
**HOUSE COMMITTEE ON ENVIRONMENTAL REGULATION
TEXAS HOUSE OF REPRESENTATIVES
INTERIM REPORT 2002**

**A REPORT TO THE
HOUSE OF REPRESENTATIVES
78TH TEXAS LEGISLATURE**

**REPRESENTATIVE WARREN CHISUM
CHAIRMAN**

**COMMITTEE STAFF
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Committee On
Environmental Regulation

November 23, 2002

Warren Chisum
Chairman

P.O. Box 2910
Austin, Texas 78768-2910

The Honorable James E. "Pete" Laney
Speaker, Texas House of Representatives
Members of the Texas House of Representatives
Texas State Capitol, Rm. 2W.13
Austin, Texas 78701

Dear Mr. Speaker and Fellow Members:

The Committee on Environmental Regulation of the Seventy-Seventh Legislature hereby submits its interim report including recommendations and drafted legislation for consideration by the Seventy-Eighth Legislature.

Respectfully submitted,

Warren Chisum, Chairman

Dennis Bonnen, Vice Chairman

Fred Bosse

Dawna Dukes

Charlie Geren

Charlie Howard

Edmund Kuempel

D.R. "Tom" Uher

Zeb Zbranek

Dennis Bonnen
Vice-Chairman

Fred Bosse, Dawna Dukes, Charlie Geren, Charlie Howard, Edmund Kuempel, D.R. "Tom" Uher, Zeb Zbranek

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INTRODUCTION

At the beginning of the 76th Legislature, the Honorable James E. “Pete” Laney, Speaker of the Texas House of Representatives, appointed nine members to the House Committee on Environmental Regulation: Warren Chisum, Chair; Dennis Bonnen, Vice Chair; Fred Bosse, Dawnna Dukes, Charlie Geren, Charlie Howard, Edmund Kuempel; D.R. “Tom” Uher, and Zeb Zbranek.

During the interim, the Speaker assigned charges to the committee. The Committee on Environmental Regulation has completed its hearings and investigations, and has adopted the following report.

The committee wishes to express appreciation to the following people for their invaluable assistance:

Dr. Dale Klein, Assistant Secretary of Defense for Nuclear, Chemical and Biological Defense Programs

Edward Selig, Director, Center for Responsible Environmental Strategies

The Paso del Norte Joint Advisory Committee

From the Bureau of Radiation Control, Texas Department of Health:

Richard Ratliff, Bureau Chief

Ruth McBurney, Director, Division of Licensing and Registration and Standards

Art Tate, Director of Compliance and Inspection

Bob Free, Deputy Director for Emergency Response and Investigation

From the Texas Commission on Environmental Quality:

Susan Jablonski, Low-Level Radioactive Waste Specialist

Victor Hugo Valenzuela, Planner III, Region 6, El Paso

We also offer special appreciation to Ambrose Gonzales, Information Specialist, Texas Legislative Council, for his unending good humor and patience in dealing with Committee computer issues.

Finally, the Committee wishes to express appreciation to the citizens and local government officials who participated in our hearings for their time and efforts on behalf of the Committee.

HOUSE COMMITTEE ON ENVIRONMENTAL REGULATION

INTERIM STUDY CHARGES

- 1. Examine problems related to lost and stolen radioactive material, including sources abandoned downhole in drilling operations.**
- 2. Study the production, transportation, use and disposal of hazardous and radioactive materials that could be used in terrorist actions. Review the management and security of public drinking water systems. Review government regulations and business practices to determine whether legislation is needed to protect life and property and to detect, interdict and respond to acts of terrorism.**
- 3. Identify and prioritize environmental issues on the Texas-Mexico border, including air quality and solid waste.**
- 4. Examine the progress of programs related to vehicle inspection and maintenance and low-income repair assistance.**
- 5. Actively monitor agencies and programs under the committee's oversight jurisdiction, including specifically, implementation of H.B. 2912, the Texas Natural Resource Conservation Commission Sunset Legislation, and S.B. 5, 77th Legislature, to ensure compliance with federal Clean Air Act standards and deadlines.**

ENVIRONMENTAL ISSUES ON THE TEXAS-MEXICO BORDER

SPEAKER'S CHARGE TO THE COMMITTEE

On November 5, 2001, Texas House Speaker James E. "Pete" Laney issued five (5) charges to the House Committee on Environmental Regulation, including instructions to:

3. Identify and prioritize environmental issues on the Texas-Mexico border, including air quality and solid waste.¹

The Committee was careful to stay within the scope of its assignment because related (but not overlapping) charges were assigned to the House Committees on Transportation, Natural Resources and State and Recreational Resources regarding border traffic and water issues.

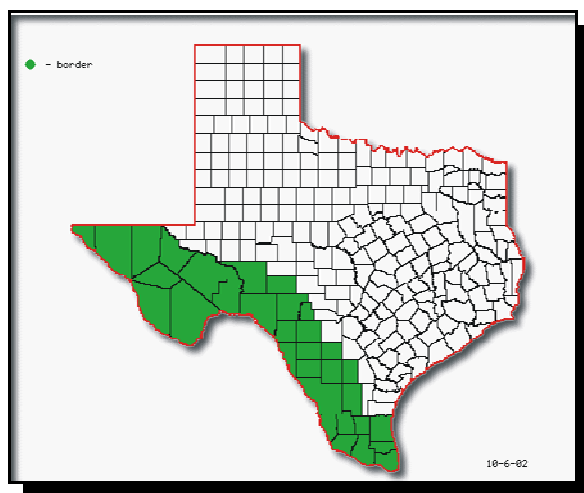
In addition, two Senate Committees were assigned border issues as follows:

Senate Committee on State Affairs will study "... developments at the state and federal levels related to opening our highways to Mexican truck traffic," and

Senate Business and Commerce Subcommittee on Border Affairs "may also make recommendations to facilitate commerce and lessen congestion at ports-of-entry at the Texas-Mexico border."

OVERVIEW

For the purposes of this report, the committee defines the "Texas-Mexico border" as the area within 100 kilometers (62.5 miles) of the international boundary as set out in the 1983 LaPaz Agreement² between the United States and Mexico and includes the counties shaded on the map below.



AIR QUALITY

Air quality problems along the border are most challenging in El Paso and Big Bend National Park. El Paso has been designated as a nonattainment area due to violations of the federal standards for ozone, particulate matter and carbon monoxide. The high levels of particulate matter contribute to the visibility reducing haze in Big Bend National Park.

Bi-national, Tri-state Air Basin

The El Paso air basin is unique in that it is actually made up of three political jurisdictions: El Paso, Texas; Doña Ana County, New Mexico; and Cd. Juárez, Chihuahua. All three contribute to and share in the responsibility for their shared air quality. To address the bi-national, tri-state nature of the region, grassroots organizing efforts established the Joint Advisory Committee for the Improvement of Air Quality in the Ciudad Juárez, Chihuahua, El Paso, Texas, and Doña Ana County, New Mexico Air Basin (JAC) in 1996 to provide the local community with the means to participate as partners in the improvement of air quality in the Paso del Norte region.³ JAC maintains an excellent webpage at <<http://air.utep.edu/bca/jac/index.html>>, with information about their history, goals, ongoing projects and membership.

Heightened Security Increases Danger

Carbon monoxide has become a greater concern as heightened security at the U.S. border has created longer lines of idling traffic. This was tragically illustrated in the deaths of Erika Valenzuela, age 13, and her brother Daniel Valenzuela, age 6, from carbon monoxide asphyxiation in the covered back of their parent's pickup truck during a 90 minute wait to cross the Zaragoza bridge into El Paso from Ciudad Juárez.⁴

Brick Kilns

Throughout the border region, brick kiln operators regularly utilize available, low-cost waste materials as the primary source of fuel for brick making. Waste materials typically include plastics, woods, and used tires which release air emissions with high concentrations of toxic materials. Brick kiln emissions average 250kg/burn.⁵

Enter new technology: the Marquez brick kiln, a cost-effective, innovative approach for capturing brick kiln waste streams before they are released to the atmosphere. Sponsored by DOE through the National Border Technology Partnership Program, the Marquez brick kiln uses a combustion process improvement and filtration approach. Kiln heat losses are decreased by keeping the kilns covered. Effluents are channeled for filtration. The filters are composed of clay and soils and recycled as part of the kiln operation.⁶ This new kiln design is expected to reduce average emissions to 1.2 kg/burn, decrease burn time of bricks, and eliminate contact by operator of captured emission materials.⁷ In an example of the benefits of private sector partnerships, El Paso Electric Company is sponsoring the initial construction phase of 50 - 60 Marquez kilns in Juarez in exchange for air-emission credits to be awarded by the Texas Commission on Environmental Quality (TCEQ).⁸

Ralph Marquez, Commissioner with TCEQ (and no relation to the kilns), reported to the Committee that many steps had been taken to clean up the air in El Paso, including inspection and maintenance of vehicles; the use of oxygenated gasoline during the winter months and low Reid vapor pressure gasoline during the summertime; establishing a Clean Fuel Vehicle program; and prohibiting solid fuel heating devices during periods of atmospheric stagnation. According to Mr. Marquez, these measures have been very

successful. Today the area is meeting the federal air quality standards, and TCEQ is considering sending a request to EPA to reclassify the area as in attainment.⁹ However, it is important to remember that achieving attainment status is not a final goal. Efforts to maintain the clean air standards must continue. Ongoing partnerships, updated strategies and an ongoing search for non-polluting technology will be critical to this effort.

SOLID WASTE DISPOSAL

While there has been notable improvement in air quality, the Texas-Mexico border area continues to wrestle with environmental challenges. A particularly serious issue is that of solid waste disposal. Commissioner Marquez explained to the Committee that three out of four of the councils of government along the border have less landfill capacity than the state average of 32 years, with the Lower Rio Grande Valley being in the most need, with only a nine year capacity. Illegal dumping is a concern in every county along the border, possibly due to the lack of disposal facilities and the lack of collection services particularly in the colonias. Mr. Marquez reported that TCEQ has been working with the Border Environmental Cooperation Commission and with the North American Development Bank to assist communities in need of equipment, to study the feasibility of disposal facilities and to develop other projects, like transfer stations and collection and disposal facilities in these areas. Additionally, funding provided to Councils of Government is used for education, primarily directed at reducing illegal dumping.¹⁰

During the committee hearing Texas State Representative Manny Najera (District 75 - which includes part of El Paso) testified that an area landfill had been built, then a colonia grew up around it. The landfill needs to expand now, but the people in the colonia are protesting the expansion. Without the expansion the landfill will be forced to close, and the area will be without a disposal facility. That being the case, illegal dumping is likely to increase.

Recycling Program Successful

To reduce the need for landfills and illegal dumping, TCEQ began a “Recycles Day Program” and it has been a real success story. In all “Recycles Day Program” sites TCEQ can document an increase in the amount of materials being recycled. As a result of its success the program has been duplicated in Mexican States, as well as other areas of the United States.

COMMITTEE HEARING

The committee requested assistance from the Center for Responsible Environmental Strategies (CRES), an Austin based environmental policy think tank. CRES mission is to bring a greater awareness of environmental issues to the public and to provide unprecedented opportunities for a network of scientists to seek innovative strategies that result in a cleaner state and a healthier population.

CRES completed a qualitative research project, reporting on what the citizens of El Paso wanted the Texas Legislature to know about air quality issues. El Paso was chosen because it is the only area of the Texas Border that has been designated as a non-attainment area. It is an area that shares an airshed with Mexico and New Mexico and is the fourth largest city in Texas, located directly across from the fourth largest city in Mexico. CRES presented the report to the Committee at a public hearing on July 11, 2002. Highlights of the report are:

- While the population of El Paso is 700,000, the population of Juarez is more than

-
- 1.1 million people, making the total population of the airshed close to 2 million people;
- Air quality in the El Paso/Juarez airshed has improved, but can be further improved.
 - The public needs information and education about the specific causes and effects of poor air quality. Citizens agree that a better understanding of the problem would result in an inclination to take more personal actions to improve air quality.
 - Most citizen respondents expressed the idea that in the past, many El Pasoans blamed industries such as ASARCO for their air quality problems. The shutdown of ASARCO, however, did not improve air quality as it was intended to, leaving some respondents reluctant to blame industry, saying that the resulting loss of jobs presents a serious dilemma. They also perceive the strict regulations brought about by the quest for attainment as a possible deterrent to businesses relocating to El Paso.

The CRES report can be found in Appendix 2 A.

CRES also completed the most comprehensive annotated bibliography of publications and studies about the El Paso/Juarez Airshed. Both the report and the bibliography can be accessed through their website: <www.crescentral.org> (go to CRES LIBRARY).

A summary of the remarks of each person who testified at the committee hearing can be found in Appendix 2 B.

Paso del Norte Joint Advisory Committee (JAC)

Participants in the CRES study generally agree that progress has been made in large part because of bi-national, tri-state collaborative efforts to monitor and remediate air quality. In particular, the work of JAC is ongoing and favorably viewed by participants and observers of these efforts.

The CRES report was well received when presented to JAC on September 26, 2002 in Juarez, Mexico. Some commented that this report is the first they have seen that accurately represents the way citizens in El Paso feel about air quality issues.

LEGISLATIVE UPDATE

The use of Supplemental Environmental Projects (SEPs) in the Texas-Mexico border region was expanded with S.B. 828 (76R) which allowed the TCEQ to “approve a supplemental environmental project with activities in the territory of the United Mexican States if the project substantially benefits territory in this state” in a manner that “prevents pollution, reduces the amount of pollutants reaching the environment, enhances the quality of the environment, or contributes to public awareness of environmental matters.”¹¹ At this writing no SEPs appear to have been suggested for this approval, however the TCEQ is enthusiastic about the possibility of receiving such a proposal.¹²

A similar bill, S.B. 749 (77R) allows the commission to “take and finance any action in Mexico, in cooperation with governmental authorities of Mexico, that in the opinion of the commission: (1) is necessary or convenient to accomplish a duty of the commission imposed by law; and (2) will yield benefits to the environment in [Texas].”¹³ At this writing the TCEQ has undertaken one project: the required study under the legislation, having to do with emissions from brick kilns. The preliminary draft should be completed by the time this Interim Report is released.¹⁴

FINDINGS AND RECOMMENDATIONS

FINDING NO. 1: Air quality on the border, while improving, can become better.

RECOMMENDATION NO. 1:

- TCEQ and the State should continue with the efforts in which they are already engaged, especially with the Joint Advisory Committee.
- TCEQ's education campaign should include updates on what has been accomplished in addition to what citizens can still do. For instance, citizens on the border should know about the dramatic improvements taking place in the brick kiln industry.

FINDING NO. 2: Options for solid waste disposal are quickly running out, and illegal dumping continues to be a problem. While the need for landfills borders on the urgent, area residents may be making it difficult to get a landfill approved. Only one application for a landfill in the border area is currently being considered.

RECOMMENDATION NO. 2:

- TCEQ, in conjunction with Councils of Government, should explore innovative solutions to solve the dichotomy between area residents needing a landfill, but at the same time not wanting a landfill.
- Following the lead of HB 631 77(R), for subsequent convictions of illegal dumping the Texas Department of Public Safety should be required to suspend the driver's license and the driver should pay additional fees for court costs. *
- TCEQ may want to coordinate with the EPA to consider the need for a tracking system for hazardous waste generated in Mexico and shipped on Texas highways.*

FINDING NO. 3: Environmental education is needed for the public in general, as well as for schoolchildren. "An important part of sustainable development is educating communities on environmental risks and actions to reduce such risks."¹⁵

RECOMMENDATION NO. 3: As mentioned in Recommendation No. 1, TCEQ's education campaign should include updates on what has been accomplished in addition to what citizens can still do. Every outreach effort, including those outsourced to other groups, should have an educational component, even if it is not the main purpose of the outreach. Since the Border Affairs office of TCEQ works with TCEQ "regional offices on the border to resolve concerns for border residents and serve as a clearinghouse for border information . . ." ¹⁶ they may be the best group to coordinate a border region environmental education campaign. The education should be more than a public relations promotion of various agency programs; it should be specifically targeted to respond to the stated needs of the residents and should also address prevalent issues in the region.

FINDING NO. 4: In the two years since the passage of SB 828 77(R) allowing Supplemental Environmental Projects (SEPs) to be done in Mexico, no one has proposed a SEP for Mexico.

RECOMMENDATION NO. 4: TCEQ should make sure that any violator on the border who is considering a SEP knows that one of the options is doing a SEP in Mexico. *

* The Chairman thanks Representative Dawanna Dukes for suggesting these recommendations.

ENDNOTES

1. **77TH LEGISLATURE, INTERIM CHARGES, TEX. HOUSE OF REPS. (November 2001).**
2. **AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNITED MEXICAN STATES ON COOPERATION FOR THE PROTECTION AND IMPROVEMENT OF THE ENVIRONMENT IN THE BORDER AREA , AUG. 14, 1983, U.S.-MEXICO, T.I.A.S. NO. 10,827.**
3. **“Paso del Norte Joint Advisory Committee Background” downloaded October 12, 2002 from. <<http://air.utep.edu/bca/jac/background.html> >.**
4. **R. Terrazas, R. Gallegos & L. Sosa, *Two Children Die from Carbon Monoxide While Waiting to Cross to US*, Frontera Norte Sur, October 23, 2001, downloaded October 7, 2002 from <<http://www.nmsu.edu/frontera/nov01/immi.html>>.**
5. **“Benefits of Applying Technology: Reduction of Air Emissions in the Brick Makers’ Industry and the Impact to Public Health,” National Border Technology Partnership Program, downloaded October 12, 2002 from <<http://www.border-tech.org/>>.**
6. **“Marquez Brick Kiln Description,” National Border Technology Partnership Program, downloaded October 12, 2002 from <<http://www.border-tech.org/>>.**
7. **Supra “Benefits of Applying Technology: Reduction of Air Emissions in the Brick Makers’ Industry and the Impact to Public Health,” note 5.**
8. **“Marquez Brick Kiln Demonstration,” program given out at the September 18, 2002 ribbon-cutting ceremony.**
9. **REMARKS MADE AT PUBLIC HEARING OF THE TEXAS HOUSE COMMITTEE ON ENVIRONMENTAL REGULATION, JULY 11, 2002.**
10. **Id.**
11. **S.B. 828, 76(R) Leg. (Tx. 1999).**
12. **TELEPHONE CONVERSATION WITH KATE HODGINS, TCEQ, SEPTEMBER 19, 2002.**
13. **S.B. 749, 77(R) Leg. (Tx. 2001).**
14. **E-MAIL FROM STEPHEN NIEMEYER TO ANNETTE GLASS, OCTOBER 3, 2002.**
15. **Environmental Protection Agency and Secretariat of Environment and Natural Resources, *Border 2012: U.S. Mexico Environmental Program Draft Proposal*, p. 19.**
16. **Texas Commission on Environmental Quality, Office of Environmental Policy, Analysis, and Assessment, <<http://www.tnrcc.state.tx.us/homepgs/oepaa.html#2>>. Downloaded October 22, 2002.**

APPENDIX 2 A

The Citizens of El Paso Speak on Air Quality

Report from

Center for Responsible Environmental Strategies

APPENDIX 2 B

Summary of Testimony given at the Public Hearing on July 11, 2002

Ralph Marquez, Commissioner

Texas Commission on Environmental Quality (TCEQ), formerly known as the Texas Natural Resource Conservation Commission (TNRCC)

- **We have issued the state of the Rio Grande and the Environment of the Border Region Report, part of our Strategic Plan as requested by the Sunset review of our agency**
- **Two areas of border in which we are working on air issues: El Paso and the Big Bend area**
- **All other areas of the border meet air quality standards**
 - **El Paso**
 - **Nonattainment for three pollutants: ozone, carbon monoxide and particulate matter**
 - **When you talk about El Paso, you're talking about an airshed which includes parts of Mexico and New Mexico in addition to the El Paso area**
 - **We're working in conjunction with these other communities, and the programs that have been developed were done in consultation with the local group in particular the Joint Advisory Committee that was set up by the local folks to represent the group of communities in this airshed**
 - **Things that have taken place to clean up the air in El Paso:**
 - **Inspection and maintenance of vehicles**
 - **Use of oxygenated gasoline during the winter months and low Reid vapor pressure gasoline during the summertime**
 - **Clean fuel vehicle program**
 - **Prohibition of solid fuel heating devices during periods of atmospheric stagnation**
 - **These measures have been very successful; today the area is meeting the federal air quality standards; we are in the process of talking about sending a request to be reclassified as attainment**
 - **Big Bend park area**
 - **Federal law requires that the state work with the National Park Service and with EPA to address the visibility problems in Big Bend**
 - **EPA has funded a second study of contributors to air pollution there: *The Big Bend Regional Aerosol and Visibility Observational (BRAVO) Study***
 - **Report due in January 2003**
 - **Preliminary results indicate a transport of pollutant from long distances is an issue here**
 - **Primarily fine particulate matter traveling long distances with weather patterns bringing it into Big Bend**
- **Texas has taken strong steps to significantly reduce emissions in Texas**
- **Waste issues:**
 - **Three out of four of the councils of government along the border have less landfill capacity than the state average of 32 years**
 - **Lower Rio Grande Valley has only a nine year capacity for disposal of solid waste**
 - **A concern in every county along the border: illegal dumping - which may be due to the lack of facilities and the lack of collection services particularly in the colonias**
 - **We've been working with the Border Environmental Cooperation Commission and with the North American Development Bank to assist with communities that need equipment, to make feasibility studies for disposal facilities and develop other projects like transfer stations and collection and disposal facilities in these areas**
 - **We continue to provide funding for councils of government; much of it is being used for education, primarily directed at reducing illegal dumping**
 - **On the recycling front, to reduce the need for landfills and to reduce illegal**

dumping we began a recycles day program and it's been a real success story for Texas

- **Everywhere this event is held we can go back and document an increase in the amount of materials being recycled**
- **We initiated a similar program along the border area, working with all border states in Mexico and the United States**
 - **Have been together six years**
 - **Working on a number of projects**
- **Hazardous waste**
 - **Amount of hazardous waste generated by the maquilas is significantly less than anyone expected it to be**
 - **We still have a tracking system that doesn't lend itself to being very accountable, but we have not run into any major problems with hazardous waste**
 - **We're working with the Mexican states so that they can track what's on their side with the hazardous waste**

**Paula Maywald, Coordinator
South Texas Natives**

- **An initiative to develop and promote native plants for the restoration of habitats on private and public lands in the South Texas region**
- **Habitat restoration will provide biological resources for long-term biological resilience and stability**
- **Benefits: eco-tourism, drought protection, land restoration**
- **Legislation is necessary to mandate testing of non-native trees and plants before allowing them to be marketed in Texas**
- **Best thing for right now: use temporary vegetation cover**

**The Honorable Manny Najera
Texas State Representative**

- **Colonias developed around the landfill; now have severe roach infestations**
- **People of the colonias do not want the landfill to get a permit for extension**
- **Only landfill on the east side of El Paso; if it closes it will be very problematic**
- **Dichotomy between needing a landfill and not wanting a landfill**

Edward Selig, President

Center for Responsible Environmental Strategies (CRES)

- **An Austin-based environmental policy think tank founded to bring a greater awareness of environmental issues to the public and to provide unprecedented opportunities for a network of scientists to seek innovative strategies that result in a cleaner state and a healthier population**
- **Committee asked CRES to lend its assistance to address border issues as contained in the committee charge on border issues**
- **El Paso was chosen because it is**
 - **the only area of the Texas Border that has been designated as a non-attainment area**
 - **an area that shares an airshed with Mexico and New Mexico**
 - **the fourth largest city in Texas and directly across from the fourth largest city in Mexico**
- **CRES did a qualitative research project to give El Pasoans an opportunity to tell the Texas Legislature what they should know about air issues in the El Paso airshed**
- **Highlights of the report are:**
 - **While the population of El Paso is 700,000, the population of Juarez is more than 1.1 million people, making the total population of the airshed close to 2 million people.**
 - **Air quality in the El Paso/Juarez airshed has improved, but can be improved some more.**

-
- The public needs information and education about the specific causes and effects of poor air quality. Citizens agree that a better understanding of the problem would result in an inclination to take more personal actions to improve air quality
 - CRES also completed the most comprehensive annotated bibliography of publications and studies about the El Paso/Juarez Airshed. Both the report and the bibliography can be accessed through their website: <www.crescentral.org> (go to CRES LIBRARY)

Tom “Smitty” Smith
Public Citizen

- Concerns about the diesel exhaust as NAFTA continues to be implemented
- 60% of all NAFTA truck traffic is expected to cross through Texas
- Mexican trucks emit about 30% more NOx per mile than their American counterparts
- This more polluting NAFTA traffic will affect not only El Paso, but Houston (a non-attainment area) and San Antonio (a near non-attainment area) as well
- Public Citizen solutions:
 - Inspect Mexican trucks crossing the US border in order to catch those with high emissions
 - Create clean corridors to provide natural gas fueling stations through Mexico and Texas
 - Create railports at all border crossings. Locomotives, although far dirtier than trucks, can travel 377 ton miles per gallon of fuel compared to 80 ton miles for a heavy duty truck
 - Adopt “no idling” rules

Amadeo Saenz, Assistant Director for Engineering Operations
Texas Department of Transportation (TxDOT)

- TxDOT funded a research project in 1997 to examine highway and pollutant levels along Texas border towns
 - Mexican registered vehicles accounted for 10% of the daily vehicle miles traveled and 23% of the mobile source NOx emissions within 25 miles of the border
- Estimated impacts of Mexican-registered trucks operating on Texas highways in the future:
 - Using the following assumptions, our study indicated that on-road mobile source emissions in Austin and San Antonio would increase slightly
 - assumed that 50% of the current NAFTA truck vehicle miles traveled was from Mexican trucks
 - assumed Mexican truck emissions were 20% higher than U.S. registered trucks
- As the overall truck traffic increases, the anticipated emissions from trucks registered in Mexico will require additional testing to determine the air quality impact along the Texas-Mexico border

Alex Vidales, Legislative Aide
Senator Shapleigh

- Five million Texans live in 43 counties on the Texas border
- No region faces faster growth with less infrastructure
- We need aggressive leadership to ensure that our policies and investments promote the same quality of life for border Texans as they do for the rest of the state
- Information from John Sharp’s report, *Bordering the Future: Challenge and Opportunity in the Texas Border Region*; several different websites including TCEQ (formerly TNRCC), The Commission on Asthma and Allergy Research, and the website Senator Shapleigh maintains: <<http://www.shapleigh.org/enewsxtra.html>>
- We need more communication and collaboration with Mexico and the U.S. for safer and better air quality
- Poor air quality can contribute to the aggravating asthma reactions in border residents

and higher frequency of asthma, and as the gentleman from CRES mentioned, it also contributes to the aggravation of allergies

- Roads in the colonia communities on both sides of the border and many other roads in Juarez are not paved, and the ensuing dust adds to poor air quality
- Senate Bill 828 (Shapleigh) from the 76th Session expanded the use of Supplemental Environmental Projects (SEPs) in the Texas Mexico Border region
 - Designed to prevent or reduce pollution, enhance the quality of the environment, or contribute to public awareness of environmental matters
 - Businesses which violate state environmental laws participate in SEPs as a means of mitigating their violations
 - The new law which took effect September 1, 1999, authorizes TCEQ to approve SEPs located partially or wholly in the United Mexican States (within 50 miles of the border) if the project substantially benefits territory in Texas
- The Senator and other community leaders have held El Paso summits which offer education on clean-ups and conduct actual clean-ups
- The Rio Grande passes 1.6 million residents of El Paso and Juarez, and has been polluted in one way or another for decades
 - High levels of fecal coliform bacteria, pesticides and salinity
 - Juarez, with no public sewer treatment plants, produces 75 million gallons of raw sewage a day, and some of it ends up in the Rio Grande
 - Crops depend on the Rio Grande for water supply, not only in El Paso, but along the valley
- Hundreds of trucks sit idling each day in El Paso
 - They emit diesel exhaust compounds, most of which are pollutants such as carbon monoxide, sulfur oxide and nitrogen oxide
 - Exposure to this exhaust irritates the respiratory system
 - A combination of exposure (sitting alongside these trucks), frequency (more trucks in the United States along the border, crossing our bridges), intensity (poor truck standards) and duration (being near these idling trucks for long periods of time) pose a public health hazard
- It is necessary to support models that would expedite the movement of people and goods such as the one-stop border inspection facility model Senator Shapleigh passed
- The studies you've heard about today confirm what we live through everyday in El Paso and in most cases along the border