



September 23, 2010

Mr. Mark R. Vickery, Executive Director, MC 109
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Vickery:

The Texas Oil & Gas Accountability Project is troubled that you do not intend to attend the upcoming public meeting in DISH to address the persistent problems with TCEQ's response to odor complaints and health concerns of residents impacted by natural gas drilling and production in the Barnett Shale region.

Eight months ago, in response to our DISH community health survey, TCEQ agreed to a new policy that requires you to address odor complaints within 12 hours and allows citizens to document odor problems and health symptoms with an affidavit. In our Sept. 2 letter, we acknowledged that TCEQ inspectors were frequently responding in a timely manner and in some cases filing detailed written reports. But as we pointed out, serious concerns remain about shortcomings with the new policy.

Through a Texas Public Information Request (PIR) we have obtained copies of all citizen complaints filed in the Barnett Shale area (Region 4) from January 1–July 23, 2010. These records show:

- A total of 281 complaints, 258 of them odor or air complaints covered by the new 12-hour response policy.
- 104 citizens, or 37 percent of the complainants, who reported health impacts.
- Only four violations were found by TCEQ – three on the Ruggerio property where there has been heavy news media coverage.

Our information, not yet documented by a PIR, is that each of the TCEQ inspectors in the region has a backlog of more than 100 complaints. Clearly, these figures show that your response has been inadequate to deal with the odor problem. But as you know the problem goes far beyond complaints about odor.

Today's front page of the *Wise County Messenger* tells the story of Lisa Parr, who with her husband and 7-year-old daughter, have been forced to leave their home in the Allison community to escape "poisoning . . . by a laundry list of industrial neurotoxins."

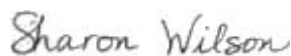
For more than a year, Ms. Parr has been experiencing classic symptoms of neurotoxic poisoning – unexplained rashes, memory loss, weakness, swollen lymph nodes. On the evening of July 25, the Parrs reported a strong odor from a fracking tank near their property. The TCEQ investigator who responded said the plume of emissions from the tank was visible to the naked eye. Air tests found elevated levels of 25 chemicals above safe levels for short- or long-term health effects. Days later, medical tests confirmed the presence of six of those chemicals in Ms. Parr's blood. Her doctor's advice was blunt: Leave now.

Heartbreaking stories like this one, added to the data, are compelling evidence of a serious problem in the Barnett Shale region – a problem that demands an immediate response by you and your agency. Since it is clear that the established complaint and response policy is inadequate, it is important residents have another opportunity to voice their concerns to the agency charged with protecting their health.

Therefore, we will go forward with our public meeting at 7 p.m. on Oct. 13, 2010, at the DISH City Hall, 5413 Tom Donald Road. We hope that you will change your mind and join us. We'll hold a place for you, or TCEQ will be represented by an empty chair.

Thank you for your attention to this request.

Sincerely,



Sharon Wilson
Organizer

cc: Alyssa Taylor, R.E.M.
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