

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 22, 2008

LaDonna Castanuela
Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

CHIEF CLERKS OFFICE

2008 DEC 22 AM 11:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Re: TCEQ DOCKET NUMBER 2008-0779-AIR

Dear Ms. Castanuela:

Enclosed you will find the original and seven copies of the Executive Director's Response to Hearing Requests in the matter of CITGO Refining and Chemical Company, L.P., Air Permit No. 46637.

Included in this filing is the following attachment:

Attachment A – ED's Map of the Facility Site

If you have any questions about this matter, please call me at 239-0619.

Sincerely,

A handwritten signature in black ink, appearing to read "Dede Sigman".

Dede Sigman
Staff Attorney
TCEQ Office of Legal Services

Attachments

TCEQ Docket No. 2008-0779-AIR
Air Permit No. 46637

APPLICATION BY	§	BEFORE THE
	§	
CITGO REFINING AND CHEMICAL	§	
	§	TEXAS COMMISSION ON
COMPANY, L.P.	§	
	§	
CORPUS CHRISTI, NUECES	§	ENVIRONMENTAL QUALITY
	§	
COUNTY	§	

The Executive Director (ED) of the Texas Commission on Environmental Quality (Commission or TCEQ) files this response (Response) to the requests for a contested case hearing submitted by persons listed herein. The Texas Clean Air Act (TCAA) § 382.056(n) requires the commission to consider hearing requests in accordance with the procedures provided in Tex. Water Code § 5.556.¹ This statute is implemented through the rules in 30 Texas Administrative Code (TAC) Chapter 55, Subchapter F.

A map showing the location of the site for the proposed facility is included with this response as Attachment A and has been provided to all persons on the attached mailing list. In addition, the draft permit, technical summary, modeling audit report, toxicology report, and compliance history reports have been filed with the TCEQ's Office of Chief Clerk for the Commission's consideration. Finally, the ED's Response to Comments (RTC), which was mailed by the Chief Clerk to all persons on the mailing list, is on file with the Chief Clerk for the Commission's consideration.

I. Application Request and Background Information

CITGO Refining and Chemicals Company, L.P. (Applicant) has applied to the TCEQ for amendment of existing Air Permit Number 46637 for the East Plant. This permit amendment will authorize the Applicant to modify Barge Dock 7 at the East Plant to load gasoline and gasoline blend components. The facility is currently authorized to use heavy oils. This permit covers an area in the benzene watch area. Since Citgo needed benzene reductions, it has agreed to put secondary seals on Tank 5 within the first year of this permit (SC 3), to install a floating roof in Tank 64-TK13 (SC 3), and to reduce pumping rates on Tank 57T – 103 (SC 4). These modifications result in a reduction of 1.7 tons per year of benzene, and overall 4.2% reduction of benzene emissions. CITGO Corpus Christi Refinery East Plant is located at 1801 Nueces Bay Boulevard, Corpus Christi, Nueces County. Contaminants authorized under this permit include: volatile organic

¹ Statutes cited in this response may be viewed online at www.capitol.state.tx.us/statutes/statutes.html. Relevant statutes are found primarily in the Texas Health and Safety Code and the Texas Water Code. The rules in the Texas Administrative Code may be viewed online at www.sos.state.tx.us/tac/index.shtml, or follow the "Rules, Policy & Legislation" link on the TCEQ website at www.tceq.state.tx.us.

compounds (VOC), nitrogen oxides (NO_x), carbon monoxide (CO), and sulfur dioxide (SO₂).

The permit application was received on February 02, 2007, and declared administratively complete on March 15, 2007. The Notice of Receipt and Intent to Obtain an Air Quality Permit (NORI) for this permit application was published on April 11, 2007, in the *Corpus Christi Caller Times*. The Notice of Application and Preliminary Decision for an Air Quality Permit for this permit application was published on November 21, 2007, in the *Corpus Christi Caller Times*. The public comment period ended December 21, 2007.

The ED's RTC was mailed on April 8, 2008 and an amended RTC was mailed on May 27, 2008, to all interested persons, including those who asked to be placed on the mailing list for this application and those who submitted comment or requests for contested case hearing. The RTC was amended to properly reflect that the letter received from Texas RioGrande Legal Aid was on behalf of Citizens for Environmental Justice (CFEJ), Refinery Reform Campaign (RRC), and South Texas Colonias Initiative (STCI). The cover letter attached to the RTC and amended RTC included information about making requests for contested case hearing or for reconsideration of the ED's decision.² The letter also explained hearing requesters should specify any of the ED's responses to comments they dispute and the factual basis of the dispute, in addition to listing any disputed issues of law or policy.

The TCEQ received one letter during the public comment period requesting contested case hearings from Enrique Valdivia of Texas RioGrande Legal Aid on behalf of CFEJ, RRC, and STCI.

During the comment period, a comment received addressed CITGO Refinery East Plant's Federal Criminal Indictments for improper pollution control devices for Tanks 116 and 117. For informational purposes, on June 27, 2007, a jury in federal district court found CITGO Petroleum Corporation and its subsidiary, the Applicant, guilty of two felony criminal violations of the Federal Clean Air Act for operating two tanks, Tanks 116 and 117, without proper emission controls.³ Also, on July 17, 2007, a federal district judge found the Applicant guilty of three criminal misdemeanor violations of the Migratory Bird Treaty Act for killing various species of migratory birds by having open tops on Tanks 116 and 117.⁴ Sentences for the felony and misdemeanor criminal convictions have not been given to date.

² See TCEQ rules at Chapter 55, Subchapter F of Title 30 of the Texas Administrative Code. Procedural rules for public input to the permit process are found primarily in Chapters 39, 50, 55 and 80 of Title 30 of the Code.

³ Department of Justice, Citgo Petroleum and Subsidiary Found Guilty of Environmental Crimes: Convicted of Criminal Violations of the Clean Air Act (June 27, 2007), *available at* http://www.usdoj.gov/opa/pr/2007/07_enrd_463.html.

⁴ Department of Justice, CITGO Refining And Chemicals Co. Found Guilty of Environmental Crimes: Convicted of Violations of Migratory Bird Treaty Act (July 18, 2007), *available at* http://www.usdoj.gov/opa/pr/2007/July/07_enrd_511.html.

II. Applicable Law

The commission must assess the timeliness and form of the hearing requests, as discussed above. The form requirements are set forth in 30 TAC § 55.201(d):

- (d) A hearing request must substantially comply with the following:
- (1) give the name, address, daytime telephone number, and, where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and, where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
 - (2) identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requester's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requester believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
 - (3) request a contested case hearing;
 - (4) list all relevant and material disputed issues of fact that were raised during the public comment period and that are the basis of the hearing request. To facilitate the commission's determination of the number and scope of issues to be referred to hearing, the requester should, to the extent possible, specify any of the executive director's responses to comments that the requester disputes and the factual basis of the dispute and list any disputed issues of law or policy; and
 - (5) provide any other information specified in the public notice of application.

The next necessary determination is whether the requests were filed by "affected persons" as defined by Tex. Water Code § 5.115, implemented in commission rule 30 TAC § 55.203. Under 30 TAC § 55.203, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest. Local governments with authority under state law over issues raised by the application receive affected person status under 30 TAC § 55.203(b).

In determining whether a person is affected, 30 TAC § 55.203(c) requires all factors be considered, including, but not limited to, the following:

- (1) whether the interest claimed is one protected by the law under which the application will be considered;
- (2) distance restrictions or other limitations imposed by law on the affected interest;
- (3) whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- (5) likely impact of the regulated activity on use of the impacted natural resource by the person; and
- (6) for governmental entities, their statutory authority over or interest in the issues relevant to the application.

If the commission determines a hearing request is timely and fulfills the requirements for proper form and the hearing requester is an affected person, the commission must apply a three-part test to the issues raised in the matter to determine if any of the issues should be referred to the State Office of Administrative Hearings (SOAH) for a contested case hearing. The three-part test in 30 TAC § 50.115(c) is as follows:

- (1) The issue must involve a disputed question of fact;
- (2) The issue must have been raised during the public comment period; and
- (3) The issue must be relevant and material to the decision on the application.

The law applicable to the proposed facility may generally be summarized as follows. A person who owns or operates a facility or facilities that will emit air contaminants is required to obtain authorization from the commission prior to the construction and operation of the facility or facilities.⁵ Thus, the location and operation of the proposed facility requires authorization under the TCAA. Permit conditions of general applicability must be in rules adopted by the commission.⁶ Those rules are found in 30 TAC Chapter 116. In addition, a person is prohibited from emitting air contaminants or performing any activity that violates the TCAA or any commission rule or order, or that causes or contributes to a condition of air pollution.⁷ The relevant rules regarding air emissions are found in 30 TAC Chapters 101 and 111-118. In addition, the commission has the authority to establish and enforce permit conditions consistent with this chapter.⁸ The materials accompanying this response list and reference permit conditions and operational requirements and limitations applicable to this proposed facility.

⁵ TEXAS HEALTH & SAFETY CODE § 382.0518

⁶ TEXAS HEALTH & SAFETY CODE § 382.0513

⁷ TEXAS HEALTH & SAFETY CODE § 382.085

⁸ TEXAS HEALTH & SAFETY CODE § 382.0513

III. Analysis of Hearing Requests

A. Were the requests for a contested case hearing in this matter timely and in proper form?

The ED determined the hearing requests from CFEJ, RRC, STCI do not meet the requirements for form in 30 TAC § 55.201(c) and (d). Enrique Valdivia of Texas RioGrande Legal Aid submitted a written, timely hearing request on behalf of CFEJ, RRC, and STCI. A member for each group was identified: Suzie Canales for CFEJ; Denny Larson for RRC; and Lionel Lopez for STCI. No information was given about these members' personal justiciable interests, their location information, or how they were adversely affected in a manner not common to the general public, as required in 30 TAC § 55.201(d)(2). On November 18, 2008, the ED requested more information on these members' personal justiciable interest and how they have standing in their own right. On December 1, 2008, Mr. Valdivia responded with information on a new CFEJ member, Jim Miller, and did not include any information about the members previously identified in the hearing request. This member should have been identified in a timely hearing request under 30 TAC § 201. Therefore, CFEJ, RRC, and STCI have not substantially complied with the requirements of 30 TAC § 55.201(c) and (d).

Further, the ED addressed all public comments in this matter by providing responses in the amended RTC. The cover letter from the Office of the Chief Clerk attached to the amended RTC states that requesters should, to the extent possible, specify any of the ED's responses in the amended RTC that the requesters dispute and the factual basis of the dispute, and list any disputed issues of law or policy.⁹ In the absence of a response from any of the hearing requesters or their representatives within the thirty-day period after the RTC or the amended RTC was mailed, the ED cannot determine or speculate whether the hearing requesters continue to dispute issues of fact, or whether there are any outstanding issues of law or policy. The ED nevertheless has evaluated the merits of the requests before action is taken regarding this application.

B. Are those who requested a contested case hearing in this matter affected persons?

Since the ED does not have any information to analyze affected person status for Suzie Canales, Denny Larson, and Lionel Lopez, the ED is unable to determine affected person status for the individuals. Even though Mr. Valdivia identified Mr. Miller after the time frame to submit a timely hearing request, the ED still analyzed Mr. Miller's affected person status.

Under the rules, an affected person "has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application" that is not common to members of the general public.¹⁰ Further, to help analyze affected person

⁹ See 30 TAC § 55.201(d)(4).

¹⁰ See 30 TAC § 55.203(a).

status, the factors in 30 TAC § 55.203(c) should be considered. Mr. Valdivia states Mr. Miller sometimes has to use a breathing tank to help him breathe and travels and fishes frequently within a mile of the facility. Mr. Valdivia also states that that Mr. Miller lives less than eight miles from the facility.

By analyzing the factors in 30 TAC § 55.203(c), Mr. Miller is not an affected person. Mr. Miller claims an interest that is protected by law, which is his health. A reasonable relationship does not exist between his health being affected and the proposed permit beyond how the general public will be affected since no information has been provided that Mr. Miller has to travel or fish within a mile of the facility. The likely impact to Mr. Miller's health is hard to evaluate since no information has been provided regarding the actual amount of time Mr. Miller is required to be close to the facility. Further, Mr. Miller chooses to travel and fish close to the facility, especially with a breathing condition. Mr. Miller should not be adversely impacted from his home, which is approximately 5.7 miles from the facility according the ED's map in Attachment A. Mr. Miller's fishing and traveling public rights are no different than the rights of the general public. Mr. Miller does not provide information regarding any required time close to the facility, such as living or working close to the facility. Mr. Miller does not provide information that he has any personal property interest in the area where he fishes or travels that is not common to the general public. Mr. Miller is not claiming that a natural resource will be affected. Therefore, the ED finds that Mr. Miller is not an affected person since Mr. Miller freely chooses to travel and fish close to the facility and has not provided information that requires time close to the facility. Since the hearing requests were submitted by groups or association, further analysis of the hearing requests is required.

A group or association may request a hearing only if the group or association meets all of the following requirements:

- (1) one or more members of the group or association would otherwise have standing to request a hearing in their own right;
- (2) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (3) neither the claim asserted nor the relief requested requires the participation of the individual members in the case.¹¹

Although CFEJ, RRC, and STCI do identify interests that are germane to their organization's purpose and identify claims that would not require participation of any individual member, CFEJ, RRC, and STCI fail to provide a member that has standing in their own right. Both CFEJ and STCI originally identified members that are residents of Corpus Christi, Suzie Canales, and Lionel Lopez respectively, but do not identify their location or proximity to the facility. RRC identifies a member, Denny Larson, but does not identify location or proximity to the facility. Without information on how these

¹¹ See 30 TAC § 55.205(a).

members have a personal justiciable interest and/or location or proximity information to the facility, the ED is unable to determine if these identified members would have standing in their own right. As stated above, the ED requested more information about the originally identified members. Instead of providing information on the originally identified members, CFEJ provided information of an additional member of CFEJ, Mr. Miller. The ED determined this member was not an affected person and does not have standing in his own right. Therefore, since CFEJ, RRC, and STCI failed to identify a member that could have standing in their own right, CFEJ, RRC, and STCI have not met the requirements of 30 TAC § 55.205(a) and the ED recommends denial of the hearing requests.

C. Which issues in this matter should be referred to SOAH for hearing?

If the commission determines any of the hearing requests in this matter are timely and in proper form, and some or all of the hearing requesters are affected persons, the commission must apply the three-part test discussed in Section II to the issues raised in this matter to determine if any of the issues should be referred to SOAH for a contested case hearing. The three-part test asks whether the issues involve disputed questions of fact, whether the issues were raised during the public comment period, and whether the issues are relevant and material to the decision on the permit application, in order to refer them to SOAH.

The ED addressed all public comments in this matter by providing responses in the amended RTC. The cover letter from the Office of the Chief Clerk transmitting the amended RTC cites 30 TAC § 55.201(d)(4), which states that requesters should, to the extent possible, specify any of the ED's responses in the RTC the requesters dispute and the factual basis of the dispute, and list any disputed issues of law or policy. In the absence of a response from any of the hearing requesters within the thirty-day period after the amended RTC was mailed, the ED cannot determine or speculate on the issues of fact that may continue to be disputed by the hearing requesters, or any alleged outstanding issues of law or policy. However, the ED acknowledges the hearing requesters have one more opportunity to identify disputed issues of fact in their replies to the positions of the ED, Office of Public Interest Counsel, and the Applicant regarding the hearing request. Therefore, to facilitate the commission's consideration of this matter, the ED has analyzed the remaining two parts of the test, assuming that the issues raised in the comments in this matter remain disputed.

1. Three issues involving questions of fact

The following issues involving questions of fact regarding the operation of the Applicant's proposed facility were raised during the comment period:

1. Whether the proposed air emissions from the facility will adversely affect human health and welfare in the area.

2. Whether the Applicant's compliance history justifies denial of this permit application.
3. Whether there are inconsistencies between annual and hourly emission rates in the draft permit.

2. One issue involving law or policy.

The issue of whether TCEQ has adequately considered the environmental justice aspects of the draft permit is an issue of law and/or policy. The environmental justice program is based on EPA policy and the approach taken to address environmental justice issues is addressed through TCEQ policy. Therefore, this issue would be an issue of law and/or policy.

3. Were the issues raised during the public comment period?

The public comment period is defined in 30 TAC § 55.152. The public comment period begins with the publication of the Notice of Receipt and Intent to Obtain an Air Quality Permit. The end date of the public comment period depends on the type of permit. In this case, the public comment period began on April 11, 2007 and ended on December 21, 2007. The above issues which the hearing requests in this matter are based were raised in comments received during the public comment period. These issues may be considered by the commission.

4. Whether the issues are relevant and material to the decision on the application?

In this case, the permit would be issued under the commission's authority in Tex. Water Code § 5.013(11) (assigning the responsibilities in Chapter 382 of the Tex. Health & Safety Code) and the TCAA. The relevant sections of the TCAA are found in Subchapter C (Permits). Subchapter C requires the commission to grant a permit to construct or modify a facility if the commission finds the proposed facility will use at least the best available control technology (BACT) and the emissions from the facility will not contravene the intent of the TCAA, including the protection of the public's health and physical property. In making this permitting decision, the commission may consider the Applicant's compliance history. The commission by rule has also specified certain requirements for permitting. Therefore, in making the determination of relevance in this case, the commission should review each issue to see if it is relevant to these statutory and regulatory requirements that must be satisfied by this permit application.

In the absence of identification by the hearing requesters of disputed issues in the amended RTC, the ED cannot determine which issues remain disputed. However, if the assumption is made the issues raised in the public comments continue to be disputed. The following is the ED's position on those issues.

1. Whether the proposed air emission from the facility will adversely affect human health and welfare in the area.

The issue of impacts to human health and welfare was raised during the comment period.¹² Whether the proposed facility will use BACT and will be protective of human health is a factual issue that is relevant and material to the commission's decision on the application. The ED concludes this is a referable issue.

2. Whether the Applicant's compliance history justifies denial of this permit application.

The issue of compliance history justifying denial of this permit application was raised during the comment period and is a factual issue that is relevant and material to the commission's decision on this application.¹³ The ED concludes this is a referable issue.

3. Whether there are inconsistencies between annual and hourly emission rates in the draft permit.

This issue was raised during the comment period and is a factual issue that is relevant and material to the commission's decision on this application.¹⁴ The ED concludes this is a referable issue.

4. Whether TCEQ has adequately considered the environmental justice aspects of the permit.

This issue was raised during the comment period¹⁵ but is not relevant and material to the commission's decision on this application. Therefore, a contested case hearing is not the forum for this issue to be heard. Instead, administrative complaints of discrimination should be made to the EPA's Office of Civil Rights after issuance of the permit.¹⁶ Rather, the filing of this type of complaint under Title VI of the Civil Rights Act of 1964 does not affect the issued permit but instead focuses on the actions of TCEQ.¹⁷

IV. Maximum Expected Duration of the Contested Case Hearing

The ED recommends the contested case hearing, if held, should last no longer than nine months from the preliminary hearing to the proposal for decision.

¹² This issue was addressed in the ED's Amended RTC in Response 1.

¹³ This issue was addressed in the ED's Amended RTC in Response 3.

¹⁴ This issue was addressed in the ED's Amended RTC in Response 4.

¹⁵ This issue was addressed in the ED's Amended RTC in Response 2.

¹⁶ 71 Federal Register 54, 14209.

¹⁷ *Id.*

V. Executive Director's Recommendation

The Executive Director respectfully recommends the commission:

- A. Find all hearing requests in this matter were timely filed;
- B. Find the hearing request of CFEJ, RRC, and STCI did not satisfy the requirements for form under 30 TAC § 55.201 (c) and (d);
- C. Find CFEJ, RRC, and STCI did not identify affected person or a person that has standing in their own right in this matter;
- D. If the commission determines any requestor is an affected person, refer the following issues to SOAH:
 1. Whether the proposed air emissions from the facility will adversely affect human health and welfare in the area.
 2. Whether the Applicant's compliance history justifies denial of this permit application.
 3. Whether there are inconsistencies between annual and hourly emission rates in the draft permit.
- E. Find the issue of whether TCEQ has adequately considered the environmental justice aspects of the permit is based on law and/or policy and not relevant and material;
- F. Find the maximum expected duration of the contested case hearing, if held, would be nine months.

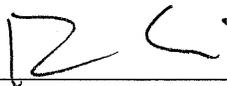
Respectfully submitted,

Texas Commission on Environmental
Quality

Mark R. Vickery, P.G., Executive Director
Executive Director

Stephanie Bergeron Perdue, Deputy Director
Office of Legal Services

Robert Martinez, Division Director
Environmental Law Division



Executive Director's Response to Hearing Requests
CITGO Refining and Chemicals Company, L.P.
Permit Number 46637

Dede Sigman, Staff Attorney
Environmental Law Division
Bar No. 24044640

Representing the Executive Director of the
Texas Commission on Environmental
Quality

CERTIFICATE OF SERVICE

On the 22nd day of December, 2008, a true and correct copy of the foregoing instrument was served on all persons on the attached mailing list by the undersigned via deposit into the U.S. Mail, inter-agency mail, facsimile, or hand delivery.



Dede Sigman

MAILING LIST
CITGO REFINING & CHEMICAL COMPANY, L.P.
DOCKET NO. 2008-0779-AIR; PERMIT NO. 46637

FOR THE APPLICANT:

Eric Bigelow, Sr. Env. Advisor
CITGO Refining & Chemicals Co. LP
P.O. Box 9176
Corpus Christi, Texas 78469-9176
Tel: (361) 844-4882
Fax: (361) 844-5108

Andy Tarrant

Fulbright & Jaworski L.L.P.
1301 McKinney, Suite 5100
Houston, Texas 77010-3095
Tel: (713) 651-5151
Fax: (713) 651-5246

FOR THE EXECUTIVE DIRECTOR:

Beecher Cameron, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-1495
Fax: (512) 239-1300

Juan M. Barrientez, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4786
Fax: (512) 239-1300

Troy Dalton, Technical Staff
Texas Commission on Environmental Quality
Air Permits Division, MC-163
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-1541
Fax: (512) 239-1300

FOR PUBLIC INTEREST COUNSEL:

Mr. Blas J. Coy, Jr., Attorney
Texas Commission on Environmental Quality
Public Interest Counsel, MC-103
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-6363
Fax: (512) 239-6377

FOR OFFICE OF PUBLIC ASSISTANCE:

Ms. Bridget Bohac, Director
Texas Commission on Environmental Quality
Office of Public Assistance, MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4000
Fax: (512) 239-4007

FOR ALTERNATIVE DISPUTE

RESOLUTION:

Mr. Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:

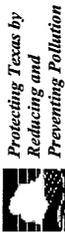
Ms. LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

REQUESTER:

Enrique Valdivia, Counsel
Texas Rio Grande Legal Aid
1111 N. Main Ave.
San Antonio, Texas 78212-4713
Fax: (210) 212-3772

Attachment A:
ED's Map of the Facility Site

Amendment Application for CITGO Refining and Chemical Co., L.P.
Air Permit 46637
Map Requested by TCEQ Office of Legal Services



Texas Commission on Environmental Quality
 GIS Team (Mail Code 197)
 P.O. Box 13087
 Austin, Texas 78711-3087
 December 3, 2008



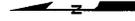
Projection: Texas Statewide Mapping System
 (TSMSS)
 Scale 1:74,013

- Legend**
- Facility
 - Requestor

Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information and the requestor information from the applicant. The counties are U.S. Census Bureau 1992 TIGER/Line Data (1:100,000). The background of this map is a source photograph from the 2004 U.S. Department of Agriculture Imagery Program. The imagery is one-meter Color-Infrared (CIR). The image classification number is 18355_1-1.

This map depicts the following:

- (1) The location of the facility. This is labeled "CITGO Corpus Christi Refinery East Plant Dock 7".
- (2) Circle depicting 1-mile radius. This is labeled "1-Mile Radius".
- (3) Requestor. This is labeled with requestor's name.
- (4) Line showing distance of facility to the requestor.



This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This map was not generated by a licensed surveyor, and is intended for illustrative purposes only. No claims are made to the accuracy or completeness of the data or its suitability for a particular use. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.



CITGO Corpus Christi Refinery
 East Plant Dock 7

Approx. 5.7 Miles

Miller Property

