

SaveRGV Notifies SpaceX Of Intent To Sue Under The Clean Water Act

SpaceX Must Stop Unpermitted Toxic Discharges into Texas Waters

TCEQ has failed to enforce the Clean Water Act

FOR IMMEDIATE RELEASE ...

Contact: Jim Chapman, jchapmanrgv@gmail.com, (956) 571-0545
Mary Angela Branch, txfinder@att.net, (512) 431-5884

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Brownsville, TX— Today, SaveRGV sent a letter to SpaceX providing notice of intent to sue under the Clean Water Act for numerous ongoing violations of federal law at the company's rocket launch site at Boca Chica, Texas.

SpaceX has knowingly committed a violation of the Clean Water Act every time it has activated its fire-suppressant "deluge system" at the launch pad, by discharging industrial wastewater without a permit.

"SpaceX must stop breaking the law," said Save RGV member Jim Chapman. "Because the Texas Commission on Environmental Quality has failed thus far to enforce the law, our local community must turn to the courts to ensure the protection of Boca Chica and its sensitive ecosystem."

Now, after 60 days, Save RGV will file suit under the Clean Water Act seeking injunctive relief as well as civil penalties for every violation of the Act.

SpaceX implemented the deluge system, which Elon Musk has described as "[b]asically, a massive, super strong steel shower head pointing up," after the disastrous April 2023 launch of its Starship/SuperHeavy rocket. Federal Aviation Administration (FAA) documents note that the system has the capacity to discharge up to 358,000 gallons of water every time it is activated. TCEQ correspondence has described the resultant discharge as "a type of industrial wastewater."

But SpaceX has not applied to TCEQ for the necessary wastewater discharge permit. FAA documents indicate that the deluge water may contain toxic ablated metals and may reach as far as a 0.6 mile radius from the launch pad, which is surrounded by precious habitats in national wildlife refuges and the South Bay Coastal Preserve. These wastewater discharges adversely affect nearby sensitive ecosystems like

wetlands, and negatively impact the recreational interests of local communities including Save RGV members.

Save RGV is a 501(c) (3) Texas non-profit corporation that advocates for environmental justice and sustainability and the health and well-being of the Rio Grande Valley community, including but not limited to open beach access.