



**For Immediate Release
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TCEQ Denies Steel Dynamics Motion to Begin Construction of Wastewater Treatment Plant Without TCEQ Wastewater Permit

On Feb. 24, 2021 the Texas Commission on Environmental Quality (TCEQ) rejected Steel Dynamics, LLC's application to begin construction of a wastewater treatment plant for their steel mill prior to receiving a wastewater discharge permit from TCEQ. The Commission's denial effectively halted construction of the wastewater treatment plant until TCEQ approves the plant's wastewater permit, but allows construction of the massive \$1.9 billion steel mill to continue.

In the 2-1 decision, the Commissioners noted that Steel Dynamics had already been cited by TCEQ for violating state law prohibiting construction of a wastewater treatment plant before having a wastewater discharge permit or without prior commission approval. The Aransas Project (TAP) filed a complaint against Steel Dynamics for violating Texas Water Code by beginning construction of the wastewater treatment plant without a TCEQ wastewater discharge permit, and the TCEQ inspection following up on that report confirmed the violation.

Four parties addressed the Commissioners during the public hearing. David Hatchett, legal representative for Steel Dynamics, and TCEQ's Executive Director's office both made presentations in favor of granting the construction permit. Sheldon Wayne, the Public Interest Counsel for TCEQ and Bryan French representing TAP spoke against granting the construction permit arguing that granting the permit, embraced poor public policy and set a terrible precedent for economic development and water management on the Texas coast.

After numerous questions directed to Steel Dynamics, the Commissioners deliberated at length but ultimately concluded that Steel Dynamics construction

application should be denied until the wastewater treatment permit is resolved. The Commissioners noted this was a difficult decision for them to make, and that factors tilting the vote in favor of the denying the application were: the large volume of the discharge, the amount of public interest in this wastewater discharge permit, Steel Dynamics's previous violation of Texas law, and issues involving the public trust. The Commission Chairman also advised Steel Dynamics and representatives for TAP begin talking to try to resolve issues with the current permit.

The Aransas Project looks forward to talking with Steel Dynamics about this important issue, and how best to preserve area water quality and the people and wildlife that depend upon it.

"This is an excellent decision on the part of the TCEQ Commissioners," said Ann Hamilton, a board member of TAP. "TAP has been concerned about this discharge since first learning of it, and we hope to be granted a contested case hearing in an attempt to protect the fish and wildlife resources of Chiltipin Creek and Copano Bay, including the endangered whooping crane and the Kemp's Ridley sea turtle."

According to TAP President Jim Blackburn, "This was an important action by the TCEQ Commissioners. We would welcome the chance to meet with Steel Dynamics and exchange ideas about how to better protect Chiltipin Creek and Copano Bay. With some creative thinking, solutions can be found if there is a willingness to exchange ideas and listen to each other. We are ready to do both."

Bryan French, the attorney for TAP added "The Commissioners were clear that we should meet and try to work out our differences. We look forward to such discussions."

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