

PUBLIC COMMENTS

HB 2019

HOUSE COMMITTEE ON HOUSE ADMINISTRATION

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Travis Brown

Simsboro Aquifer Water Defense Fund and self, retired from Texas Department of Agriculture

Lexington, TX

I live in Lee County, not far from Luminant's Three Oaks lignite strip mine. I'm also on the board of the Simsboro Aquifer Water Defense Fund.

In 2019, Luminant proposed converting its largest remaining mining pit at Three Oaks into storage for surface water. It opened talks with both the Lower Colorado River Authority and the Brazos River Authority, since the mine pit straddles both river basins. However, Luminant last year abandoned that proposal, apparently after both the LCRA and BRA declined to pursue such a project.

When Luminant proposed changes to its reclamation plan that included making the mine pit a water storage facility, we raised several concerns with the Railroad Commission. Those concerns included the possibility that contaminated water might be injected into the groundwater under the mine pit and into the creeks that flow into the Colorado and Brazos rivers. Likewise, the Railroad Commission staff also had, and still has, many outstanding issues regarding Luminant's reclamation plans for that pit. These include whether acid-forming or toxic-forming materials are present at the mine that could result in the contamination of groundwater and surface water.

In the past, these mining pits have been used as dumping grounds for the coal ash from coal fired power plants. Coal ash contains toxic materials and recent studies have found groundwater near these pits across Texas has been contaminated.

Such a study as proposed by this bill might not necessarily be a bad idea. However, you have to question the motives behind it. Is this simply a move by mining companies to cut reclamation costs by not filling in and restoring these huge pits as called for in their reclamation plans? At another lignite strip mine, NRG's Jewett mine, I understand a huge pit there is so large NRG does not have near enough material to fill it back in as called for in its reclamation plan.

We also are concerned that if pits such as the one at Three Oaks are converted to surface water storage, they would have to pull groundwater to remain filled. We are greatly concerned about the impact on that the Simsboro formation that lies immediately below the Three Oaks mine floor. It might be dangerously exposed to potential and probably permanent contamination. The Simsboro is one of the most prolific and pristine sources of potable water in this state and is highly sought after for municipal water supplies.

If this study is conducted, then it seems it would be prudent to contact both the LCRA and BRA for their input, along with that of the RRC staff. I am also president of Neighbors for Neighbors, a citizen's group formed in 1999 in opposition to the location of the Three Oaks mine in our community. Our group still exists, primarily as a watchdog for reclamation efforts at Three Oaks.