

Restore Texas Waters To Be Free of Plastic Pollution



State Must Regulate Nurdles That Wreak Havoc on Coastal Ecosystems

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The Problem

- Texas waters are polluted with pre-production plastics, which include “nurdles.” The Clean Water Act grants the Texas Commission on Environmental Quality (TCEQ) authority to regulate pre-production plastic pollution. In 2022, TCEQ proposed a change to its Surface Water Quality Standards to prohibit discharge of these pollutants, but withdrew the proposal due to unjustified concern about its authority.
- The Sunset Advisory Commission has criticized TCEQ for being a “reluctant regulator” that lacks public trust.
- Nurdles are toxic and also attract other harmful pollutants that can stick to and build up on their surface and then leach into the environment.
- **Risks include degraded water quality, threatened native wildlife that eat the nurdles, and contaminated soil, as well as potential human health harms to the digestive, endocrine, and nervous systems.**

Potential Solutions

- The Legislature should explicitly instruct TCEQ to consider the effect of primary plastic pollution on the ecosystem through the Surface Water Quality Standards.
- The Legislature should direct TCEQ to establish rules for zero-discharge of pre-production plastic as well as provide cleanup and remediation mechanisms.

Constituent Support

- More than 500 Sierra Club members submitted comments to the TCEQ last year, urging them to ban pre-production plastic pollution.
- Rural Texans have sued industry for over-polluting the state’s waters with nurdles.
- Constituent momentum against nurdle pollution is growing. Citizen scientists on Mustang and North Padre islands founded a local Nurdle Patrol group in 2018 to track nurdles and educate the public about their hazards. Other Texans have gone on a “Great Gulf Nurdle Expedition” and filmed a documentary about their findings.

OVER

Related Bills

- **HB 4144 (Zwiener):** This bill amends the water code by requiring that TCEQ assess pre-production plastic pollution and consider such pollution in the development of Surface Water Quality Standards. It also provides a clear definition for pre-production plastic pollution. TCEQ already has discretionary authority to consider such impacts, but this bill simply *requires* TCEQ to evaluate, monitor, and consider pre-production plastic pollution. Sierra Club strongly supports this bill.
- **HB 4957 (Zwiener):** This bill adds a section to the water code that requires TCEQ to adopt and implement, by rule, a program that ensures a no-discharge standard of pre-production plastic into Texas waters. Sierra Club strongly supports this bill.