



TEXAS HOUSE *of* REPRESENTATIVES

Chris Turner

State Representative, District 101

April 11, 2014

Bryan Shaw, Ph.D., P.E.
Chairman
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Chairman Shaw:

On Tuesday, April 8, *The Dallas Morning News* published a story regarding the Texas Commission on Environmental Quality's (TCEQ) assertion that elevated ozone levels do not impact mortality. To quote the report, "Texas is the only state whose environmental agency told the EPA's science advisers that ozone doesn't kill people." As a member of the House Committee on Environmental Regulation and a legislator representing a North Texas district whose constituents are greatly impacted by air pollution and elevated ozone levels, I am deeply concerned by this report and that an agency which claims to "strive to protect our state's public health" would deny scientific evidence in an effort to protect industries linked to the production of nitrogen oxide (NOx) and volatile organic compounds (VOC).

The scientific research on the health impact of increased exposure to ozone is well-documented. Findings are consistent that these pollutants can irritate the respiratory system, reduce lung function, inflame and damage lung tissue, and negatively impact those suffering from chronic lung diseases including emphysema and bronchitis.

Most notable is the impact of increased ozone levels on those who suffer from asthma, including an estimated 872,000 children in our state. According to the Texas Department of State Health Services' Texas Asthma Control Program, "Asthma affects more children than any other chronic disease and is one of the most frequent reasons for hospital admissions among children. In 2009, the asthma hospitalization rate for all ages in Texas was 11.6 per 10,000 residents, accounting for more than 28,000 hospitalizations and \$694.4 million in total hospital charges. From 2002 to 2008, there were a total of 1,620 deaths in Texas due to asthma."

In addition to research and findings related to ozone's impact on health in general, there is significant scientific research regarding ozone levels and mortality. A June 2013 study

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commissioned by the Dallas County Medical Society examined the impact of coal plants on air pollution and health. The study's author, Rice University environmental engineer Dr. Daniel Cohan, stated "ozone and particulate matter increasingly have been linked to illness and mortality" and that "population-based studies in hundreds of cities around the world have demonstrated a strong link between PM (particulate matter) and premature deaths, respiratory and cardiovascular diseases and hospital admissions." Additionally, in February 2013, Rice University statisticians released an eight-year study showing that there is a direct correlation between the instances of cardiac arrest and elevated levels of ozone and air pollution.

Due to these health concerns and other factors, the Environmental Protection Agency, under President George W. Bush, lowered the acceptable ozone level to 75 parts per billion (ppb). Although significant at the time, it was a move that many in the scientific and research community argued was not enough. In fact, when the limit was reduced, EPA studies indicated that further reducing the limit to 65 ppb from the then current standard of approximately 84 ppb would prevent 2,330 deaths, 4,600 emergency room visits and 1,300,000 lost school days by the year 2020.

Although there has been improvement in air quality around the state, levels still remain unacceptably high. Dallas/Fort Worth continues to exceed the 75 ppb benchmark, with a three-year average of 87 ppb from 2010-12. Ozone levels in Houston are even higher.

In light of numerous academic studies on this topic, I fail to understand statements made by TCEQ officials, such as "the available evidence does not support a consistent association between ozone exposure and mortality," and "they're (scientists) torturing data." Statements such as these lead me to question whether TCEQ is taking this issue seriously and making the right decisions needed to protect Texans' health.

To that end, I ask that you provide me with the evidence to support your agency's claims that a link between ozone and mortality does not exist. In addition, I would like an explanation of how the EPA and other researchers have "tortured data" as it pertains to the life-threatening impact of ozone.

Finally, with 49 states in agreement regarding the association of ozone and death, I would like to know what evidence and information Texas has access to that the other states apparently do not.

I look forward to your response in this matter. If you have any questions regarding this request, please do not hesitate to contact me or my chief of staff, Emily Amps, by calling 512-463-0574.

Sincerely,



Chris Turner

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Cc:

Toby Baker, Commissioner, TCEQ

Zak Covar, Commissioner, TCEQ

Richard A. Hyde, P.E., Executive Director, TCEQ

Honorable Joe Straus, Speaker, Texas House of Representatives

Honorable Patricia Harless, Chair, House Committee on Environmental Regulation