that while these rules are taking great first steps in addressing the
inequities that currently exists that the solutions don’t create new barriers. Again, I will be
submitting further comments in written format and I thank you for your time. Thank you.

Brad Patterson: Thank you Shiv. Yvette Arellano.

Yvette Arellano: Afternoon. Thank you to the TCEQ for providing this public input process.
My name is Yvette Arellano I am the founder and director of Fenceline Watch, a Houston based
environmental justice organization. I want to state that the reason I am here is because I spent
over half of the decade advocating on behalf of Fenceline and frontline communities,
specifically Spanish speaking ones. Translating technical documents, going through thorough
language worried about whether or not I was doing the job, that was not even a job that I
should have been doing for so many years. It wasn’t until I crossed paths with people, very
talented attorneys, like Isabel Segarra where I learned that this was completely illegal. That for
five years of my advocacy I was doing a job that the state government should’ve been doing,
that state agencies should’ve been doing all along. So, with that I’ll highlight a couple of the
concerns that I witnessed firsthand from my advocacy and the first is, I’m very happy that the
TCEQ is looking at alternative ways to receive Spanish interpretation. And it’s very
commendable for volunteers and staff to stand up. Unfortunately, this can lead to a process
that is not comprehensive, that lacks competency, and so if TCEQ’s looking towards volunteers,
I strongly urge the TCEQ to pass a proficiency test and that volunteers must be listed on a
translation registry for the TCEQ. Create an inhouse TCEQ website evaluation form so that LEP
individuals can raise issues over a matter point or not comprehensive services rendered. To
require translators and interpreters that fully understand the Spanish/English glossary that the
TCEQ, that your agency so brilliantly developed years ago.

My second point is going to be about the plain language summary. I agree with all the
commenters raising issues over compliance history and raising information to the public about
short-term and long-term health impacts. That is information we need in the plain language
summary. Along with that, a radius of impact that is usually listed in the technical documents
and also, the description over how these areas, how our communities are being described in
these documents. As I’ve experienced so many of our communities are listed as industrial when
in fact, they’re residential, have multiple churches, multiple childcare centers and so being able
to see these descriptions would be invaluable information. I’d also like to raise issues over how
the TCEQ is looking to engage the public. I fully agree with the comments that Seth made over
requiring specific counties and areas that are known to have limited English proficiency
populations automatically receive these translation and interpretation services. And as previous
commenters in the last session raised, rural areas will be at a shortcoming in communities
where you have older age populations, so I urge the TCEQ to start thinking about ways to
engage communities, whether it’s serving or canvassing these areas. My last point is about the
website. I asked a question over whether the website would be translated, and I was responded
to that this isn’t necessarily joint to this process, but I won’t stop from commenting on this.
The TCEQ is a public agency and therefore should allow access to every Texan because if not
now than when. As civil rights complaints are largely left twenty-five years in the waiving
unfortunately where in this process now. Thank you to the TCEQ for giving us time to speak on
the issues that most affect us.

Brad Patterson: Thank you Yvette. Okay so Yvette was the last person I had who registered
to comment. I’m going to go back to a couple of the folks that we heard from earlier just to see
if they are still there and if they would like to comment. First John Reina are you still there?
John?

John Reina: No, thank you. I do not wish to comment.

Brad Patterson: You don’t wish to comment.

John Reina: I do wish to comment.

Brad Patterson: Go ahead, speak up for me, state your name for the record and then
provide your comments.

John Reina: Hello my name is John Reina and I’m a resident of (unintelligible) and first I
wanted to thank the TCEQ for allowing this opportunity for public comment. Comment I was to
make the own pew radius for when things happen at those facilities for those people in extreme
disastrous that have to shut their points… I believe that it’s very important that everybody
learns... should have that information. As well as translating ways on how to problem solve for
everybody because when most of the things have been ... people just shutting their doors and
windows and leaving it at that they aren’t aware that they also need to cover their windows in
the plastic. That they need to shut off the air conditioning because that organization is bringing
all that toxins in the air and they are think they are fine because their windows are shut. And I
also want to, you know, definitions that benefit plain language summary no public oral
translated things noted. Thank you.

Brad Patterson: Alright thank you.

John Reina: Thank you for letting me to come.

Brad Patterson: Sure thing. If you don’t mind go ahead and mute your phone again. Up next
we’re going to go to Claudia Rios. Claudia Rios are you still here?

Claudia Rios: Yes.

Brad Patterson: Claudia before you begin. Claudia. Claudia. Before you begin please state
your name and please stop every couple of seconds so that they interpreter can interpret into
English.

Claudia Rios: My name is Claudia Rios. For us the Spanish community the Spanish
interpretation-

Brad Patterson: Claudia?

Claudia Rios: I can’t hear the interpretation.

Brad Patterson: Yep. Flor it may be better to just have them interpret over the conference
line. And then mute yourself on the webinar interpreter.
Brad Patterson: Alright. Let’s start over. Claudia go ahead.

Claudia Rios: My name is Claudia Rios. I live in Texas. I’m here to ... Spanish language translation. It stands correctly because every time I come into these meetings the translator does a terrible job and does not translate what I’m saying. What I’m sharing is lost. The chemicals, the text on the chemicals should also be translated on the TCEQ website because we, the Spanish speakers would love to be able to read them in Spanish. That’s all. Thank you.

Brad Patterson: Thank you. Alright, next we will go back to the English language conference line, monitored by Jessie. Is there anyone listening on the English language conference line that would like to provide comments on the rule package during today’s hearing? Again, is there anyone whose called into the English language conference line that would like to provide comments during today’s hearing? Very well. Hold on. Wait, wait just a minute please.

Celia Reyes: The interpreter who is doing the translation from yesterday you can actually understand it’s not directly done we don’t know exactly what they’re saying in Spanish. Thank you very much.

Brad Patterson: Okay. Who was that? On the Spanish line, who was that? State your name please.

Celia Reyes: Celia Reyes.

Brad Patterson: Okay.

Celia Reyes: Yes, I'm also in favor of the TCEQ, actually if a translator could do a translation is not exactly what we’re saying, you know, in Spanish. In Spanish language you cannot actually understand hear us and speak and hear us in translate what we are actually saying. Thank you very much.

Brad Patterson: Okay. Thank you. At this time is there anyone else on listening on the Spanish interpretation line that would like to provide comments during today’s hearing? Alright, thank you. Is there anyone else participating by computer that would like to provide comments during today’s hearing please use the raise your hand button on your control panel to let us know. Anyone who’s not yet had the opportunity to provide comments that would like to do so at this time? Alright, then we’ll go back to Yvette Arellano.

Yvette Arellano: Yes, I wanted to raise a point I hadn’t earlier, and it was specifically about oral, oral interpretation at the public hearings. Er, like I said for the past five years I’ve witnessed interpretation services only be rendered to people who are able to, who are able to give their state issued ID in exchange for interpretation devices and so if the TCEQ could not allow those things to happen and have an alternative way of tracking interpretation and translation equipment or services as citizenship status or migratory status does not, it is not affect a person’s ability to submit public comment. And then also, to translate this rule, the final proposed rule in dual language at least in English and Spanish, that’s my personal request because we have such a massive Spanish speaking population of over three million limited English proficiency speakers who weren’t able to make it today during the workday, during the work week.

Brad Patterson: Thanks again Yvette. Isabel, were you wanting to add to your prior comments?

Isabel Segarra Trevino: Thank you Brad. I wanted to, uh not to my comment but on Yvette’s comments, to note if the agency is not aware of this, there are certain forms of
identification that essentially out someone’s status in this country and that makes that
demand highly discriminatory towards individuals who may not be permanent residents or
citizens but have some other status in this country. So, I’d like for the agency to consider that
as it implements this rule and any requirements tied to it. Perhaps there is something else that
the, you know I understand those are valuable pieces of equipment, but I’ve seen this at public
meetings and there is some identification that if it’s just brandish and some one sees it, you
know, next in line then there is a high likelihood that, that person’s status in this country was
just essentially made public.

Brad Patterson: Alright, thank you Isabel. At this time is there anyone else that would like
to provide comments during today’s public hearing? Shiv, are you wanting to add to your prior
comments?

Shiv Srivastava: Yes. I would also like to add that if TCEQ will be soliciting within the
agency for translators or oral interpreters that the criteria that the TCEQ uses to identify those
employees that they will be using for these services be made public so the public is aware what
metrics and what thresholds the TCEQ would be using to use their staff as translators or
interpreters. Thank you.

Brad Patterson: Alright, thank you. Yvette.

Yvette Arellano: This will be my last comment and request is that the TCEQ permitting
office have available hotline for Spanish speakers who call into the agency and want to retrieve
information about permit hearings, permit status, comments, and any associated line.

Brad Patterson: Alright, thank you. Alright Jessie has let me know that there’s someone on
the English language conference line that would like to comment. Go ahead and state your
name please, speak up for us, and provide your comments.

Nalleli Hidalgo: Hi there, It’s Nalleli again. I already provided my oral comments on
Tuesday, I just wanted to give another statement before we go up into questions. It’s already
three O’clock and I just wanted to end with final for the people that stayed on the line, I am
speaking to the community members. I just said that, just a reminder April 26 is the last day to
provide written comments and the last day is today to provide an oral and if you missed the
opportunity you have until April 26th. Thank you so much to Brad, Amy, Adam. For taking
today’s call. Again, it’s Earth Day and some are probably itching to go outside and celebrate . . .
almost every day as a Texan. I hope everyone on the call honors that today. Going out
gardening, planting, or even just being respectful to plants or anything that is outside and not
manmade. Thank you so much to everyone an also to all the people who are still on the call
who caught themselves coming back making sure you go out and validate and honor today’s
public hearing. Today’s a historical moment in the history of Texas and thank you to everyone
that has contributed throughout the hearing. Also, from the beginning allowing us the moment
to what it is now and thank you to everyone for this meeting. Bye everyone.

Brad Patterson: Alright, Thank you. I think we’ll let those positive vibes be the last word. I
don’t see any other hands raised. I did want to clarify I believe the young lady referenced
August 26th. It’s actually April 26th is the deadline to comment. So, the commission will continue
to accept written comments in the proposed revisions of Title 30 Texas Administrative Code
Chapter 39, Public Notice and Chapter 55, Request for reconsideration and contested case
hearings, public comment until April 26, 2021. And again, this is TCEQ Rule Project number
2020-018-039-LS. We do appreciate your comments and we thank you for coming. The formal
comment portion for this hearing is now closed. As I mentioned earlier, TCEQ staff will remain
online to answer any questions that you may have. But yeah, for the comments please submit
them either online at the e-comments page for rules or you can fax them in or mail them into
those numbers that were provided in the hearing notice. Thanks again for coming you are free
to go if you don’t have anything else. We will remain available to answer any questions that you may have. Questions regarding the rule package.

If you do have a question regarding the rule package, please use the raise the hand button on your control panel or if you’re on one of the conference lines either speak up and get Jessie’s attention or get Jim’s attention if you are on the interpretation line. Any other questions for Amy or Adam? Yvette.

Yvette Arellano: Yeah, I have a question and it’s related to me asking that question about why the website translation isn’t necessarily relevant to this hearing if, you know, you and so many people are saying to go online and submit questions the online website is only in English, so I’d like to know how the TCEQ sees these as two different buckets.

Brad Patterson: Alright, thank you.

Adam Taylor: Hi there, Adam here. So, the rulemaking process is started by the rulemaking partition which the commission accepted in late 2019. That petition only requested that the agency-initiated rulemaking for alternative language for Chapter 39 and 55 and so the extent of the rulemaking was covered by the petition and that is why.

Brad Patterson: Shiv go ahead.

Shiv Srivastava: So hi, I actually had a question …Recording ended