



LEAGUE OF WOMEN VOTERS®  
OF TEXAS

**TESTIMONY**

**Sunset Advisory Commission Review of the TCEQ  
December 15, 2010**

The League of Women Voters of Texas believes that democratic government depends upon the informed and active participation of its citizens. In order that citizens are informed and can take action, we believe that government regulatory agencies need to provide adequate notice of proposed actions, hold open meetings, and make public records readily accessible. This sort of transparency is particularly important for an agency whose mission is to protect public health, safety, and the environment. To this end, the Texas Commission on Environmental Quality (TCEQ) should improve the public's ability to access and participate in agency decisions.

TCEQ's current narrow approach to granting administrative standing limits public involvement in permitting decisions. Many permit authorizations limit public notice and comment. We believe the TCEQ should be directed to use new technology to assure more opportunities for meaningful participation by the public. Examples might include allowing citizens to appear "virtually" at hearings, allowing comments to be filed electronically, and broadcasting contested case hearings in a manner similar to legislative committee hearings.

Additionally, we believe that it is imperative that the legislature close the revolving door between the TCEQ and the industries it regulates by forbidding any managerial or higher employee of the TCEQ from taking a job with a regulated industry within 24 months of termination. Even if there is no conflict of interest involved in the hiring, the perception of impropriety remains.

The League of Women Voters also believes that the sole mission of the Texas Commission on Environmental Quality should be to ensure the protection of

public health, safety and the environment. As a result, we strongly recommend that the phrase, "consistent with sustainable economic development," be removed from the TCEQ's mission statement. The TCEQ must protect the health and welfare of the people of Texas, not the industries working within the state. The mission of the TCEQ needs to be clarified to ensure that the protection of public health and the environment is its top priority.