

BRACEWELL

October 30, 2023

VIA EFILING AND U.S. MAIL

Laurie Gharis, Chief Clerk
Texas Commission on Environmental Quality
Office of the Chief Clerk (MC-105)
P.O. Box 13087
Austin, TX 78711-3087

Re: TCEQ Docket No. 2023-1474-AIR
Corpus Christi Liquefaction, LLC
Permit Nos. 105710, GHGPSDTX123M1, and PSDTX1306M1

Dear Ms. Gharis:

Enclosed for filing is the Applicant Corpus Christi Liquefaction, LLC's Response to Requests for Contested Case Hearing in the above-referenced matter.

Sincerely,



Whit Swift
Partner

Enclosure

cc: Mailing List

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TCEQ DOCKET NO. 2023-1474-AIR

APPLICATION BY CORPUS CHRISTI LIQUEFACTION, LLC FOR AMENDMENT OF AIR QUALITY PERMIT NOS. 105710, PSDTX1306M1, AND GHGPSDTX123M1	§ § § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
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**CORPUS CHRISTI LIQUEFACTION, LLC’S RESPONSE
TO REQUESTS FOR CONTESTED CASE HEARING**

TO THE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY:

Applicant Corpus Christi Liquefaction, LLC (“CCL” or “Applicant”) files this Response to Requests for Contested Case Hearing, and in support thereof, would respectfully show the following:

I. Introduction

CCL has applied to the Texas Commission on Environmental Quality (“TCEQ”) for a minor new source review (“NSR”) amendment of Air Quality Permit Nos. 105710 and GHGPSDTX123M1, and to correct prior permit application representations regarding Permit No. PSDTX1306M1 (the “Application”). The Application seeks to authorize an increase in emissions from the flares at the Corpus Christi Liquefaction site, a liquefied natural gas (“LNG”) export terminal located at 622 State Highway 35, Gregory, San Patricio County, Texas (the “Terminal”). The collected facilities that are authorized by these permits, including the flares affected by this Application, are referred to as CCL Stages I and II.

A. The Application and Draft Permit

The emissions increases that CCL seeks to authorize through the pending minor NSR amendment application are associated with two separate projects:

- *As-Built Correction to Flaring Emissions.* Permit holders commonly apply for “as-built” permit amendments to reconcile actual operations with preconstruction estimates included in an initial preconstruction permit application. In the Application, CCL seeks to update the authorized emissions from the wet/dry flares based on the as-built observation of higher vent gas rates than originally quantified for the permit, as well as more accurate stream composition data for the marine flare. The as-built flaring update also seeks to account for the flaring of boil-off gas from the LNG compression trains when the upstream Sinton Compressor Facility is undergoing required regulatory emergency shutdown (“ESD”) testing.
- *Authorization of New Marine Loading Scenario.* CCL also seeks authorization of a new operating scenario that would allow two LNG carriers to vent to the marine flare simultaneously. The site’s air permits currently allow only one carrier to be vented to the marine flare at a time.

While the two projects are independent of one another, they have been combined into a single minor NSR permit amendment application for administrative expedience – and combined, the two projects do not cause an emissions increase above the PSD major modification thresholds:

Pollutant	PSD Significant Emission Rate¹	Emissions Increase Authorized by this Amendment
NOx	40 tons per year (“tpy”)	4.4 tpy
CO	100 tpy	95.4 tpy
VOC	40 tpy	11.5 tpy
PM	25 tpy	0.0
PM10	15 tpy	0.0
PM2.5	10 tpy	0.0
SO2	40 tpy	0.08 tpy
H2S	10 tpy	-0.01 tpy

In addition to the minor NSR-level emissions increases that would be authorized by the pending permit amendment, the TCEQ Executive Director proposed (and CCL accepted) a number of changes to the flare monitoring and compliance demonstration requirements in the Permit. As reflected in Draft Permit No. 105710 and PSDTX1306M1, the changes to be authorized through this amendment include:

¹ 40 CFR § 52.21(b)(23).

- Installation of a continuous flow monitor and composition analyzer or continuous flow monitor and calorimeter to monitor vent stream flow and composition to the flare;
- Calibration requirements for those monitors based on 40 CFR Part 60, Appendix B, Performance Specification 9 or manufacturer recommendations, as appropriate;
- A requirement to determine and record flared gas net heating value and mass emission rates from the flares at least once every hour;
- A requirement that the flare monitors and analyzers operate at least 95% of the time the flare is operational; and
- Specific requirements for the inspection of the capture system for the flares to verify that there are no leaking components in the system.²

Monitoring of the vent streams sent to the flares and flare system performance will be enhanced under the amended permits.

B. The Executive Director's Air Quality Analysis Audit

As stated above, the two projects were processed as a single minor NSR permit amendment for purposes of the Executive Director's technical review of the Application. The TCEQ Air Permits Division's ("APD's") modeling audit and health effects review treated the entire application as a retrospective review; the APD did not evaluate the predicted emissions impacts of the changes sought in the Application in isolation, but rather combined the increases sought in this Application with the emissions already authorized in the air permits for CCL Stages I and II.

The APD's Air Quality Analysis Audit, which is included as Exhibit 1 to Attachment A, presents the results of the APD's NAAQS and health effects review. The results of the APD's audit can be summarized as follows:

- For NAAQS modeling, the maximum predicted off-property concentrations fall below the applicable PSD *de minimis* thresholds for all pollutants and averaging times, with the exception of NO₂ (1-hour) and NO₂ (Annual).

² Draft Permit No. 105710 and PSDTX1306M1, Special Conditions 14.E through 14.M.

- Full PSD NAAQS modeling (taking into account all authorized sources at the Terminal, background concentrations, and the contributions of nearby sources) demonstrated compliance with the 1-hour and annual NO₂ standards at the Terminal property line.
- The ozone analysis that evaluated ozone precursor emissions (NO_x and VOC) using EPA-approved Modeled Emission Rates for Precursors (“MERPs”) predicted ozone impacts above EPA’s *de minimis* threshold, but the full analysis taking into account all Terminal sources, background concentrations, and sources within 10 kilometers of the project site authorized within the last two years demonstrated compliance with the 70 parts per billion (“ppb”) ozone standard.
- In the State Health Effects Evaluation, all but three contaminants screened out of the review due to either low short-term emissions rates or modeled project impacts that fall below 10 percent of the applicable Effects Screening Level (“ESL”). The full site-wide modeling for the three contaminants that did not screen out of the evaluation predicted maximum off-property ground-level concentrations of the three pollutants (N-methyldiethanolamine, benzene, and ethylene) at levels that fall well below the TCEQ’s applicable short-term ESLs.

The Executive Director’s air quality analysis confirmed that the model’s predicted impacts – taking into account both the increases to be authorized by this Amendment and the emissions already authorized at the Terminal – demonstrate compliance with the NAAQS, and that the predicted impacts of non-criteria pollutants would be protective of human health and welfare at the Terminal property line.

C. The Hearing Requests

The Commissioners' Integrated Database for this docket identifies two associations and 21 individuals that filed requests for contested case hearing on the Application. The hearing requests can be placed into the following groups:

- Two (2) associations (Portland Citizens United and Sierra Club) request a contested case hearing in the same comment and request letter filed by the Environmental Integrity Project.
- Two (2) persons (Uneeda E. Laitinen and Blanca Parkinson) submitted individual contested case hearing requests.
- Nineteen (19) persons filed form-letter contested case hearing requests.

All but one of the hearing requests were filed in 2021, after publication of the initial Notice of Receipt of Application and Intent to Obtain Permit ("NORI") for the Application, and before the TCEQ published the Notice of Application and Preliminary Decision ("NAPD") and made available the draft permit with the additional flare monitoring requirements described above. No commenter filed a request for hearing in response to the Executive Director's publication of its Response to Public Comment ("RTC") on the Application.

As explained herein, none of the requests for contested case hearing on the Application have been made by an association or individual with a personal justiciable interest in the Application. The individual requesters and group representatives all reside outside of the distance that the Commission has traditionally used to determine "affected person" status on minor NSR applications. The Executive Director's air quality analysis and modeling audit, which combined the emissions increases identified in the Application with the emissions already authorized for Stages I and II for a comprehensive review, demonstrate that the predicted impacts of the

aggregate emissions are protective of human health and property at the Terminal property line – and when evaluating hearing requests on this particular Application, it is important to recognize that the emissions that CCL seeks to authorize through this minor NSR amendment constitute a small fraction of the aggregate authorized emissions from the Stages I and II sources.³ Moreover, as noted above, the Executive Director has increased the stringency of the flare monitoring requirements in the Permit, addressing all of the factual issues that Portland Citizens United and Sierra Club actually disputed in their comments on the Application.

The Application seeks a minor NSR amendment that largely authorizes as-built changes for an air permit that was already subject to a contested case hearing at initial issuance.⁴ One of the current requesters was a party in that hearing and at that time had an opportunity to address the many “disputed issues of fact” listed in its comment and request letter. The minor NSR-level increases in the Application have been reviewed and found protective by the Executive Director, and the Executive Director added to the permit’s flare monitoring provisions as part of its technical review of the Application. The requesters will not be adversely impacted by the emissions to be authorized in this amendment, and do not live close enough to the Terminal to have an interest in this project or the emissions to be authorized that is not common to the general public. For those reasons, CCL respectfully requests that the Commissioners deny all of the hearing requests in this matter and issue the minor NSR permit amendment authorizing the projects and making the proposed changes to the Permit’s flare monitoring provisions.

³ Affidavit of Joseph M. Kupper, P.E., Attachment A, at par. 11.

⁴ TCEQ Docket No. 2013-1191-AIR; SOAH Docket No. 582-13-5205; *Application of Corpus Christi Liquefaction LLC for Air Quality Permit Nos. 105710 and PSD-TX-1306 for the Construction of a New Natural Gas Liquefaction and Export Terminal with Regasification Capabilities* (Commission Order dated August 15, 2014).

II. Procedural Background

TCEQ received CCL's permit application on April 20, 2021 and declared the application administratively complete on April 23, 2021. The NORI for the application was published in English on May 13, 2021 in *The News of San Patricio*, and in Spanish on May 15, 2021 in the *Tejano Y Grupero News*. The NORI contained clear and specific instructions for public participation, including how to request a contested case hearing on the application.

Following the technical review of the Application and the APD's preparation of a draft permit, the NAPD was published in English on May 26, 2022 in *The News of San Patricio*, and in Spanish on June 1, 2022 in the *Tejano Y Grupero News*. Like the NORI, the NAPD also contained clear instructions on how to request a contested case hearing. Notice of a public meeting was mailed on May 18, 2022. TCEQ held a public meeting on June 30, 2022, in Portland, Texas. The public comment period closed on July 1, 2022.

The Executive Director filed the RTC with the TCEQ Chief Clerk on July 14, 2023, and the Chief Clerk issued a letter on July 25, 2023 transmitting the RTC and alerting interested persons of the Executive Director's decision that the application meets the requirements of applicable law for permit issuance. The RTC addressed the relevant and material concerns identified by persons who filed comments on the application in writing or during the June 30, 2022 public meeting.

On October 18, 2023, the Chief Clerk issued a letter stating that the requests for hearing would be considered by the Commissioners on November 29, 2023. CCL hereby provides its response to the hearing requests in accordance with Commission rules.

III. Legal Standards for Review of Requests for Contested Case Hearing

Texas law and TCEQ rules identify the legal standard for participation in a contested case hearing, along with the required elements of a valid contested case hearing request. To be granted a contested case hearing, the request must be made by an “affected person,”⁵ it must “request a contested case hearing,”⁶ and the request must be timely.⁷

A. The Request Must Be Made by an Affected Person

1. Affected Persons

The Texas Clean Air Act and Texas Water Code only allow an “affected person” to participate in a contested case hearing on air permit applications.⁸ The Texas Legislature has defined the universe of “affected persons” who may validly demand that a contested case hearing be held by or on behalf of the Commission. Only those persons who have “a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the administrative hearing” may be granted a hearing.⁹ “An interest common to members of the general public does not qualify as a personal justiciable interest.”¹⁰

TCEQ rules specify the factors that must be considered in determining whether a person is an affected person. Those factors are:

- (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

⁵ 30 TEX. ADMIN. CODE § 55.201(b)(4).

⁶ 30 TEX. ADMIN. CODE § 55.201(d)(3).

⁷ 30 TEX. ADMIN. CODE § 55.211(c)(2)(B). To be timely, a request for contested case hearing must be filed no later than 30 days after the TCEQ Chief Clerk mails (or otherwise transmits) the Executive Director’s decision and response to comments on an application and draft permit. *See* 30 TEX. ADMIN. CODE § 55.201(a).

⁸ *See* TEX. HEALTH & SAFETY CODE § 382.056; TEX. WATER CODE § § 5.556; 5.115.

⁹ TEX. WATER CODE § 5.115(a); *see also* 30 TEX. ADMIN. CODE § 55.203(a).

¹⁰ *Id.*

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;

(6) for a hearing request on an application filed on or after September 1, 2015, whether the requestor timely submitted comments on the application that were not withdrawn; and

(7) for governmental entities, their statutory authority over or interest in the issues relevant to the application.¹¹

The Commission may also consider additional factors in determining whether a person is an affected person, including:

(1) the merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;

(2) the analysis and opinions of the executive director; and

(3) any other expert reports, affidavits, opinions, or data submitted by the executive director, the applicant, or hearing requestor.¹²

In considering evidence to apply the above factors to a given request, the Third Court of Appeals explained that TCEQ “enjoys the discretion to weigh and resolve matters that may go to the merits of the underlying application, including the likely impact the regulated activity . . . will have on the health, safety, and use of property by the hearing requestor and on the use of natural resources.”¹³ TCEQ’s application of the factors described above “may include reference to the permit application, attached expert reports, the analysis and opinions of professionals on its staff, and any reports, opinions, and data it has before it” and specifically may include air modeling

¹¹ 30 TEX. ADMIN. CODE § 55.203(c).

¹² 30 TEX. ADMIN. CODE § 55.203(d).

¹³ *Sierra Club v. Tex. Comm'n on Env'tl. Quality*, 455 S.W.3d 214, 223 (Tex. App.—Austin 2014, pet. denied).

reports.¹⁴ In making these determinations, the court was applying the Texas Supreme Court's 2013 decision in *Texas Commission on Environmental Quality v. City of Waco*, which affirmed TCEQ's discretion to rely on such information in making an affected person determination.¹⁵

2. Affected Group or Association

In certain limited circumstances, a group or association can qualify as an "affected person."

A group or association will only have standing to participate in a contested case hearing if the following four requirements are met:

- (1) comments on the application are timely submitted by the group or association;
- (2) the request identifies, by name and physical address, one or more members of the group or association that would otherwise have standing to request a hearing in their own right;
- (3) the interests the group or association seeks to protect are germane to the organization's purpose; and
- (4) neither the claim asserted nor the relief requested requires the participation of the individual members in the case."¹⁶

A contested case hearing request filed by a group or association must identify an individual who is a member of the group or association who is an "affected person" for purposes of the application that has a personal justiciable interest in the application that is not an interest shared with members of the general public.

B. The Request Must Be Filed Timely with the TCEQ

TCEQ rules provide that a request for contested case hearing must be filed no later than 30 days after the Chief Clerk mails (or otherwise transmits) the Executive Director's decision and RTC and provides instructions for requesting that the Commission reconsider the decision or hold

¹⁴ *See id.*

¹⁵ *Id.*

¹⁶ 30 TEX. ADMIN. CODE § 55.205(b).

a contested case hearing.¹⁷ TCEQ's rules do not provide a cure period or other opportunity to correct deficient hearing requests.

C. The Required Elements of a Request for Contested Case Hearing

TCEQ rules at 30 TEX. ADMIN. CODE § 55.201(d) identify the requirements for a request for contested case hearing:

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 requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor 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) for applications filed: ...

(B) on or after September 1, 2015, list all relevant and material disputed issues of fact that were raised by the requestor 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 requestor should, to the extent possible, specify any of the executive director's responses to the requestor's comments that the requestor disputes, the factual basis of the dispute, and list any disputed issues of law; and

- (5) provide any other information specified in the public notice of application.¹⁸

TCEQ rules regarding the scope of contested case hearings also provide that the Commission may not refer an issue to SOAH for a contested case hearing unless the Commission determines that

¹⁷ 30 TEX. ADMIN. CODE § 55.201(a)&(c).

¹⁸ 30 TEX. ADMIN. CODE § 55.201(d).

the issue:

- (1) involves a disputed question of fact or a mixed question of law and fact;
- (2) was raised during the public comment period, and, for applications filed on or after September 1, 2015, was raised in a comment made by an affected person whose request is granted; and
- (3) is relevant and material to the decision on the application.¹⁹

IV. Application of the Legal Standards for Review of Requests for Contested Case Hearing to the Requests Filed in this Matter

A. Group or Association Request: Portland Citizens United

The hearing request filed by Portland Citizens United on June 14, 2021 fails to comply with Section 55.201(d)(2) of the Commission's rules because it fails to identify a member of Portland Citizens United with a personal justiciable interest in the Application that is not common to the general public. The Portland Citizens United representatives identified in the request for hearing simply live too far from the Terminal and the emissions sources affected by the pending Application – particularly given the minor NSR-level emissions increases that CCL seeks to authorize.

Portland Citizens United's request identifies four members of the group as its basis for standing in this matter: (1) Encarnacion Serna, who is identified in the request as living at 105 Lost Creek Drive, Portland, Texas, 78374; (2&3) Mindi and James Rosson, who are identified in the request as living at 1110 Cupertino Street, Portland, Texas, 78374; and (4) Wendy Hughes, who is identified in the request as living at 2129 Bay Breeze Drive, Portland, Texas, 78374.

For purposes of this response, CCL retained Joe Kupper of Trinity Consultants to map the distance from the addresses identified for Encarnacion Serna, Mindi and James Rosson, and

¹⁹ 30 TEX. ADMIN. CODE § 50.115(c).

Wendy Hughes to (A) the nearest property line of the Terminal and (B) the nearest flare for which CCL is authorizing a minor NSR increase in emissions in the Application. Those results are documented in Attachment A, Exhibit 2, Affidavit of Joe Kupper, and summarized below:

Name	Address	Distance from CCL Property Line (miles)	Distance from Nearest Flare (miles)
Encarnacion Serna	105 Lost Creek Drive Portland, TX 78734	1.93	2.25
Mindi and James Rosson	1110 Cupertino Street Portland, TX 78374	1.38	2.14
Wendy Hughes	2129 Bay Breeze Drive Portland, TX 78374	1.20	2.04

The Portland Citizens United members identified in the request for contested case hearing do not live close enough to the Terminal or to the flares that would be modified by this minor NSR application to be affected in a way that is not common to members of the general public.

The distance between a requester and the emissions source is a common-sense, relevant consideration in determining whether a requester has a personal justiciable interest that is different from that of the general public.²⁰ The TCEQ has evaluated proximity in numerous cases based on the Commission's experience in determining whether a requester is an affected person, and has denied the contested case hearing requests filed by requesters based on distances from the facilities being permitted that are consistent with the distances between the Portland Citizens United members and the CCL flares being modified by this Amendment.²¹

The Portland Citizens United members – all of whom reside well over one mile from the

²⁰ See, e.g., *Sierra Club v. Tex. Comm'n on Env'tl. Quality*, 455 S.W.3d 214, 224 (Tex. App.-Austin 2014, pet. denied).

²¹ See, e.g., *Application by Max Midstream Texas, LLC for Air Quality Permit No. 162941 for the Seahawk Crude Condensate Terminal in Calhoun County, Texas*, TCEQ Docket No. 2022-0157-AIR (Commission Order dated April 8, 2022); *Application by Holcim (US) Inc. for Air Quality Permit Nos. 8996 and PSDTX454M5*, TCEQ Docket No. 2021-0051-AIR (Commission Order dated April 6, 2021); *Application by Martin Marietta Materials Southwest, LLC, for Amendment and Renewal of Air Quality Permit No. 41849*, TCEQ Docket No. 2021-00540AIR (Interim Commission Order dated April 6, 2021).

property line and at least two miles from the nearest flare that is being modified by the pending Amendment – should not be considered “affected persons” for purposes of this Application. This is a minor NSR amendment. The modeling approved by the Executive Director demonstrates that the emissions from the flares will be protective at the property line, and the nearest requester is 1.2 miles from the Terminal property line. Moreover, the emissions increase that is being authorized in this amendment represents only a small percentage of the emissions (and air dispersion modeling impacts) that were evaluated by the Executive Director when it determined that the emissions from the Terminal would be protective.²²

Portland Citizens United has not made the requisite showing that it is an affected group or association. The members identified above do not have the kind of personal justiciable interest in this minor NSR amendment application that would support standing in a contested case hearing. Because it does not identify any individual member of the group or association that would otherwise have standing to request a hearing in their own right, the Portland Citizens United request fails to meet the regulatory requirements for a request for contested case hearing.²³ It does not assert any personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Application that is not common to the general public.

Because Portland Citizens United fails to meet the requirements for demonstrating affected group or association standing under statute and TCEQ rules, its request for contested case hearing should be denied.

B. Group or Association Request: Sierra Club

Like Portland Citizens United, the hearing request filed by Sierra Club on June 14, 2021 fails to comply with Section 55.201(d)(2) of the Commission’s rules because it fails to identify a

²² Affidavit of Joseph M. Kupper, P.E., Attachment A, at par. 11.

²³ 30 TEX. ADMIN. CODE § 55.205(b)(2).

member of Sierra Club with a personal justiciable interest in the Application that is not common to the general public.

Sierra Club’s request identifies two members of the group as its basis for standing in this matter: (1) Wendy Hughes, who is identified in the request as living at 2129 Bay Breeze Drive, Portland, Texas, 78374; and (2) Uneeda Laitinen, who is identified in the request as living at 102 Markham Place, Portland, Texas, 78374. As stated in Attachment A, Affidavit of Joe Kupper, Trinity Consultants has mapped the distance from the addresses identified for Wendy Hughes and Uneeda Laitinen to (A) the nearest property line of the Terminal and (B) the nearest flare for which CCL is authorizing a minor NSR increase in emissions in the Application, with the results presented in Attachment A, Exhibit 2:

Name	Address	Distance from CCL Property Line (miles)	Distance from Nearest Flare (miles)
Wendy Hughes	2129 Bay Breeze Drive Portland, TX 78734	1.20	2.04
Uneeda Laitinen	102 Markham Place Portland, TX 78374	2.19	2.51

The Sierra Club members – all of whom reside at least two miles from the nearest flare that is being modified by the pending Amendment – should not be considered “affected persons” for purposes of this Application. This is a minor NSR amendment. The modeling approved by the Executive Director demonstrates that the emissions from the flares will be protective at the property line, and the nearest Sierra Club representative is 1.2 miles from the Terminal property line. Moreover, as noted above, the emissions increase that is being authorized in this amendment amounts to a small portion of the emissions that were evaluated in the air dispersion modeling upon which the Executive Director made its determination that emissions from the Terminal will

be protective.²⁴

Like Portland Citizens United, Sierra Club has not made the requisite showing that it is an affected group or association. The Sierra Club members identified above do not have the kind of personal justiciable interest in this minor NSR amendment application that would support standing in a contested case hearing. Because it does not identify any individual member of the group or association that would otherwise have standing to request a hearing in their own right, Sierra Club's request fails to meet the regulatory requirements for a request for contested case hearing.²⁵ It does not assert any personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Application that is not common to the general public.

Because Sierra Club fails to meet the requirements for demonstrating affected group or association standing under statute and TCEQ rules, its request for contested case hearing should be denied.

C. Individual Request: Uneeda E. Laitinen

Uneeda E. Laitinen filed an individual request for contested case hearing on June 30, 2022. As an initial matter, it should be noted that the same Uneeda Laitinen was identified as a Sierra Club member and identified a basis for Sierra Club having group or associational standing in the contested case hearing request filed by Sierra Club in June 2021. It is unclear whether Uneeda Laitinen is seeking to participate in a contested case hearing on the Application independent of the Sierra Club, or whether she continues to support Sierra Club's right to a hearing based on her membership. While Uneeda Laitinen's distance from the Terminal prevents Uneeda Laitinen from qualifying as an "affected person" for purposes of this Application, even if Laitinen did have a personal justiciable interest in the Application, that should not be allowed

²⁴ Affidavit of Joseph M. Kupper, P.E., Attachment A, at par. 11.

²⁵ 30 TEX. ADMIN. CODE § 55.205(b)(2).

to serve as a basis for both individual and group or association standing.

Uneeda Laitinen’s individual request for contested case hearing does not merit a contested case hearing because it is facially deficient. While the request erroneously alleges that Laitinen “lives within one mile of the Cheniere facility,” the request fails to identify an address for the requester, or to provide any contact information for the person making the request, as is required by Section 55.201(d)(1).²⁶

Based on information included not in Uneeda Laitinen’s deficient individual request, but in the hearing request filed by Sierra Club, Uneeda Laitinen is identified as living at 102 Markham Place, Portland, Texas, 78374. As stated in Attachment A, Affidavit of Joe Kupper, Trinity Consultants has mapped the distance from the address identified for Uneeda Laitinen to (A) the nearest property line of the Terminal and (B) the nearest flare for which CCL is authorizing a minor NSR increase in emissions in the Application, with the results presented in Attachment A, Exhibit 2:

Name	Address	Distance from CCL Property Line (miles)	Distance from Nearest Flare (miles)
Uneeda Laitinen	102 Markham Place Portland, TX 78374	2.19	2.51

Uneeda Laitinen resides over 2.5 miles from the nearest flare that is being modified by the pending Amendment and should not be considered an “affected person” for purposes of this Application. This is a minor NSR amendment. The modeling approved by the Executive Director demonstrates that the emissions from the flares will be protective at the property line, and Uneeda Laitinen resides over 2 miles from the nearest property line. Moreover, as noted above, the emissions increase that is being authorized in this amendment represents only a small portion of

²⁶ 30 TEX. ADMIN. CODE § 55.201(d)(1).

the emissions that were evaluated in the air dispersion modeling upon which the Executive Director made that determination.²⁷

Uneeda Laitinen is not an affected person. Uneeda Laitinen does not have the kind of personal justiciable interest in this minor NSR amendment application that would support standing in a contested case hearing. Due to the distance between the Laitinen residence and the emissions sources modified in this permit action, Uneeda Laitinen does not have a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Application that is not common to the general public. Moreover, Uneeda Laitinen's request itself is deficient because it fails to substantially comply with the fundamental requirement in Section 55.201(d)(1) by omitting the address of the person who filed the request.²⁸ Uneeda Laitinen is not an affected person, and Uneeda Laitinen's individual request for a contested case hearing should be denied.

D. Individual Request: Blanca Parkinson

Blanca Parkinson filed an individual request for contested case hearing on June 13, 2021. Parkinson's request for hearing should be denied; she resides over eighteen (18) miles from the Terminal, and while she claims to partake in recreational activities closer to the site, the right that Blanca Parkinson shares with the general public to engage in recreational activities closer to the Terminal does not make her an "affected person" for purposes of the Application.

As stated in Attachment A, Affidavit of Joe Kupper, Trinity Consultants has mapped the distance from the address identified in Blanca Parkinson's request for hearing to (A) the nearest property line of the Terminal and (B) the nearest flare for which CCL is authorizing a minor NSR increase in emissions in the Application, with the results presented in Attachment A, Exhibit 2:

²⁷ Affidavit of Joseph M. Kupper, P.E., Attachment A, at par. 11.

²⁸ 30 TEX. ADMIN. CODE § 55.201(d)(1).

Name	Address	Distance from CCL Property Line (miles)	Distance from Nearest Flare (miles)
Blanca Parkinson	10801 Silvertown Drive Corpus Christi, TX 78410	18.29	18.75

Blanca Parkinson is not an affected person for purposes of the pending application based on the location of the Parkinson residence. Blanca Parkinson further states that her parents own a home in Portland, Texas, closer to the Terminal, and claims in the hearing request that Parkinson visits Portland “daily” to fish, swim, and kayak. Even if Parkinson engages in recreational activities in areas much closer to the Terminal, that recreational right and interest is shared with the general public and therefore is not a personal justiciable interest upon which affected person status can be granted.

Commission precedent holds that recreational interests, in the absence of an affected property interest, is not a basis for standing in a contested case hearing. For example, in *Application of Southwest Electric Power Company for Renewal and Major Amendment of TPDES Permit No. WQ0002496000*, the TCEQ denied the hearing requests filed by requesters who claimed recreational interests in bodies of water near the proposed discharge points identified in a TPDES wastewater permit application.²⁹ Likewise, in the *Max Midstream Texas, LLC* matter, which involved an air permit application, the Commission denied requests for contested case hearing that were filed citing recreational interests in two bays located near the crude terminal that

²⁹ *Application of Southwest Electric Power Company for Renewal and Major Amendment of TPDES Permit No. WQ0002496000*, TCEQ Docket No. 2011-2199-IWD (Commission Order dated Dec. 10, 2012) (Commission denied hearing request after SOAH ALJ finding that claimed recreational interests were indistinguishable from those common to the general public).

was the subject of the application.³⁰

To the extent that Blanca Parkinson has recreational interests in the area of the Terminal, those interests are not the kind of personal justiciable interest that supports an affected person finding and status in a contested case hearing. Blanca Parkinson is not an affected person, and Parkinson's individual request for a contested case hearing should be denied.

E. Individual Requests: Form-Letter Hearing Requests

The remaining requests for hearing on the Application are a group of 19 nearly identical form-letter hearing requests. The persons who filed the form-letter requests are not affected persons because the short, generalized requests fail to identify a personal justiciable interest in the Application. In addition, as explained below, none of the persons who submitted form-letter hearing requests identify a residential address sufficiently close to the Terminal to be affected in a manner not common to the general public.

The form-letter hearing requests are identical (with one exception)³¹ and raise the same generalized concerns regarding CCL and the Application. The form-letter requests read as follows, in their entirety:

I am writing today because I am deeply concerned about allowing more toxic emissions from Corpus Christi Liquefaction (a.k.a. Cheniere LNG). If approved, this permit would allow even more carbon monoxide, hydrogen sulfide, nitrogen oxides, volatile organic compounds, and sulfur dioxide to be released into our air. The massive flare at this facility can be seen from quite a distance, often with associated smoke (which is a sign the toxic emissions are not being handled properly). By the company's own admission, it already can't properly regulate the amount of pollutants currently allowed, so it's just applying to increase its emissions instead. This is not in the public interest.

I formally request a public meeting on this permit. Furthermore, I also formally request a contested case hearing in order to allow impartial judges to weigh the facts on this facility.

³⁰ *Application by Max Midstream Texas, LLC for Air Quality Permit No. 162941 for the Seahawk Crude Condensate Terminal in Calhoun County, Texas*, TCEQ Docket No. 2022-0157-AIR (Commission Order dated April 8, 2022).

³¹ The form-letter hearing request filed by requester Theresa Carrillo includes the same language quoted above that is found in the other 18 form-letter requests, with one additional paragraph that raises an issue about the nature of Cheniere's business that is not relevant or material to the Application.

I look forward to your response.

The form-letter requests fail to establish the requesters' personal justiciable interest in the Application. The TCEQ rules quoted in Section III.C. above provide that a hearing request must substantially comply with a requirement to:

identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor 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.³²

The Austin Court of Appeals has held that generalized pollution and contamination concerns are "interests common to the members of the general public."³³ In the *Sierra Club* case, the Court of Appeals affirmed a decision of the Commission that requesters did not qualify as affected persons because "general contamination" concerns are interests common to the members of the general public. The general air pollution concerns identified in the 19 form-letter hearing requests fail to establish a personal justiciable interest for the requesters.

Even if the form-letter requests satisfied Commission rules regarding their content, the form-letter requests fail to establish a right to hearing because the distance from the Terminal to the addresses identified in the requests establishes that none of the persons who submitted a form-letter request could be affected by the Application in a manner not shared with the general public. As with the other hearing requests, Trinity Consultants has mapped the distance from the address identified in each of the form-letter hearing requests to (A) the nearest property line of the Terminal and (B) the nearest flare for which CCL is authorizing a minor NSR increase in emissions in the Application, with the results presented in Attachment A, Exhibit 2:

³² 30 TEX. ADMIN. CODE § 55.201(d)(2).

³³ See *Sierra Club v. Texas Comm'n on Env'tl. Quality*, 455 S.W.3d at 225.

Name	Address	Distance from CCL Property Line (miles)	Distance from Nearest Flare (miles)
Lisa Averill	6142 Brockhampton St Corpus Christi, TX 78414	15.00	15.27
Alvin Baker	124 Walker Avenue Portland, TX 78374	3.41	3.81
Eduardo (Eddie) Canales	7021 Bevington Drive Corpus Christi, TX 78413	16.41	16.67
Teresa Carillo	730 Harrison St Corpus Christi, TX 78404	11.20	11.51
Annie Dixon	336 13 th Street Port Arthur, TX 77640	210.34	212.29
Jean Fuertez	7125 Southhaven Dr Corpus Christi, TX 78412	13.41	13.63
Penny Gray	6318 Nancy Street Corpus Christi, TX 78412	12.86	13.10
Don Guion	298 Retreat Drive Taft, TX 78390	10.36	11.93
Billy Gunn	1034 Concho Street Corpus Christi, TX 78407	13.15	13.48
Kyle Krauskopf	243 West Roberts Ave Port Aransas, TX 78373	12.05	13.04
Maria Krauskopf	243 West Roberts Ave Port Aransas, TX 78373	12.05	13.04
Dewey Magee	4252 Kestrel Lane Portland, TX 78374	2.34	3.77
Justin Martinez	1002 Anderson Street Corpus Christi, TX	11.67	11.96

	78411		
Jennifer Pichinson	5857 Timbergate Drive Corpus Christi, TX 78414	15.63	15.88
Gloria Route	2120 Angelina Street Beaumont, TX 77701	227.25	229.22
Esquel Sanchez	2501 Quebec Drive Corpus Christi, TX 78414	14.80	15.02
Abel Serrata	2605 Terrace Street Corpus Christi, TX 78404	11.22	11.54
Susan Westbrook	4810 Waltham Drive Corpus Christi, TX 78411	12.90	13.17
Wanda Wilson	7622 Clearbrook Drive Corpus Christi, TX 78413	18.00	18.42

Only two of the 19 form-letter hearing requests identify an address that is within 10 miles of the nearest property boundary of the Terminal. The two form-letter requesters that give an address within 10 miles of the Terminal identify addresses that are 2.34 and 3.41 miles from the Terminal property line, and 3.77 and 3.81 miles from the flares affected by the Application. The form-letter requesters are located at distances that are farther from the Terminal than the Commission has considered to qualify as an affected person on minor NSR permit actions.

The requesters that filed form-letter hearing requests are not affected persons, and their requests raise generalized concerns that are common with the general public. The form-letter requests for contested case hearing should be denied.

V. Issues Identified in the Requesters' Comments and Requests for Hearing

The requesters in this matter have raised numerous issues in the comments and hearing requests filed during the first and second public comment periods, and during the public meeting on the Application. The issues are addressed in the Executive Director's RTC and none of the issues were withdrawn. The Commission will only refer an issue to SOAH if it was raised in a timely comment from an affected person whose hearing request is granted.³⁴ Because the requesters have failed to meet their affected person or affected association standing requirements established in the Texas Water Code and TCEQ rules, CCL urges the Commission to deny the requests for contested case hearing and not refer the Application to the State Office of Administrative Hearings ("SOAH"). However, in the event the Commission were to grant a hearing, CCLs' analysis of the issues and suggested appropriate length of hearing are set forth below.

If the Commission refers this matter to hearing, any issue referred to hearing should be limited to an analysis of the specific changes and minor NSR-level emissions increases that CCL seeks to authorize through the Application. CCL requests that the Commission clearly limit any SOAH issues to the emissions increases and emissions points affected by the Application.

A. Portland Citizens United and Sierra Club

If the Commission were to grant the hearing request filed by Portland Citizens United or the Sierra Club, the two associations raised the following relevant and disputed factual issues in their comment and hearing request letters:

- Whether the Application and Draft Permit adequately consider enhanced flare operating, design, and monitoring requirements.
- Whether the Application and Draft Permit overstate the flare's ability to control volatile organic compound emissions.

³⁴ 30 TEX. ADMIN. CODE § 50.115(c)(2).

While Portland Citizens United and Sierra Club include an additional list of “disputed issues of fact” in Section III of their public comment and hearing request letter, the letter itself does not dispute any of the issues identified. It simply recites, for example, “[w]hether the proposed emissions will threaten the health and safety of nearby residents” with no actual dispute or allegation that the proposed emissions will threaten the health and safety of nearby residents. For that reason, Portland Citizens United and Sierra Club’s laundry list of “disputed issues” should not be considered actual disputed questions of fact relating to the Application for purposes of Section 50.115(c) of the Commission’s rules.

Portland Citizens United and Sierra Club should not be allowed to preserve an issue for a contested case hearing with the non-specific “whether” statements that make up Section III of their comment and request letter. The hearing process should be a mechanism to resolve disputed issues that have been raised with specificity to the Executive Director. In this case, Portland Citizens United and Sierra Club had over 13 months (from May 13, 2021 to July 1, 2022) to dispute a factual issue relating to the Application outside of flare monitoring and performance, and they did not do so. Portland Citizens United and Sierra Club did not meaningfully participate in the public comment process outside of those two issues, and to allow their generic list of “whether” statements – which do not actually dispute any fact about the Application or draft permit – to serve as a basis for referral of an issue to SOAH under Section 50.115(c)(2) will encourage abuse of the contested case hearing process.

B. Uneeda Laitinen

If the Commission were to grant the contested case hearing request of Uneeda E. Laitinen, Uneeda Laitinen raised the following relevant and disputed factual issues in their comment and hearing request letter:

- Whether the emissions authorized by the Application will be protective of public health and property.
- Whether the flares that are the subject of the emissions increases in the Application represent best available control technology (“BACT”).
- Whether the Applicant’s compliance history merits the inclusion of additional permit requirements.

C. Blanca Parkinson

If the Commission were to grant the contested case hearing request of Blanca Parkinson, Blanca Parkinson raised the following relevant and disputed factual issue in their comment and hearing request letter:

- Whether the emissions authorized by the Application will be protective of public health and property.

Should the Commission decide to refer this matter to SOAH for a contested case hearing, the maximum duration of the hearing on the Application and draft permit should be no longer than six months after the first date of the preliminary hearing until the proposal for decision is issued.

VI. Conclusion and Prayer

The Texas air permitting program provides multiple opportunities for public participation in the permitting process, including minor NSR permit amendments, and the public has had ample opportunity to comment on the Application and draft permit through two public comment periods and a public meeting. The Commission has appropriately established a high bar in evaluating whether a member of the public has a right to a contested case hearing, given the extraordinary burdens placed on a permit applicant that must participate in a hearing prior to securing issuance of a permit. Contested case hearings are formal, resource-intensive legal proceedings that resemble a non-jury trial in district court. The SOAH hearing process can delay permit issuance by a year or more, at substantial expense to the permit applicant.

It is for these reasons that the personal justiciable interest that gives an individual or organization the right to a contested case hearing should be narrowly construed and tailored to the particular permit application in question. For projects like the Application that qualify as minor NSR authorizations, the right to hearing should be particularly narrow because few persons could be affected in a manner that is not common to the general public.

Corpus Christi Liquefaction, LLC respectfully requests that the Commission deny the hearing requests, adopt the Executive Director's Response to Public Comments, and issue Air Quality Permit Nos. 105710, PSDTX1306M1, and GHGPSDTX123M1.

Respectfully Submitted,



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ATTORNEYS FOR CORPUS CHRISTI
LIQUEFACTION, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of Corpus Christi Liquefaction, LLC's Response to Requests for Contested Case Hearing was electronically filed with the Texas Commission on Environmental Quality on October 30, 2023. I further certify that copy of the foregoing was sent to all persons on the attached mailing list either through U.S. mail or email. The attached mailing list includes all persons included on the mailing list distributed by the TCEQ Chief Clerk dated October 20, 2023 that are identified as having filed a request for contested case hearing in the TCEQ Commissioners' Integrated Database for this docket.



Whitney L. Swift

MAILING LIST
CORPUS CHRISTI LIQUEFACTION, LLC
DOCKET NO. 2023-0174-AIR
PERMIT NOS. 105710, GHGPSDTX123M1, AND PSDTX1301M1

For the Executive Director: Contessa Gay, Staff Attorney Texas Commission on Environmental Quality Environmental Law Division, MC-173 P.O. Box 13087 Austin, Texas 78711	For the Executive Director: David Lyndon Poole, Technical Staff Texas Commission on Environmental Quality Air Permits Division, MC-220 P.O. Box 13087 Austin, Texas 78711
For the Executive Director: Ryan Vise, Deputy Director Texas Commission on Environmental Quality External Relations Division Public Education Program, MC-108 P.O. Box 13087 Austin, Texas 78711	For Public Interest Counsel: Garrett T. Arthur, Attorney Texas Commission on Environmental Quality Public Interest Counsel, MC-103 P.O. Box 13087 Austin, Texas 78711
For Alternative Dispute Resolution: Kyle Lucas Texas Commission on Environmental Quality Alternative Dispute Resolution, MC-222 P.O. Box 13087 Austin, Texas 78711	For the Chief Clerk: Docket Clerk Texas Commission on Environmental Quality Office of Chief Clerk, MC-105 P.O. Box 13087 Austin, Texas 78711
AVERILL, LISA 6142 BROCKHAMPTON ST CORPUS CHRISTI TX 78414-3636	BAKER, ALVIN 124 WALKER AVE PORTLAND TX 78374-2129
CANALES, EDUARDO 7021 BEVINGTON DR CORPUS CHRISTI TX 78413-5318	CARRILLO, TERESA A 730 HARRISON ST CORPUS CHRISTI TX 78404-2706
COX, COLIN ENVIRONMENTAL INTEGRITY PROJECT 1206 SAN ANTONIO STREET AUSTIN, TEXAS 78701-1834	DIXON, ANNIE 336 13 TH ST PORT ARTHUR TX 77640-4143
FUERTEZ, JEAN 7125 SOUTHAVERN DR CORPUS CHRISTI TX 78412-4133	GRAY, PENNY 6318 NANCY ST CORPUS CHRISTI TX 78412-3628
GUION, DON 298 RETREAT DRIVE TAFT, TX 78390	GUNN, BILLY 1034 CONCHO ST CORPUS CHRISTI TX 78407-1122

LAITINEN, MRS UNEEDA E 102 MARKHAM PL PORTLAND, TX 78374-1418	KRAUSKOPF, KYLE 243 W ROBERTS AVE PORT ARANSAS, TX 78373-4000
KRAUSKOPF, MARIA 243 W ROBERTS AVE PORT ARANSAS, TX 78373-4000	MAGEE III, DEWEY 4252 KESTREL LN PORTLAND TX 78374-3315
MARTINEZ, JUSTIN 1002 ANDERSON ST CORPUS CHRISTI TX 78411-2408	PARKINSON, BLANCA 10801 SILVERTON DR CORPUS CHRISTI, TX 78410-2233
PICHINSON, JENIFER 5857 TIMBERGATE DR CORPUS CHRISTI, TX 78414-4237	ROUTE, GLORIA 2120 ANGELINA ST BEAUMONT, TX 77701-2511
SANCHEZ, ESQUEL 2501 QUEBEC DR CORPUS CHRISTI, TX 78414-3201	SERRATA, ABEL 2605 TERRACE ST CORPUS CHRISTI TX 78404-3952
WESTBROOK, SUSAN 4810 WALTHAM DR CORPUS CHRISTI TX 78411-2734	WILSON, WANDA 7622 CLEARBROOK DR CORPUS CHRISTI TX 78413-5606

Attachment A – Affidavit of Joseph M. Kupper, P.E.

TCEQ DOCKET NO. 2023-1474-AIR

APPLICATION BY CORPUS	§	BEFORE THE TEXAS COMMISSION
CHRISTI LIQUEFACTION, LLC FOR	§	
AMENDMENT OF AIR QUALITY	§	ON
PERMIT NOS. 105710, PSDTX1306M1,	§	
AND GHGPSDTX123M1	§	ENVIRONMENTAL QUALITY

AFFIDAVIT OF JOSEPH M. KUPPER, P.E.

STATE OF TEXAS §
COUNTY OF TRAVIS §

Before me, the undersigned Notary Public in and for the State of Texas, on this day personally appeared Joseph M. Kupper, the affiant, whose identity is known to me. After I administered an oath, affiant testified as follows:

1. My name is Joseph M. Kupper. I am over 18 years of age, of sound mind, and fully competent to make this affidavit. The facts within this affidavit are within my personal knowledge and are true and correct.
2. I am a Principal Consultant with Trinity Consultants. My experience includes more than 33 years of work in the field of air quality, including experience with air permitting, air quality evaluations, air dispersion modeling, and regulatory compliance support.
3. I have prepared this Affidavit in support of Applicant Corpus Christi Liquefaction, LLC's Response to Requests for Contested Case Hearing in the docket identified above. The application requests a minor new source review ("NSR") amendment to the air permit that authorizes the liquefied natural gas ("LNG") trains and associated equipment that make up Stage I and Stage II of Corpus Christi Liquefaction, LLC's LNG Terminal (the "Terminal") located in Gregory, Texas (the "Application").
4. The Application and pending minor NSR amendment seek to authorize additional emissions from the Terminal's flares to account for the as-built observation of higher vent gas rates than originally quantified for the current permit and more accurate stream composition data, as well as flaring that takes place with the upstream Sinton Compressor Station must undergo required regulatory emergency shutdown testing. In addition, the amendment would authorize emissions associated with a new operating scenario that would allow two LNG carriers to vent to the Terminal's marine flare at the same time; the Terminal's air permit currently allows only one carrier to be vented at a time.

5. The amendment would authorize the following emissions increases at the LNG terminal:

Pollutant	PSD Significant Emission Rate	Emissions Increase Authorized by this Amendment
NO _x	40 tons per year ("tpy")	4.4 tpy
CO	100 tpy	95.4 tpy
VOC	40 tpy	11.5 tpy
PM	25 tpy	0.0
PM ₁₀	15 tpy	0.0
PM _{2.5}	10 tpy	0.0
SO ₂	40 tpy	0.08 tpy
H ₂ S	10 tpy	-0.01 tpy

Because the emissions increases to be authorized by the Application fall below the Prevention of Significant Deterioration ("PSD") significant emission rate for all PSD pollutants, it qualifies as a minor NSR amendment.

6. Under my supervision and direction, Trinity conducted an air dispersion modeling analysis for the Application. That air dispersion modeling analysis, for which AERMOD (Version 21112) was used, predicted off-property ground-level concentrations of each regulated pollutant that will be emitted by the Terminal for each relevant averaging period, if the Application is approved. The results of the modeling analysis are summarized in the TCEQ Air Dispersion Modeling Team's Air Quality Analysis that is dated February 1, 2022, and is attached as Exhibit 1. The modeling was conducted in accordance with standard and accepted modeling protocols, and was accepted by the TCEQ Air Dispersion Modeling Team, as explained in the Air Quality Analysis Audit.
7. Trinity conducted as part of the modeling a National Ambient Air Quality Standard ("NAAQS") evaluation of each pollutant to which the NAAQS applies. As indicated in Table 1 of the Air Quality Analysis Audit, the maximum predicted ground-level concentration ("GLC_{max}") at an off-property location for every NAAQS pollutant and averaging period (other than 1-hour and annual NO₂) fell below the *de minimis* level, so no further analysis was required or needed for those pollutant and averaging times. For the NAAQS pollutants for which the GLC_{max} was above the NAAQS *de minimis* level (1-hour and annual NO₂), an additional evaluation was required. As indicated in Table 4 of the Air Quality Analysis Audit, the GLC_{max} for each pollutant for which a full NAAQS evaluation was required (incorporating the emissions from this project, all authorized NO_x emissions at the Terminal, and emissions from off-property sources) fell below the applicable NAAQS.

8. As described in the Air Quality Analysis Audit, the application also included a demonstration that the emissions increases requested in the Application would not cause or contribute to an exceedance of the federal ozone NAAQS. Potential ozone impacts from the ozone precursor emissions NO_x and VOC from the Terminal (including the emissions increases to be authorized by this Application) were determined using the EPA-approved Modeled Emission Rates for Precursors (“MERP”) in an analysis that also took into account monitored background concentrations and the ozone precursor emissions from other recently authorized off-site sources. The Terminal was predicted to have an impact that is a small fraction of the 70 parts per billion (“ppb”) ozone standard, and the cumulative assessment demonstrated compliance with the ozone NAAQS taking into account the monitored background and off-site sources of emissions.
9. Trinity also conducted a State Property Line modeling analysis for SO₂, as indicated in Table 7 of the Air Quality Analysis Audit. (No State Property Line analysis for H₂S was performed for this amendment application because this project will decrease the authorized emissions of H₂S.) Because the predicted GLC_{max} for SO₂ falls well below the applicable State Property Line standards *de minimis* threshold for SO₂, the model demonstrates compliance and no further evaluation is required.
10. Trinity also conducted a State Health Effects Evaluation, as indicated in Table 9 of the Air Quality Analysis Audit. Consistent with the TCEQ Air Permits Division’s Modeling and Effects Review Applicability (“MERA”) guidance, all but three pollutants subject to the State Health Effects Evaluation screened out of the review, due to either low short-term emissions rates or modeled project impacts that fell below 10 percent of the applicable Effects Screening Level (“ESL”). Full site-wide modeling was conducted to determine the predicted off-property GLC_{max} for the three air contaminants that did not screen out of the evaluation: N-methyldiethanolamine, benzene, and ethylene. As shown in Table 9 of the Air Quality Analysis Audit, the maximum predicted off-property impacts of all three contaminants fall well below the applicable ESL.
11. The emissions increases that CCL seeks to authorize through this minor NSR amendment account for only a small percentage of the emissions that were evaluated in the full site-wide modeling analyses. I prepared the following table to help illustrate that the pending Application before the TCEQ seeks to authorize emissions that represent only a small fraction of the short-term and annual routine and maintenance, startup, and shutdown (“MSS”) emissions already authorized in the NSR permits for CCL Stages I and II:

Pollutant	Hourly Emissions – Application as Percentage of All Emissions Currently Authorized by the Permit	Annual Emissions – Application as Percentage of All Emissions Currently Authorized by the Permit
NO _x	10.3%	0.1%
CO	7.5%	2.6%
VOC	6.4%	3.3%
PM	0.0%	0.0%

PM ₁₀	0.0%	0.0%
PM _{2.5}	0.0%	0.0%
SO ₂	0.0%	0.2%
H ₂ S	-4.3%	0.0%

12. For purposes of this Affidavit, Trinity measured the distances from the addresses identified by the hearing requestors in this matter to both (1) the nearest property line of the Terminal and (2) the nearest flare that is affected by this permit amendment. A list of the names and addresses is included as Exhibit 2 and maps illustrating the hearing requestor locations and the property boundary of the Terminal (excluding those requestors who reside more than 100 miles away) are included as Exhibits 3 and 4. I have over two decades of experience preparing similar mapping and measuring distances in connection with TCEQ air permit applications. A Geographic Information Systems (“GIS”) program was used under my direct supervision and oversight to identify (1) the location of the property line of the Terminal; (2) the location of the flares that are affected by the pending application, and (3) the addresses identified by the requestors.
13. The results of that mapping exercise are included in Exhibit 2. No requestor identified an address that is less than 1.2 miles from the nearest property line of the Terminal. No requestor identified an address that is within 2.0 miles of the nearest flare that is affected by the pending application. (There are no other emissions points at the Terminal that are affected by the pending application.)
14. There is nowhere outside the Terminal property line where the modeling predicts concentrations above any state or federal air quality standard, or above one of the TCEQ’s ESLs, using the emissions currently authorized for the Terminal and the additional emissions that CCL seeks to authorize through the pending Application.
15. The modeling demonstrates compliance with all state and federal air quality standards at the Terminal property line. The nearest requestor resides 1.2 miles from the nearest Terminal property line, and 2.04 miles from the nearest flare that is affected by the Application. The dispersion model’s highest predicted impacts typically occur at or very near the property line. Based on the effects of dispersion over the distance between the Terminal property line and the addresses identified by the requestors, I would expect the model to predict even lower impacts at any of the addresses identified by the requestors. I confirmed this expectation by reviewing the model output files to identify the model’s predicted impacts at the receptors located nearest the addresses identified by the requestors; for all model receptor points in areas near an address identified by a requestor, the model predicts concentrations that fall below the maximum off-property concentrations predicted by the model – and thus below all applicable ESLs and state and federal ambient air quality standards.

Further affiant sayeth not.

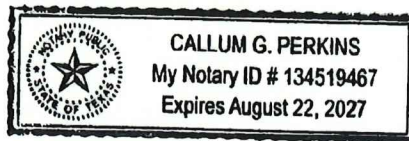


Joe M. Kupper, P.E.
Trinity Consultants

Sworn and subscribed before me by Joe Kupper on this 27th day of October, 2023.



Notary Public in and For the State of Texas



**Attachment A – Affidavit of Joseph M. Kupper, P.E. –
Exhibit 1**

TCEQ Interoffice Memorandum

To: Lyndon Poole, P.E.
Energy Section

Thru: Chad Dumas, Team Leader
Air Dispersion Modeling Team (ADMT)

From: Sara Hill and Philip Leung
ADMT

Date: February 1, 2022

Subject: **Air Quality Analysis Audit – Corpus Christi Liquefaction, LLC (RN104104716)**

1. Project Identification Information

Permit Application Number: 105710
NSR Project Number: 327940
ADMT Project Number: 7625
County: San Patricio
Published Map: <\\tceq4avmgisdata\GISWRK\APD\MODEL PROJECTS\7625\7625.pdf>

Air Quality Analysis: Submitted by DiSorbo Consulting, LLC, October 2021, on behalf of Corpus Christi Liquefaction, LLC. Additional information was provided November and December 2021, and January 2022.

2. Report Summary

The air quality analysis (AQA), as supplemented by the ADMT, is acceptable for all review types and pollutants. The results are summarized below.

A. De Minimis Analysis

A De Minimis analysis was initially conducted to determine if a full impacts analysis would be required. The De Minimis analysis modeling results indicate that 1-hr and annual NO₂ exceed the respective de minimis concentrations and require a full impacts analysis. The De Minimis analysis modeling results for all averaging times of SO₂ and CO indicate that the project is below the respective de minimis concentrations and no further analysis is required.

The justification for selecting the EPA's interim 1-hr NO₂ and 1-hr SO₂ De Minimis levels is based on the assumptions underlying EPA's development of the 1-hr NO₂ and 1-hr SO₂ De Minimis levels. As explained in EPA guidance memoranda^{1,2}, the EPA believes it is reasonable as an interim approach to use a De Minimis level that represents 4% of the 1-hr NO₂ and 1-hr SO₂ NAAQS.

The ozone De Minimis level is the EPA recommended De Minimis level. The use of the EPA recommended De Minimis level is sufficient to conclude that a proposed source will not cause or contribute to a violation of an ozone NAAQS based on the analyses documented in EPA guidance and policy memoranda³.

**Table 1. Modeling Results for PSD De Minimis Analysis
in Micrograms Per Cubic Meter (µg/m³)**

¹ www.epa.gov/sites/production/files/2015-07/documents/appwso2.pdf

² www.tceq.texas.gov/assets/public/permitting/air/memos/guidance_1hr_no2naaqs.pdf

³ www.tceq.texas.gov/permitting/air/modeling/epa-mod-guidance.html

TCEQ Interoffice Memorandum

Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	De Minimis ($\mu\text{g}/\text{m}^3$)
SO ₂	1-hr	4	7.8
SO ₂	3-hr	3	25
SO ₂	24-hr	2	5
SO ₂	Annual	0.4	1
NO ₂	1-hr	80	7.5
NO ₂	Annual	8	1
CO	1-hr	339	2000
CO	8-hr	123	500

The GLCmax for 1-hr NO₂ is based on the highest five-year average of the maximum predicted concentrations determined for each receptor.

The GLCmax reported in the AQA for 1-hr SO₂ represents the maximum predicted concentration over five years of meteorological data rather than the highest five-year average of the maximum predicted concentrations determined for each receptor. The ADMT determined overall conclusions do not change since the difference between the two GLCmax are less than 0.3 $\mu\text{g}/\text{m}^3$.

The applicant did not provide an annual SO₂ analysis to determine if an annual Full Increment analysis is needed. The ADMT supplemented the annual SO₂ results in Table 1 above by multiplying the 1-hr maximum predicted concentration by 0.1.

The GLCmax for all other pollutants and averaging times represent the maximum predicted concentrations over five years of meteorological data.

Intermittent guidance was relied on for the 1-hr NO₂ PSD De Minimis analysis.

**Table 2. Modeling Results for Ozone PSD De Minimis Analysis
in Parts per Billion (ppb)**

Pollutant	Averaging Time	GLCmax (ppb)	De Minimis (ppb)
O ₃	8-hr	3	1

The applicant performed an O₃ analysis as part of the PSD AQA. The applicant evaluated project emissions of O₃ precursor emissions (NO_x and VOC). For the project NO_x and VOC emissions, the applicant provided an analysis based on a Tier 1 demonstration approach consistent with the EPA's Guideline on Air Quality Models (GAQM). Specifically, the applicant used a Tier 1 demonstration tool developed by the EPA referred to as Modeled Emission Rates for Precursors (MERPs). The basic idea behind the MERPs is to use technically credible air quality modeling to relate precursor emissions and peak secondary pollutants impacts from a source. Using data associated with the 3000 tpy and 500 tpy (NO_x and VOC, respectively) Harris County source, the applicant estimated an 8-hr O₃

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concentration of 3 ppb. When the estimates of ozone concentrations from the project emissions are added together, the results are greater than the De Minimis level.

The applicant reported two different project NO_x emissions totals in the AQA. The ADMT confirmed that the appropriate project NO_x emissions total was used in the calculations.

B. Air Quality Monitoring

The De Minimis analysis modeling results indicate that 24-hr SO₂, annual NO₂, and 8-hr CO are below their respective monitoring significance level.

Table 3. Modeling Results for PSD Monitoring Significance Levels

Pollutant	Averaging Time	GLCmax (µg/m ³)	Significance (µg/m ³)
SO ₂	24-hr	2	13
NO ₂	Annual	8	14
CO	8-hr	123	575

The GLCmax represent the maximum predicted concentrations over five years of meteorological data.

Since the project has a net emissions increase of 100 tons per year (tpy) or more of volatile organic compounds or nitrogen oxides, the applicant evaluated ambient O₃ monitoring data to satisfy requirements in 40 CFR 52.21 (i)(5)(i)(f).

A background concentration for O₃ was obtained from the EPA AIRS monitor 483550025 located at 902 Airport Blvd, Corpus Christi, Nueces County. A three-year average (2018-2020) of the annual fourth highest daily maximum 8-hr concentrations was used in the analysis (61 ppb). The use of the monitor is reasonable based on the applicant's analysis of the surrounding land use and a quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site. The applicant also reviewed EPA AIRS monitor 483550026; however, the background concentration from EPA AIRS monitor 483550025 was more conservative. The background concentration was also used as part of the NAAQS analysis.

C. National Ambient Air Quality Standard (NAAQS) Analysis

The De Minimis analysis modeling results indicate that 1-hr and annual NO₂ and 8-hr O₃ exceed the respective de minimis concentration and require a full impacts analysis. The full NAAQS modeling results indicate the total predicted concentrations will not result in an exceedance of the NAAQS.

Table 4. Total Concentrations for PSD NAAQS (Concentrations > De Minimis)

Pollutant	Averaging Time	GLCmax (µg/m ³)	Background (µg/m ³)	Total Conc. = [Background + GLCmax] (µg/m ³)	Standard (µg/m ³)
NO ₂	1-hr	142	35	177	188
NO ₂	Annual	22	4	26	100

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The 1-hr NO₂ GLCmax is the highest five-year average of the 98th percentile of the annual distribution of predicted daily maximum 1-hr concentrations determined for each receptor.

The annual NO₂ GLCmax is the maximum predicted concentration over five years of meteorological data.

Background concentrations for NO₂ were obtained from the EPA AIRS monitor 480391016 located at 109B Brazoria Hwy 332 West, Lake Jackson, Brazoria County. The three-year average (2016-2018) of the 98th percentile of the annual distribution of the maximum daily 1-hr concentrations was used for the 1-hr NO₂ value. The annual concentration from 2020 was used for the annual NO₂ value. The applicant did not evaluate the most recent available monitoring data for 1-hr NO₂; however, the applicant's use of an older dataset yields more conservative results. The use of this monitor is reasonable based on the applicant's quantitative review of emissions sources in the surrounding area of the monitor site relative to the project site.

Table 5. Total Ozone Concentrations for PSD NAAQS (Concentrations > De Minimis)

Pollutant	Averaging Time	GLCmax (ppb)	Background (ppb)	Total Conc. = [Background + GLCmax] (ppb)	Standard (ppb)
O ₃	8-hr	5	61	66	70

The applicant performed an O₃ analysis as part of the PSD AQA. The applicant evaluated project sources and sources within 10 kilometers (km) of the project site authorized within the last two years with significant increases of O₃ precursor emissions (NO_x and VOC). For the NO_x and VOC emissions, the applicant provided an analysis based on a Tier 1 demonstration approach consistent with the EPA's GAQM. Specifically, the applicant used a Tier 1 demonstration tool developed by the EPA referred to as MERPs. Using data associated with the 3000 tpy and 500 tpy (NO_x and VOC, respectively) Harris County source, the applicant estimated an 8-hr O₃ concentration of 5 ppb. When the estimates of ozone concentrations from the project emissions are added to the background concentration listed in the table above, the results are less than the NAAQS.

For the estimated 8-hr O₃ concentration, the applicant did not provide justification for using data associated with the 3000 tpy and 90 feet stack height Harris County source for the NO_x MERP and 500 tpy and 10 feet stack height Harris County source for the VOC MERP for all off-property sources that were considered in the estimated 8-hr O₃ concentration. The ADMT conducted a test calculation using the worst-case MERP values for Harris County, and determined that overall conclusions do not change.

D. Increment Analysis

The De Minimis analysis modeling results indicate that annual NO₂ exceeds the respective de minimis concentration and requires a PSD increment analysis.

Table 6. Results for PSD Increment Analysis

Pollutant	Averaging Time	GLCmax (µg/m ³)	Increment (µg/m ³)
NO ₂	Annual	22	25

The GLCmax for annual NO₂ represents the maximum predicted concentration over five years of meteorological data.

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E. Additional Impacts Analysis

The applicant performed an Additional Impacts Analysis as part of the PSD AQA. The applicant conducted a growth analysis and determined that population will not significantly increase as a result of the proposed project. The applicant conducted a soils and vegetation analysis and determined that all evaluated criteria pollutant concentrations are below their respective secondary NAAQS. The applicant meets the Class II visibility analysis requirement by complying with the opacity requirements of 30 TAC Chapter 111. The Additional Impacts Analyses are reasonable and possible adverse impacts from this project are not expected.

The ADMT evaluated predicted concentrations from the proposed project to determine if emissions could adversely affect a Class I area. The nearest Class I area, Big Bend National Park, is located approximately 565 km from the proposed site.

The predicted concentrations of 1-hr NO₂ and 1-hr SO₂ are greater than de minimis levels at a distance of 50 km from the proposed sources in the direction of the Big Bend National Park Class I area. The Big Bend National Park Class I area is an additional 515 km from the location where the predicted concentrations of 1-hr NO₂ and 1-hr SO₂ are greater than de minimis. Based on the predicted concentration gradients, NO₂ and SO₂ emissions from the proposed project are not expected to adversely affect the Big Bend National Park Class I area.

F. Minor Source NSR and Air Toxics Analysis

Table 7. Project-Related Modeling Results for State Property Line

Pollutant	Averaging Time	GLCmax (µg/m ³)	De Minimis (µg/m ³)
SO ₂	1-hr	4	20.42

The GLCmax reported in the AQA for 1-hr SO₂ is the highest five-year average of the maximum predicted concentrations determined for each receptor rather than the maximum predicted concentration over five years of meteorological data. The ADMT determined overall conclusions do not change since the difference between the two GLCmax are less than 0.3 µg/m³.

Table 8. Generic Modeling Results

Source ID	1-hr GLCmax (µg/m ³ per lb/hr)	Annual GLCmax (µg/m ³ per tpy)
WTDYFLR1	0.03	< 0.01
WTDYFLR2	0.03	< 0.01
FUG	20.44	0.05
FLRM1	0.01	< 0.01
FLRM2	0.01	< 0.01
IFRTK1	23.60	0.06

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TRKLD	40.53	0.07
TRKVCU	4.85	0.01
WWTK1	42.66	0.10
WWLD	46.97	0.10
TO1	2.59	0.02
TO2	1.04	0.01
TO3	0.75	<0.01
TRKMSS	42.32	0.09
MRNFLR	0.02	< 0.01
AMNSRG1	54.97	0.14
AMNSRG2	33.71	0.06
AMNSRG3	57.58	0.08
TK1902	58.44	0.11
SCAVLD	46.97	0.10

The UIMs used for model IDs TRKMSS and MRNFLR in the MERA calculations are greater than the model outputs reported above. This is conservative.

Table 9. Minor NSR Site-wide Modeling Results for Health Effects

Pollutant	CAS#	Averaging Time	GLCmax (µg/m ³)	GLCmax Location	ESL (µg/m ³)
N-methyldiethanolamine	105-59-9	1-hr	52	Eastern Property Line	96
benzene	71-43-2	1-hr	61	Western Property Line	170
ethylene	74-85-1	1-hr	137	Eastern Property Line	1400

The GLCmax location is listed in Table 9 above.

The site-wide 1-hr GLCmax for N-methyldiethanolamine (ADEA) was inadvertently reported under annual monoethanolamine on the Health Effect Modeling Results sheet of the EMEW. The results from the modeling output are reported in Table 9 above.

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3. Model Used and Modeling Techniques

AERMOD (Version 21112) was used in a refined screening mode.

For the MERA Step 3 health effects analysis, unitized emission rates of 1 lb/hr and 1 tpy were used to predict a generic short-term and long-term impact for each source, respectively. The generic impact was multiplied by the proposed pollutant specific emission rates to calculate a maximum predicted concentration for each source. The maximum predicted concentration for each source was summed to get a total predicted concentration for each pollutant. Health effect pollutants that went on to site-wide modeling were evaluated with pollutant specific modeling.

According to the applicant, EPN AMNTK1 will not operate simultaneously with EPNs AMNSRG1-3. Additionally, the applicant stated that evaluating EPNs AMNSRG1-3 is more conservative than evaluating EPN AMNTK1. However, the applicant did not provide sufficient justification for this statement. The ADMT conducted a test modeling run and determined that evaluating EPNs AMNSRG1-3 is more conservative than evaluating EPN AMNTK1.

For the short term NO₂ analysis, a unitized emission rate of 1 lb/hr was used to predict a generic short-term impact for model IDs WTDFLR1 and WTDFLR2. The worst-case flare associated with the highest unit impact was used to evaluate the full routine emission cap.

For the NO₂ analyses, according to the applicant, the flare MSS emissions (model IDs FLRM1 and FLRM2) can occur at the location of either flare (model IDs WTDYFLR1 or WTDYFLR2). A unitized emission rate of 1 lb/hr was used to predict a generic short-term impact for each flare. However, the location of the worst-case flare (model ID WTDYFLR2) associated with the highest unit impact was not used in the model. The ADMT determined that overall conclusions would not change since the difference in the unit impacts at the location of model IDs WTDYFLR1 and WTDYFLR2 is approximately 0.00001 µg/m³ per lb/hr.

The applicant conducted the 1-hr and annual NO₂ NAAQS analyses using the ARM2 model option following EPA guidance.

A. Land Use

User-defined surface characteristics of albedo, Bowen ratio, and surface roughness were calculated with AERSURFACE using a one km radius from an adjacent site discussed below. The calculated surface characteristic values were used as input for the AERMET meteorological processor.

The applicant centered the AERSURFACE analysis approximately 1 km east of the project sources due to outdated NLCD land cover data that contains undeveloped land where the project site is located. A representative center location was chosen where there is an existing facility characterized as industrial land use.

For the AERSURFACE analysis, the applicant determined the surface moisture by reviewing the past 34 years of rainfall records, rather than 30 years of rainfall records. This will not significantly affect overall results.

Elevated terrain was used in the modeling analysis. This selection is consistent with the topographic map, DEMs, and aerial photography.

B. Meteorological Data

The applicant prepared meteorological data files for the 2016-2020 calendar years. Raw surface and upper air meteorological data were processed using AERMET (Version 21112).

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Surface Station and ID: Corpus Christi, TX (Station #: 12924)
Upper Air Station and ID: Corpus Christi, TX (Station #: 12924)
Meteorological Dataset: 2020 for health effects analyses; 2016-2020 for
all other analyses
Profile Base Elevation: 13.4 meters

C. Receptor Grid

The grid modeled was sufficient in density and spatial coverage to capture representative maximum ground-level concentrations.

The site-wide health effect analyses used a receptor grid with denser coverage around the northern portion of the site. This is acceptable.

A few receptors have elevation discrepancies; however, given the locations of the GLCmax, this is not expected to affect overall results.

D. Building Wake Effects (Downwash)

Input data to Building Profile Input Program Prime (Version 04274) are consistent with the aerial photography, plot plan, and modeling report.

4. Modeling Emissions Inventory

Except as noted below, the modeled emission point and volume source parameters and rates were consistent with the modeling report. The source characterizations used to represent the sources were appropriate.

Model IDs MSTO1-7 have inconsistent reported parameters between the EMEW and the supplemental AQA. However, the more conservative parameters were modeled.

The computation of the effective stack diameters for the flares is consistent with TCEQ modeling guidance.

The ADMT could not confirm several modeled off-property source parameters and emissions rates for the 1-hr and annual NO₂ NAAQS analyses. The ADMT determined that overall conclusions would not change given the locations of the 1-hr and annual NO₂ NAAQS GLCmax.

For the annual benzene analysis at Step 3 of the MERA analysis, the applicant evaluated site-wide emission rates for EPNs TO-(1-3). This is conservative.

For the 1-hr NO₂ de Minimis and NAAQS analyses, emissions from the emergency generators (EPNs SGEN1-4), emergency fire water pump engines (EPNs FWPUMP1-2, MSFWP1-2), diesel generators (EPNs MSGEN1-8), and wet/dry gas flare propane depressuring MSS (EPN FLRM1) were modeled with an annual average emission rate, consistent with EPA guidance for evaluating intermittent emissions. Emissions from the emergency generators, emergency fire water pump engines, and diesel generators were represented to occur for no more than 100 hours per year, each. Emissions from the wet/dry gas flare propane depressuring MSS were represented to occur for no more than 56 hours per year.

With the exceptions noted above, maximum allowable hourly emission rates were used for the short-term averaging time analyses, and annual average emission rates were used for the annual averaging time analyses.

**Attachment A – Affidavit of Joseph M. Kupper, P.E. –
Exhibit 2**

Hearing Requestor Location Information

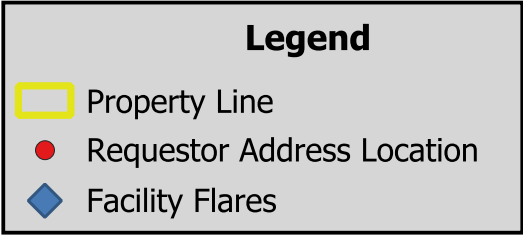
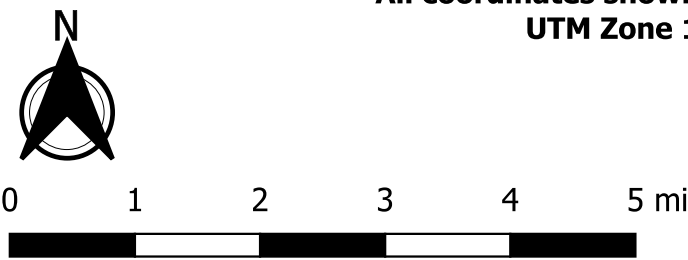
Map Reference	Name	Address	UTM Zone	UTM East (m)	UTM North (m)	Distance to Nearest Flare (Miles)	Distance to Nearest Point on Property Line (Miles)
EIP-1	Encarnacion Serna	105 Lost Creek Drive Portland, TX 78374	14	666,735	3,084,551	2.25	1.93
EIP-2	Donna and James Rosson	1110 Cupertino Street Portland, TX 78374	14	667,073	3,087,147	2.14	1.38
EIP-3	Wendy Hughes	2129 Bay Breeze Drive Portland, TX 78374	14	667,335	3,087,322	2.04	1.20
EIP-4	Uneeda Laitinen	102 Markham Place Portland, TX 78374	14	666,330	3,084,447	2.51	2.19
A-1a	Lisa Averill	6142 Brockhampton Street Corpus Christi, TX 78414	14	660,020	3,062,101	15.82	15.57
A-1b		4833 Saratoga Boulevard Corpus Christi, TX 78413	14	658,025	3,064,102	15.27	15.00
A-2	Alvin Baker	124 Walker Avenue Portland, TX 78374	14	664,068	3,085,846	3.81	3.41
A-3	Eduardo (Eddie) Canales	7021 Bevington Drive, Corpus Christi, TX 78413	14	658,038	3,061,528	16.67	16.41
A-4	Teresa Carillo	730 Harrison Street Corpus Christi, TX 78404	14	657,834	3,071,675	11.51	11.20
A-5	Annie Dixon	336 13th Street Port Arthur, TX 77640	14	408,770	3,305,503	212.29	210.34
A-6	Jean Fuertez	7125 Southhaven Drive Corpus Christi, TX 78412	15	663,538	3,064,523	13.63	13.41
A-7	Penny Gray	6318 Nancy Street Corpus Christi, TX 78412	14	662,408	3,065,844	13.10	12.86
A-8	Don Guion	298 Retreat Drive Taft, TX 78390	14	681,338	3,101,353	11.93	10.36
A-9	Billy Gunn	1034 Concho Street Corpus Christi, TX 78407	14	650,367	3,076,732	13.48	13.15
A-10	Kyle and Maria Krauskopf	243 West Roberts Avenue Port Aransas, TX 78373	14	690,627	3,080,398	13.04	12.05
A-11	Dewey Magee	4252 Kestrel Lane Portland, TX 78374	14	665,064	3,088,932	3.77	2.34
A-12	Justin Martinez	1002 Anderson Street Corpus Christi, TX 78411	14	658,630	3,070,065	11.96	11.67
A-13	Jennifer Pichinson	5857 Timbergate Drive Corpus Christi, TX 78414	14	659,360	3,062,285	15.88	15.63
A-14	Gloria Route	2120 Angelina Street Beaumont, TX 77701	15	392,354	3,328,191	229.22	227.25
A-15	Esquel Sanchez	2501 Quebec Drive Corpus Christi, TX 78414	14	662,945	3,062,371	15.02	14.80
A-16	Abel Serrata	2605 Terrace Street Corpus Christi, TX 78404	14	656,677	3,072,745	11.54	11.22
A-17	Susan Westbrook	4810 Waltham Drive Corpus Christi, TX 78411	14	659,801	3,066,973	13.17	12.90
A-18	Wanda Wilson	7622 Clearbrook Drive Corpus Christi, TX 78413	14	640,889	3,081,276	18.42	18.00
I-1	Blanca Parkinson	10801 Silverton Drive Corpus Christi, TX 78410	14	640,302	3,081,686	18.75	18.29

**Attachment A – Affidavit of Joseph M. Kupper, P.E. –
Exhibit 3**

Hearing Requestor Locations Within 5 miles

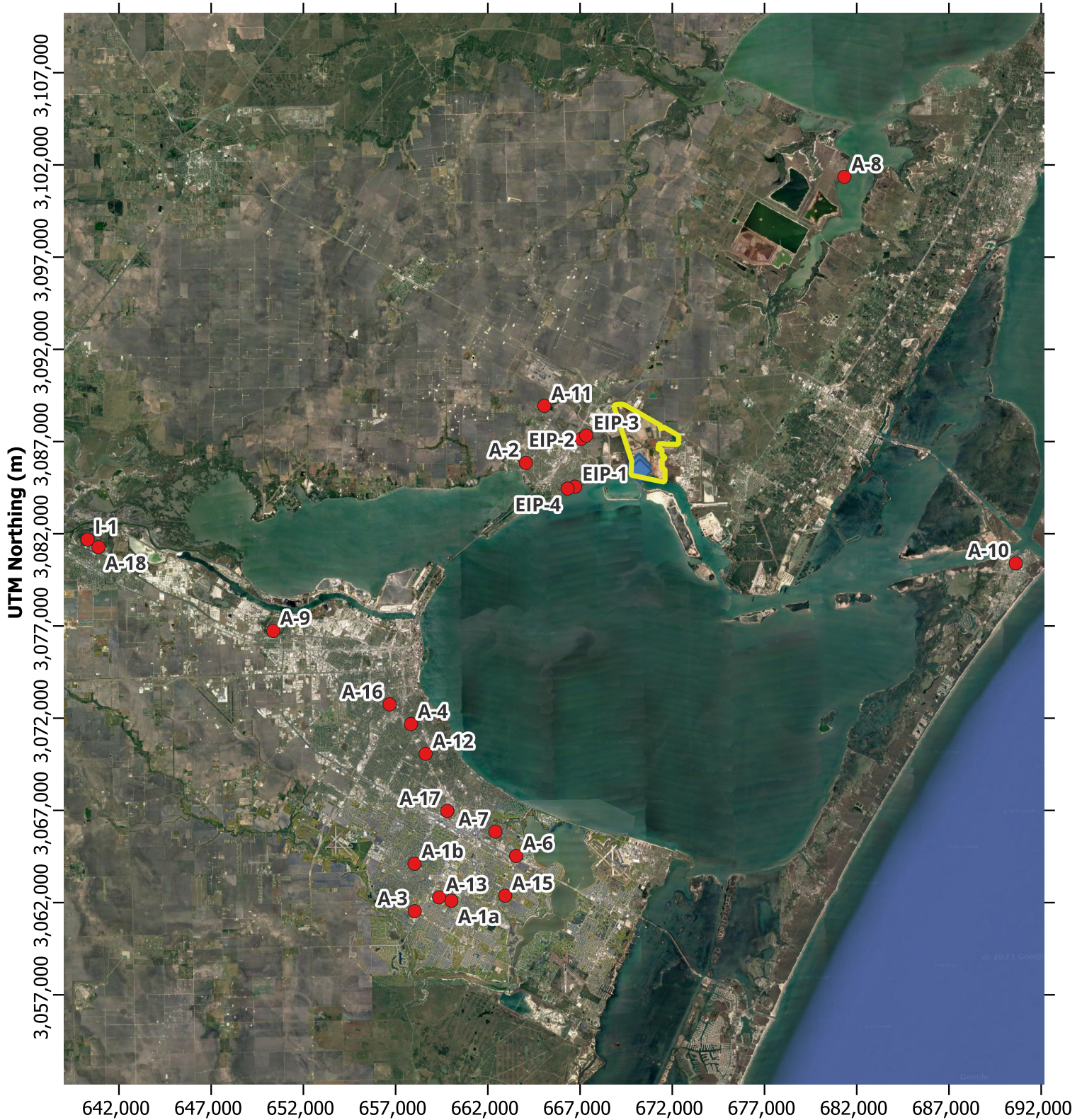


All coordinates shown in UTM Coordinates,
UTM Zone 14, NAD 83



**Attachment A – Affidavit of Joseph M. Kupper, P.E. –
Exhibit 4**

Hearing Requestor Locations in Local Area






UTM Easting (m)
All coordinates shown in UTM Coordinates,
UTM Zone 14, NAD 83



0 4 8 12 16 20 mi



Legend

-  Property Line
-  Requestor Address Location
-  Facility Flares