

Jon Niermann

From: Adrian Shelley <AShelley@citizen.org>
Sent: Monday, November 11, 2019 1:14 PM
To: Jon Niermann; Robert Weissman
Subject: RE: Public Citizen's Communications about TCEQ

Chairman Niermann,

We reviewed and fact checked our reporting in good faith and made an appropriate correction; we have indicated that there was a correction in the original piece. We stand by the story as corrected as factually accurate.

I don't think further back and forth via email is productive or necessary. Please arrange to speak with me in person if you would like to discuss how we can keep our relationship productive in the future.

Thank you,

Adrian

Adrian Shelley | Director, Texas Office
Public Citizen | Protecting Health, Safety and Democracy
o: 512.477.1155 | c: 713.702.8063 | ashelley@citizen.org
309 East 11th Street, Suite 2, Austin, TX, 78701
<http://www.citizen.org/texas>

From: Jon Niermann <Jon.Niermann@Tceq.Texas.Gov>
Sent: Monday, November 11, 2019 8:38 AM
To: Adrian Shelley <AShelley@citizen.org>; Robert Weissman <rweissman@citizen.org>
Subject: RE: Public Citizen's Communications about TCEQ

Robert and Adrian,

I have a few clarifying questions:

- (1) Given the information I have referenced about the context, scope and scale of TCEQ's response to Hurricane Harvey, is it false or misleading to claim that TCEQ was "missing in action"?
- (2) Are you aware that Mr. Coleman's revised article now hyperlinks to an editorial containing a false statement that is effectively the same as the one Mr. Coleman removed from his original article?

Specifically, Mr. Coleman links to a May 25, 2018, Houston Chronicle editorial about the extent of pollution during Harvey and its aftermath. Concerning TCEQ's monitoring activities, the editorial asserts: "We only have the information the polluters themselves reported" As you gentlemen know, TCEQ posted air quality monitoring information (i.e., data and reports from its network of stationary monitors and other sources) to its website in near real time.

- (3) Did Mr. Coleman's efforts to ensure the factual accuracy of his assertion about TCEQ's air quality measurements during Harvey include (a) inquiring of any TCEQ employee or (b) searching the internet for information that TCEQ may have posted about air quality monitoring?

- Jon

From: Adrian Shelley <AShelley@citizen.org>
Sent: Friday, November 8, 2019 2:47 PM
To: Jon Niermann <Jon.Niermann@Tceq.Texas.Gov>; Robert Weissman <rweissman@citizen.org>
Subject: RE: Public Citizen's Communications about TCEQ

Chairman Niermann,

Thank you for bringing to our attention your concerns about our recent blog publication, "TCEQ makes many questionable decisions. Here are some of the worst." We strive for factual accuracy and would never knowingly make false or misleading statements. Upon review of the evidence we agree that this statement is inaccurate: "There's no evidence that TCEQ took any air quality measurements during Harvey..." We regret the error and we have made an appropriate correction to the blog [here](#). The rest of the article is factually correct.

Please contact me if you would like to discuss this or any other matter by phone or in person, or if you would like to have a conversation with Public Citizen President Robert Weissman.

Thank you,

Adrian

Adrian Shelley | Director, Texas Office
Public Citizen | Protecting Health, Safety and Democracy
o: 512.477.1155 | c: 713.702.8063 | ashelley@citizen.org
309 East 11th Street, Suite 2, Austin, TX, 78701
<http://www.citizen.org/texas>

From: Jon Niermann <Jon.Niermann@Tceq.Texas.Gov>
Sent: Thursday, November 07, 2019 4:38 PM
To: Robert Weissman <rweissman@citizen.org>; Adrian Shelley <AShelley@citizen.org>
Cc: Michael Coleman <mcoleman@citizen.org>
Subject: Public Citizen's Communications about TCEQ

Dear Robert and Adrian,

I received the message that Adrian called yesterday to return my October 29 call to Robert. I had called Robert to share my concerns about Public Citizen's false and misleading reporting about TCEQ. I have since put my concerns in writing. Please see the attached letter to the Houston Endowment.

TCEQ is committed to serving Texas' citizens. This agency is at its best when the public has a voice on the issues that come before us. We want Public Citizen to have a constructive voice in the public interest, whether its collaborative or critical. I have personally welcomed that, literally giving Public Citizen a seat at the table for important discussions.

But Public Citizen has also chosen to promote a false narrative about TCEQ. That is a disservice to the public we serve.

I welcome your thoughts on how Public Citizen's communications with and about TCEQ can best promote TCEQ's mission to protect human health and the environment consistent with Public Citizen's stated objective to advocate in the public interest.

- Jon

Jon Niermann

Chairman, Texas Commission on Environmental Quality
(512) 239-5505

