

FOR IMMEDIATE RELEASE
October 20, 2021

Contact:

Amy Johnson, Attorney, (503) 939-2996; amy@savagejohnson.com
Aiza Jose-Sanchez, (214) 986-8745; aizafernanda@hotmail.com
Diane Wilson, San Antonio Bay Estuarine Waterkeeper (361) 218-2353;
wilsonalamobay@aol.com

Precedent Setting Wastewater Device Tops 775 K in Plastic Violations For Formosa, Plastics, Texas

POINT COMFORT, Texas (October 20, 2021)

Agreed-to mitigation payments resulting from plastics found by a wastewater sampling device (called the WSM) that was agreed upon and designed after San Antonio Bay Estuarine Waterkeeper and Formosa settled its record-setting \$50 M Clean Water Act case in 2019, recently topped \$775,000 in violations/mitigation payments against the plastic company.

As part of the Consent Decree, Formosa agreed that Waterkeeper's consulting civil engineer, Dr. Aiza Jose-Sanchez, could design a wastewater sampling mechanism to test for plastics in the treated wastewater that Formosa discharges into Lavaca Bay (through what is called outfall 001) and that it would discharge zero plastics into Lavaca Bay. If Formosa discharges plastics, that violates the Consent Decree, and Formosa must report the violation to TCEQ and make a mitigation payment to the Matagorda Bay Mitigation Trust <https://mbmtrust.com/> (the amount of payments increase every year, but are \$20,000 per violation in 2021.) Those violations now stand at \$775,000.

Formosa Plastics, Point Comfort, Texas treats its wastewater and stormwater that comes into contact with the industrial process at a treatment plant on Formosa's facility and discharges that effluent through a long pipe into Lavaca Bay. This discharge is regulated by a permit issued by the Texas Commission on Environmental Quality (TCEQ).

Formosa and Waterkeeper have worked cooperatively on construction and operation of the WSM. The wastewater sampling mechanism is now operational and able to objectively determine whether Formosa is discharging plastics into Lavaca Bay. The patent application by Dr. Aiza Jose-Sanchez is pending.

“The WSM shows repeated discharges of plastics into Lavaca Bay. This one-of-a-kind technology can be used on other plastics facilities to monitor for plastics in their discharges and it can help stop plastics from being discharged into the world's waters,” said Amy Johnson, lawyer for the plaintiffs.

