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Sierra Club Steps in as Watchdog After Trump's EPA Uses COVID-19 Crisis to Curb Enforcement of Pollution Laws

Sierra Club issues government records requests in Texas and other large industrial states to ensure top polluters are held accountable

TEXAS -- Today, the Sierra Club announced the Texas rollout of a new "polluter watchdog" program, by issuing Freedom of Information ACT (FOIA) and Texas Public Information Act requests to the Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ). The environmental organization decided to launch the program after the Trump Administration chose to use the coronavirus pandemic as justification [to suspend EPA's full enforcement of pollution standards](#). With the program's launch, Sierra Club is pledging to hold polluters accountable to the law, and to protect vulnerable communities from illegal levels of pollution.

"The EPA's move to suspend enforcement actions during the pandemic is yet another example of fenceline communities bearing more of the burden than other communities. COVID-19 primarily attacks the lungs. The lung health of people living closest to industrial pollution is already over taxed because they are exposed to higher levels of dangerous pollution like particulate matter and toxics, **said Suzie Canales, Director of Citizens for Environmental Justice**. "Enforcement should be strengthened, not relaxed."

The move comes just weeks after a broad coalition of environmental and community groups challenged [EPA's plan to reopen the Startup, Shutdown, Malfunction \(SSM\) loopholes in Texas](#), which would allow dirty industrial facilities like coal plants and oil refineries to release massive amounts of dangerous air pollution into [vulnerable communities already suffering from respiratory ailments](#).

"Houston residents have already suffered through too many environmental disasters from Hurricane Harvey's unprecedented oil and gas spills to the ITC Disaster to let industry off the hook, especially during a worldwide pandemic that attacks those with pre-existing respiratory conditions," **said Bryan Parras, Healthy Communities Organizer for Sierra Club and East Houston resident**.

Sierra Club requested data about some of the most dangerous Texas polluters including massive coal plants, petrochemical facilities, and oil and gas operations that already negatively impact the health of communities across the state. For example, the data requests include records about enforcement and noncompliance policies for specific facilities operated by Vistra Energy (Luminant Generation Co.), NRG Texas and CPS Energy, which operate coal plants

that emit massive amounts of Nitrogen Dioxide (NO_x) and Sulfur Dioxide (SO₂), two pollutants known to increase levels of particulate matter over time and cause damage to people's lungs. The request also centers on large gas processing facilities and refineries, including facilities owned along the coast by Exxon-Mobil and Valero.

"In my household, outdoor air quality is the determining factor in whether my asthmatic children can play outside or are confined indoors. Pollution doesn't respect county lines and the harsh impacts of this pollution are felt by residents from East Texas to the DFW area," **said Misti O'Quinn, Organizing Representative for Sierra Club's Beyond Coal Campaign.** At a time when respiratory health is at the forefront of the news, EPA and TCEQ should be digging in on how to improve public health by cleaning up dangerous pollution from the polluters like the Martin Lake coal-fired power plant, the biggest source of sulfur dioxide in the country. They should not ignore their obligations to enforce clean air protections that are designed to protect the quality of life for countless Texans."

The negative impacts of EPA's decision to possibly suspend enforcement of environmental regulations will be compounded by Texas' industry-friendly regulatory agencies' favoritism to oil and gas companies. Just yesterday, the [Texas Railroad Commission](#) approved 16 oil and gas companies' requests to flare off unused gas as a result of the worldwide oil glut, which could result in billions of metric tons of methane and other pollutants being burned off or released into the atmosphere.

Projects such as the Permian Highway Pipeline have been met with scrutiny during this time as residents in the hill country of Texas have expressed concern over clearly lax oversight. Kinder Morgan is operating in lands with environmentally sensitive areas, and after an [incident](#) earlier this month where Kinder Morgan improperly drilled into delicate [karst topography](#) and lost 36,000 gallons of boring fluid impacting landowner's well water, infuriating [already frustrated residents](#).

"This open records request can reveal this serious lack of protection for our water, land and air but also bring into light the already pre existing need for reform in our environmental protection agency and programs. Kinder Morgan has also taken advantage of the Covid-19 Pandemic to fast track construction of the PHP in our aquifer recharge zone that provides drinking water to millions," **said Nikkye Vargas, homeowner and water protector from San Marcos, Texas.** "Water wells in the proximity were immediately impacted and upon water sampling test extremely high levels of lead and other carcinogenic containment were found in levels way over the EPA's standards."

The Trump EPA policy comes at a time when direct links are being made between [high levels of air pollution and advanced cases of COVID-19](#), both of which attack the lungs. The Sierra Club will target additional states and companies which represent some of the worst sources of pollution in the nation.

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