



**LEAGUE OF WOMEN VOTERS
OF TEXAS**

**TESTIMONY
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**HOUSE ENVIRONMENTAL REGULATION COMMITTEE REVIEW OF HB 2694
April 6, 2011**

The League of Women Voters of Texas (LWV-TX) supports the passage of HB 2694. However, we would like to comment on several areas.

We appreciate:

- That the commission by rule will adopt a general enforcement policy that describes the commission's approach to enforcement and makes the policy available to the public.
- That fees are changed in the Health and Safety Code from "not to exceed \$2,500 per day" to "may not be less than \$50 or greater than \$25,000" per day for each violation.
- Similarly, that all other violations are changed from "not to exceed \$10,000" per day to "not less than \$50 or greater than \$25,000" per day for each violation.

LWV-TX is concerned, however, that the Office of Public Interest Council can no longer offer general information and assistance to the public; the office can only represent the "public interest" in hearings and Commission meetings. It is also problematic for the Executive Director to be the person who is responsible for environmental and citizen concerns because past executive directors have not been inclined to fill this role.

We are also concerned about the wording that the commission "shall establish methods of assessing the compliance history of regulated entities for which it does not have adequate compliance information" is changed to the commission "may require" these methods of determining compliance history. We prefer the stronger wording.

There are two additional areas we would like to see addressed by this legislation:

- TCEQ is not required to look at the cumulative impacts of emissions. The League has worked for several years supporting the requirement that TCEQ MUST look at the health effects of cumulative emissions. We would like to see this added to HB 2694.
- Public input is referred to only twice in this legislation. It is insufficient, particularly in the permitting process.

Thank you for the opportunity to express the views of LWV-TX on this bill.

Anita Privett, Advocacy Vice-President