



# The Senate of The State of Texas

COMMITTEES  
Education  
International Relations & Trade  
Transportation & Homeland Security  
Veteran Affairs & Military Installations

SENATOR WENDY R DAVIS  
District 10

May 27, 2010

**FOR IMMEDIATE RELEASE ...**

Contact: Anthony Spangler  
Communications Director  
State Sen. Wendy Davis – District 10  
817.332.3338 (o); 817.798.3371(c)  
[anthony.spangler@senate.state.tx.us](mailto:anthony.spangler@senate.state.tx.us)

## **Senator Wendy Davis Demands Accountability from State Environmental Officials**

FORT WORTH, TX -- Senator Wendy Davis is calling for state environmental regulators, who are charged with protecting the health and safety of Texans, to be held accountable in light of media reports that show the Texas Commission on Environmental Quality (TCEQ) failed to disclose accurate air quality tests earlier this year.

According to published reports on Wednesday, TCEQ represented to the residents of Fort Worth on Jan. 12, 2010, that air samples collected on Dec. 15-17, 2009, showed no signs of the cancer-causing chemical benzene, and that based on their study, the air was "safe." An anonymous fraud complaint was filed by a concerned individual, leading to an internal investigation, which showed, according to reports, that upper management knew the study was inconclusive. On Jan. 22, 2010, canister samples were evaluated by the agency's Austin laboratory, which determined four of eight samples contained benzene amounts that were elevated above long-term exposure levels. The agency waited four months to reveal these disturbing test results, quietly posting a report deep in their website on May 21, 2010. The agency had determined the public had been exposed to elevated levels of benzene, and yet the public and their elected officials were not made aware of these exposures.

P.O. Box 12068  
Austin, Texas 78711  
(512) 463-0110  
FAX: (512) 475-3745  
Dial 711 For Relay Calls

2421 W. 7th, Suite 350, Building A  
Fort Worth, Texas 76107  
(817) 332-3338  
FAX: (817) 332-1230

E-Mail: [wendy.davis@senate.state.tx.us](mailto:wendy.davis@senate.state.tx.us)

Senator Davis met with officials from the TCEQ on multiple occasions in January, February, and March 2010 to discuss concerns voiced by her constituents about the health impacts of gas drilling and to identify ways for the agency to meet their stated mission of protecting the public's safety. Officials from the agency did not disclose the fraud complaint, internal investigation, nor the lab's benzene test results to her during the meetings.

"Nothing is more important than the health and safety of our families," Davis said. "We must have effective, transparent, and accountable government in return for our tax dollars. It is only because of the fraud complaint filed by a concerned individual that these disturbing developments about dangerous benzene exposures have been revealed. I have worked diligently to be certain that TCEQ will do its job to protect us, and I am extremely disappointed that they have damaged their credibility so badly."

Davis urged the governor, who continues to cover for the agency, to join the citizens of Texas and demand accountability for their tax dollars from his TCEQ commissioners.

"I urge Governor Perry and the heads of his environmental agency to be honest with the taxpayers about everything they knew about these benzene exposures," Davis said.

Senator Davis will be filing a detailed open records request with the TCEQ for all documents related to the issue and is planning to pursue legislation next session to create criminal penalties for government officials who intentionally conceal, withhold, or falsify information related to the public's health and safety.

###

#### FURTHER INFORMATION:

For TCEQ's original press statement on their air test results, see the following:

*Oil and Gas Air Tests in Ft. Worth Find "No Cause for Concern,"* TCEQ, January 12, 2010:  
[http://www.tceq.state.tx.us/comm\\_exec/communication/media/011210FWOilandGas](http://www.tceq.state.tx.us/comm_exec/communication/media/011210FWOilandGas)

A copy of the agency's presentation can be viewed at this link:

[http://www.tceq.state.tx.us/assets/public/implementation/barnett\\_shale/2010.01.11-sadlier-FW\\_review.pdf](http://www.tceq.state.tx.us/assets/public/implementation/barnett_shale/2010.01.11-sadlier-FW_review.pdf)