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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 16, 2019

Via U.S. Mail and E-Mail

Charles J. Sheehan, Acting Inspector General
EPA Office of Inspector General
1200 Pennsylvania Avenue, NW (2410T)
Washington, D.C. 20460
sheehan.charles@epa.gov

Re: Initial TCEQ Response to EPA Office of Inspector General Report No. 20-P-0062

Dear Mr. Sheehan:

I have received your report (No. 20-P-0062), issued today, about lessons learned during Hurricane Harvey and improvements you recommend to address air quality concerns in future disasters. Although EPA is the subject of the report, TCEQ is also committed to continuous improvements in its response to disasters. And this agency has made significant strides in its responses from Hurricane Ike, to Hurricane Harvey, and to the ITC fire, among other events. We will use your report as a tool to further improve our disaster response services.

I must express sincere regret that you have taken the view that TCEQ was an impediment to obtaining information during this audit, as you note on page 14 of the report. Your recitation of OIG's interactions with TCEQ during the audit do not comport with the recollections of the TCEQ employees assigned to work with your office. We were working in good faith to set up meetings or calls and provide the information your office had requested. Those efforts appeared to have stalled when unrelated events required the attention of our staffs. Whatever the reason, I am sorry the conversation was not resumed.

That is particularly unfortunate because the report evidences numerous misunderstandings about the Hurricane Harvey response and disaster response in Texas generally. For example, other than limited references to air monitoring data TCEQ collected by helicopter flyovers and its stationary air monitors, there is no mention of the extensive air quality monitoring and analysis that TCEQ conducted in the aftermath of Hurricane Harvey.

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Yet we recall directing your office to this information during our efforts to set up a meeting or call. This information was then and remains readily available to the public on TCEQ's Hurricane Harvey website, including in our Archived Air Quality Reports and Hurricane Harvey Response After Action Review Report. *See* <https://www.tceq.texas.gov/response/hurricanes/hurricane-harvey>.

The report indicates on page 20 that emergency air monitoring efforts were initiated without a plan, when in fact detailed plans were made and communicated daily among the state and federal agencies attached to Unified Command through written Daily Incident Action Plans.

The report indicates on page 28 a lack of guidance regarding how the EPA should disseminate air quality data so that risks are communicated to potentially impacted communities. While we all need to improve our communications with the communities we serve, any shortcomings were not for lack of guidance. The process is well defined both by statute at Texas Government Code Chapter 418 and by the State of Texas Emergency Management Plan, which describes an integrated state and federal response. Under the Plan, potential public health risks are communicated through the Unified Command to the County Emergency Management Coordinator for dissemination to local communities.

Those are just a few of our initial reactions. TCEQ is conducting a more complete review of your report and will make it available to you.

Again, I regret any miscommunication and appreciate your work.

Sincerely,



Jon Niermann, Chairman
Texas Commission on Environmental Quality