



2021 Legislative Priorities

ENERGY, ENVIRONMENT & ETHICS

Delivering 35 years of Successful Award-Winning Advocacy in Texas

Public Citizen: Clean Air and Water for Healthy Communities

Public Citizen is a nonprofit consumer advocacy organization that champions the public interest in the halls of power. In Texas, we work to protect the health and prosperity of our communities and families. We support a just transition to a green jobs, living wages, and a strong economy.



TERP Reduces Pollution & Drives Electrification

The Texas Emissions Reduction Plan (TERP) is the most cost-effective way to reduce air pollution in Texas. TERP is a voluntary program that provides financial incentives to remove old, polluting vehicles from our roads. The newly-created TERP fund directs more than \$200 million toward clean transportation each year. The program money should be spent on electric vehicle technology and infrastructure. Updates to TERP could apply this additional revenue to:

- Increase investment in electric vehicles and electrification infrastructure.
- Invest in low emissions technologies for seaports and railyards.

Protect Neighborhoods from the Concrete and Aggregates Industry



The concrete and aggregates industry includes sand and gravel mining, rock crushing, and concrete batch plants. These facilities burden neighboring communities with dangerous air pollution, water contamination, increased truck traffic, and noise. People need protection from this industry, which has grown rapidly in Texas in recent years. Legislation should include:

- In Houston, local officials need the right to deny air permits for facilities that present unacceptable risks to people and communities.
- Reduce the burden on environmental justice communities by increasing setbacks, preventing clustering of facilities, and accounting for cumulative impacts of facilities.
- Aggregate Production Operations need comprehensive reforms modeled after the Surface Mining Control and Reclamation Act (SMCRA).
- Expand public participation opportunities to include schools, places of worship, daycare facilities, hospitals, and other medical facilities.



Prevent Chemical Accidents and Minimize Harm

A string of incidents at chemical facilities highlights the need for reform. These include the ITC fire in Deer Park, the TPC Group explosion in Port Neches, the widespread failure of petroleum storage tanks after Hurricane Harvey, and even the West, Texas fertilizer plant explosion in 2013. Industry reform is needed to uncover the root causes of these accidents and prevent them from happening again. We recommend:

- Mandatory fines for significant releases of dangerous pollutants.
- Information sharing with neighbors about chemical stockpiles and emergency response plans.
- Above ground tanks need specific standards for those in areas prone to flooding, storm surges and hurricanes.
- Consider cumulative impacts from multiple pollution sources when permitting.

Public Citizen: Green Jobs for a Strong Economy


Eliminate Waste in Texas Oil Fields



Texas wasted \$750 million worth of natural gas through flaring in 2018. The Railroad Commission must end the routine granting of exceptions to flaring rules. The agency should:

- Tax flared or wasted gas at a level that discourages waste. This measure could generate millions in revenue for the state.
- Phase-out flaring by 2025.

TCEQ Must Invest in Public Protections



The Texas Commission on Environmental Quality (TCEQ) has an annual operating budget of \$378 million. TCEQ must prioritize public safety by investing in strategies to protect people from pollution. The TCEQ's budget should include the following:

- Equipment and staff to place mobile monitoring vehicles on the Gulf Coast for rapid response to chemical disasters caused by tropical storms and hurricanes and in oil and gas extraction fields to identify dangerous leaks.
- Funding for an Office of Environmental Justice to account for and minimize racially disparate and cumulative impacts to low-income communities of color.
- Investment in compliance and enforcement staff.
- Creation of an environmental cleanup fund similar to the Railroad Commission's oilfield cleanup fund, to be financed by industry fees and fines.

Prepare Texas for Climate Impacts



Texas is the most vulnerable state to the impacts of climate change. Since 1980, Texas has experienced 121 of the nation's 279 weather or climate disasters costing more than \$1 billion. To prepare for this new reality, Texas must:

- Commit to the goals in the Paris Climate Accord and prepare a statewide climate action plan.
- Direct state agencies to account for climate impacts in resource allocation and resilience planning.
- Update data and assumptions about the frequency of extreme rainfall events, average rainfall and extreme heat.

Clean Energy



The clean energy industries are creating jobs, keeping electric bills low and reducing pollution. Supportive legislation could expand these benefits.

- Increase energy efficiency and renewable energy goals.
- Solar customer protection measures to support residential and commercial solar use.
- Enable the use of distributed energy storage and solar and demand response to reduce the need for new transmission infrastructure.

Staff Contacts:

Adrian Shelley: Texas Director, 713.702.8063, ashelley@citizen.org
Kaiba White: Climate Policy Specialist, 607.339.9854, kwhite@citizen.org
Michael Coleman: Communications Strategist, 202.329.4743, mcoleman@citizen.org
Lon Burnam: Legislative Specialist, 817.721.5846, lonburnam@gmail.com
Rita Beving: Consultant, 214.557.2271, rita.beving@gmail.com

citizen.org/texas www.citizen.org/texas



@PublicCitizenTX

