



[Subscribe](#)

[Sign in](#)

OPINION // OUTLOOK

Deer Park fire reignites crisis of confidence in TCEQ [Opinion]

By **Elena Craft**

March 19, 2019





Firefighters continue to battle the petrochemical fire at Intercontinental Terminals Company, which grew in size due to a lack of water pressure last night Tuesday, March 19, 2019, in Deer Park, Texas.

Godofredo A. Vasquez, Houston Chronicle / Staff photographer

Not again.

That was my first thought Sunday after a large fire at a petrochemical storage facility sent a thick plume of black smoke over Houston. It started less than 24 hours after a blaze at ExxonMobil's Baytown refinery.

Sadly, this March madness is a never-ending story here. The Houston Chronicle in 2016 reported that the region has a chemical fire or explosion every six weeks on

average.

ADVERTISEMENT

Article continues below this ad

I am sure someone will dismiss this as the unavoidable byproduct of being the nation's petrochemical capital. That is simply not true. Chemical fires and explosions are largely preventable. So why do they continue to happen?

It is because the state agency responsible for ensuring chemical plant safety is missing in action — unable or unwilling to protect the health and well-being of Texas families.

We saw it as Hurricane Harvey wreaked havoc across Texas. The Texas Commission on Environmental Quality was slow to respond to the millions of pounds of excess pollution released into the air by oil refineries and chemical plants because of shutdowns, restarts and storm-related damage.

More For You

Why would Texas officials refuse NASA's help after Harvey? [Editorial]



Harvey's dirty secret: Texas didn't track pollution during the 2017 hurricane season. It may be too late for 2018 [Editorial]



TCEQ, Legislature must stop ignoring dioxin threat in San Jacinto [Editorial]



Hurricane Harvey's toxic legacy [Editorial]



HOUSTON★CHRONICLE

Metzger: State remains lax when it comes to regulating refineries

In its absence, the City of Houston worked with Environmental Defense Fund, the nonprofit organization where I work, to help take measurements in Manchester after a reported leak at the Valero refinery nearby. We found alarmingly high concentrations of the cancer-causing chemical benzene, a gasoline byproduct, in the neighborhood.

ADVERTISEMENT

Article continues below this ad

We later learned that NASA planned to fly a pollution-spotting plane over Houston after the storm, but TCEQ's chief toxicologist, Michael Honeycutt, said no. He said the data would not be useful. Never mind there is no evidence that TCEQ took any measurements in the days after Harvey beyond its stationary air quality monitors, some of which were offline because of the storm.

All the while, TCEQ's public statements about air quality gave a false sense of security to many communities, including Manchester, Galena Park and Port Arthur, where people live near large industrial facilities. Its boilerplate responses eroded credibility and suggested that the agency was detached from the on-the-ground reality. Federal officials eventually acknowledged there were hotspots of air pollution.

Nearly 20 months later, TCEQ has not taken any enforcement action against many of those responsible for the largest pollution releases during Harvey. But that is not surprising. Reports indicate the agency has penalized industry for less than 3 percent of rogue releases of harmful air pollutants since 2011.

Companies know TCEQ will not hold them accountable. The agency essentially allows them to self-regulate.

The people of Houston and Texas know this, too.

Now we have a crisis of confidence.

It was striking after TCEQ released its first statement about the Deer Park fire — more than 24 hours after the blaze started — that almost no one believed its assertion that everything is fine. Journalists challenged its veracity after noticing that the agency's closest stationary monitor to the burning International Terminals Company facility was offline for hours. They asked for raw data.

What journalists received was a brief, misleading analysis of the monitoring data from a company contracted by ITC, which has a history of violating clean air and water rules.

Once again, the city has asked Environmental Defense Fund to help take measurements to fill in the gaps. We are placing 20 monitors around the region to measure particulate matter and nitrogen dioxide. A nonprofit should not have to scrape together money to do this.

Texans need a robust environmental agency laser-focused on the protection of human health.

That starts with TCEQ Chairman Jon Niermann. Gov. Greg Abbott elevated him to the post in August. It is Niermann's moment to restore public faith in the agency.

He cannot afford allowing his leading health scientist to refuse offers of additional data to help him make the right analysis. His agency cannot prioritize permit approvals over pollution reductions. His agency cannot look away when companies violate those permits and foul the air we breathe. His agency cannot tell people that everything is normal when their eyes and lungs tell them it is not.

It is time to clean up TCEQ.

State lawmakers have a role here, too. They can make risk management plans readily available so emergency responders and the public have specific information on potential hazards at chemical facilities. Right now, they are difficult to obtain in the state of Texas.

They can close the loophole that allows industry to avoid penalties for unauthorized pollution releases. They can create a uniform toxic alert system because people must be aware of the risks to their health and safety in a timely manner. They can resist the industry push to make it even easier to obtain permits.

Hopefully, then the madness can stop.

Craft is the senior director for health and climate at Environmental Defense Fund.

March 19, 2019

By **Elena Craft**

Editor's Picks



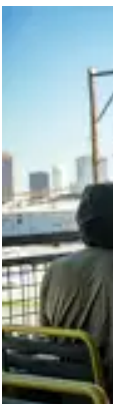
TEXAS POLITICS

Prepare for the Texas primary with this free newsletter course



HOUSTON

Tell us the highest water bill you've received here



BUSINESS

Houston BuffE

Featured Interactives



ELECTION 2024

What to know before voting in March 5 primary elections



RESTAURANTS & BARS

Top 21 Chinese restaurants in the Houston area



FOOTBA

High Great and t



[Top](#)

About

Contact

Services

Account