

AFFIDAVIT

OF

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I'm (b)(6) Privacy, (b)(7)(C) Enf. Privacy of sound mind and have personal experience with the Environmental Protection Agency (EPA) Texas Commission on Environmental Quality (TCEQ) and Texas Railroad Commission (TRCC) with respect to permitting toxic waste disposal facility near my home in Panola County, located at (b)(6) Privacy, (b)(7)(C) Enf. Privacy and (b)(6) Privacy, (b)(7)(C) Enf. Privacy De Berry, Texas.

1. I moved to this community in 2002 and is yet impacted by a Salt water Disposal Operation in my community.

2. Now I'm a cancer patient and I believe the contaminants in our public drinking water to be a contributing factor to my cancer. I would have to say, in my opinion, that most of the Federal and State agencies doesn't understand those of us who have cancer. It is frustrating to me and others in this community. My life has been changed forever and becomes more challenging every day. My health can change, literally, on a moments notice. It is frustrating and discouraging but with the will to live my life as the best I can I am determined to educate others about cancer causing contaminants in drinking water. I've spoken with three cancer doctors who stated that I should not be using or drinking water that is contaminated with cancer causing carcinogens. This is a list of chemicals found in water samples from my home; (b)(6) Privacy, (b)(7)(C) Enf. Privacy

(b)(6) Privacy, (b)(7)(C) Enf. Privacy. This doesn't even cover the emissions that EXCO contractors vehicles put off that can be as toxic. My concerns with the reported heavy metals in the Bethany-Panola supply system is a real issue; I'm using this water and I'm a cancer patient; this is a notice attached to our water quality report. (Special Notice for the ELDERLY, INFANTS, CANCER PATIENTS, people with HIV/AIDS or other immune problems: Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno- compromised persons such as persons with cancer undergoing chemotherapy. persons who have undergone organ transplants. people with HIV/AIDS or other immune system disorders. some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. The EPA/Centers for Disease Control and Prevention CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and other microbial contaminants are available from the Sate Drinking Water Hotline (1-800-426-4791). I've contacted the EPA, TCEQ and my health provider. To this date I do not have an answer to my concerns with respect to my elevated problems as a cancer patient buying and being charged for contaminated drinking water.

3. I also had a concern as to why our community had been targeted as a disposal site for toxic waste near our only drinking water source. My question was directed to the Railroad Commission as to our community been a target for this toxic operation because of our race and social class. The EPA representative Mr. Bob Wells stated that this is probably true. He stated that in many instances African American has been targeted for Salt Water Disposal operation because "they" African American is less likely to complain. The Texas Railroad Commissioners should not have approved the EXCO permit for a commercial salt water waste disposal site. As a result of the actions of the Commissioners approving an application in our community we do not enjoy a contaminant free environment. My issue is alive and plaguing my community and my physical and mental health.

4. I believe my community was a target for a Salt Water Waste Disposal operation because of our race, class and social economic status. Our community is predominantly African American and we are without clean water supply.

5. The Texas Railroad Commissioners have allowed procedural requirements to be overlooked with respect to race and have not taken steps to ensure compliance with documented and published guidelines.

6. The Commissioners voted and approved over our objections to grant EXCO this permit which caused heavy concentration of lead and arsenic in our drinking water. The abandon wells in the area act as a conduit for transporting these contaminants to the many receptors located in our community including our public drinking water wells.

7. I've filed many complaints with the Railroad Commissioners, EPA and TCEQ and to date our community remains contaminated with toxic waste from the now closed Basic Energy Disposal Site and EXCO productions.

8. The outcome that I'm expecting is that an immediate shut down of the EXCO operations, the closing of the Select Service operation, this company is dispensing diesel fuel from this site which is a contributing factor to the hazardous contaminate benzene. I demand that the parties responsible for contamination of our groundwater source be held financially and criminally responsible. Specifically, I'm requesting remediation and cleanup of contamination; civil or criminal fines and penalties, as applicable; future monitoring and educational programs so our community can detect and understand the medical impact that groundwater and soil contamination may already have on them. In addition, we would like the state government to provide health examination, screening and free medical care so we can all know the extent to which Panola County residents may have been harmed by

contaminated water, air and soil. I also want to explore avenues that are available for economic relief for affected landowners who is suffering decrease property values because of toxic waste disposal operations in our community. With the help of the EPA and HUD, the citizens of this community can address these concerns regarding the contamination, decrease home and property values resulting in a reduction in the quality of life.

9. I declare, under penalty of perjury under the laws of the State of Texas, that the foregoing is true and correct.

Executed this 19th day of July, 2011

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