

Dear GEAA members and friends,

A very serious threat to our ability to control pollution here in Texas is coming up in the House of Representatives tomorrow (Tuesday, April 19th). State Rep. Warren Chisum will attempt to sully HB 2694 - the Texas Commission on Environmental Quality (TCEQ) "sunset" legislation - with an amendment that is identical to [HB 3037](#) that would gut the process for contesting TCEQ permits - a process that currently allows citizens to improve pollution control permits or even stop the issuance of permits for bad projects.

Specifically, the Chisum amendment is designed to give polluters yet another advantage in the contested case process. It would place the 'burden of proof' on those *contesting* a pollution control permit. Currently the burden of proof is where it should be - on polluters - to demonstrate that their discharges into the water or emissions into the air will be within legal limits and will not produce adverse impacts. If a person or a company wants to introduce pollutants to our air and water, they need to prove that it will not be harmful – the burden should not be on those who might be affected by the pollution. To learn more, [click here](#).

As [I testified in opposition to Chisum's bill on April 6th](#), "All too often, GEAA, our member groups, and individual citizens have been required to contest permits for projects that should have never been granted in the first place. We have seen TCEQ issue permits based upon faulty modeling and false information. Permits to applicants who have a long history of non-compliance with TCEQ regulations. Permits for projects that pollute our surface and groundwater. Permits for projects that would result in the degradation of our natural resources. The agency is underfunded, understaffed, and under pressure to grant permits in compliance with a timeframe that does not favor thorough review. Mistakes do happen. Texans rely on the right to contest permits that impact their property and well being. Please do not compromise or deny them this right."

Flawed as it may be, the contested case process provides the only recourse to fight bad TCEQ permits. Please [contact your legislators](#) today to let them know that you oppose the Chisum amendment to HB 2694.

Thank you so much,

Annalisa Peace
Executive Director
www.AquiferAlliance.org