



For Immediate Release
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Legislators Strongly Object to EPA's Intrusion into State Permitting

AUSTIN, TEXAS — Following the unprecedented and unwarranted actions of the U.S. Environmental Protection Agency (EPA) to federalize the permitting of refineries and other facilities in Texas, the Texas Conservative Coalition (TCC), the conservative caucus of the Texas Legislature, strongly objected to the federal intrusion, and noted their intention to pursue all possible steps to prevent the EPA's takeover of state permitting.

On Tuesday, May 25, the EPA announced its intent to take over the permitting process for a Flint Hills Resources refinery in Corpus Christi, Texas. The EPA also is threatening to federalize the permits of thirty-nine other facilities in Texas.

State Representative Wayne Christian (R-Center), president of the Texas Conservative Coalition, stated: "The EPA's unilateral and unwarranted takeover of air quality permits in Texas further proves that the federal government has a clear disregard for the authority of the Texas Legislature and for the principle of federalism. Washington is seeking to command and control all sectors of economic activity. This action must not stand."

Texas' refineries and other industrial facilities are operating under legally enforceable permits issued by TCEQ *under the guidance of EPA per federal law*. The "flexible permits" to which the EPA has objected have been issued consistently by TCEQ since at least 1994, and with the tacit approval of EPA since the agency has not historically objected to draft flexible permits provided for its review by TCEQ.

Rep. Christian continued: "The EPA has unfairly penalized private enterprise and exhibited a willing ignorance of the positive environmental track record we have established in Texas." Emissions of nitrogen oxide, sulfur dioxide, and carbon monoxide in Texas have decreased significantly since 1985. Texas now has more installed wind generation capacity than any other state in the nation and is internationally recognized as a leader in the development of this renewable resource.

Rep. Christian added: "In our state, we have achieved the dual ends of a strong economy and a clean environment, and we can continue to balance those goals without micro-management by the EPA."

Rep. Christian concluded: "As conservative state legislators, we will be actively exploring all remedies to the unprecedented encroachment by the EPA against Texas."

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The Texas Conservative Coalition is the conservative caucus of the Texas Legislature. TCC is online at www.txcc.org.