



DAN FLYNN

★ DISTRICT 2 ★

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State Rep. Flynn Strongly Objects to EPA's Intrusion into State Permitting

Van, 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, State Representative Dan Flynn (R-Van) strongly objected to the federal intrusion, and noted his 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.

Rep. Flynn, a member of the Texas Conservative Coalition, the conservative caucus of the Texas Legislature, 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. Flynn 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. Since 2000, Texas has achieved a 22 percent reduction in ozone and a 46 percent reduction in NOX emissions.

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. Flynn 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. Flynn concluded: "Conservative state legislators will be actively exploring all remedies to this unprecedented encroachment by the EPA against Texas."