

What is Petroleum Coke?

Petroleum coke (pet coke), is the residue left over when crude oil is refined, and is similar to coal. This product can be burned like coal and pollutes like it. This is what the Las Brisas Energy Center (LBEC) plant wants to burn in Corpus Christi.



Why should I be worried about the proposed Las Brisas pet coke plant?

You should be concerned about the health, economic, and environmental consequences of the pollution. The draft permit issued by the Texas Commission on Environmental Quality (TCEQ) shows Las Brisas would become the largest polluter in Nueces County, causing an 82% increase in industrial pollution. This pollution threatens our health and ecosystems, but could also push us into nonattainment, or failure to meet the federal standards for air quality. Then, our area would lose federal funds for road construction and block grants. Emissions inspections would be mandated for every vehicle, along with vapor recovery systems and fuel additives that increase the price of fuel. Our industries would be required to cut back on their emissions and new ones may not want or be able to locate here.

What type of pollution are we talking about?

The permit application on file with TCEQ states that the Las Brisas power plant, as now proposed, will produce the following each year:

- 216 pounds of mercury
- 100 pounds of lead
- 8,096 tons of sulfur dioxide

- 10.4 million tons of carbon dioxide
- 1,767 tons of particulate matter

The LBEC power plant will increase industrial criteria emissions* in Nueces County to 51,484 tons annually, which is a 70% increase over 2006. Additionally, air toxics will increase by at least 2,190 tons a year of acid gases like hydrochloric acid, hydrofluoric acid, sulfuric acid, and ammonia.

- Criteria emissions are the six pollutants EPA and TCEQ use to gauge ambient air quality and to determine attainment status.

OK, but what does this all mean?

This means our *Sparkling City by the Sea* will not sparkle as brightly. The Corpus Christi area is already environmentally overburdened, officially classified as “Near Non-attainment” for air quality by TCEQ. If the Las Brisas plant is built as planned, it seems likely it would push us into non-attainment, with serious consequences to our economy as well as to our health.

How will this pollution affect health?

Lead builds up in the environment and is highly toxic in small doses. It is linked to childhood learning disabilities, which is why lead paint was banned.

Mercury exposure also is linked to learning disabilities and permanent brain damage in children, which can begin in the womb. If a pregnant woman eats mercury-contaminated fish, mercury is passed on to her baby. When mercury pollution falls into the water, it enters the food chain. Tiny amounts are dangerous and, like lead, it accumulates in the environment.

Note: Nueces County is the No. 1 county in Texas for certain types of birth defects and No. 84 in the nation.

Sulfur Dioxide / Nitric Oxide produce acid rain and irritate eyes and lungs. Exposure to sulfur dioxide or nitric oxide—even at levels currently allowed under the law—triggers asthma attacks in children and leads to reduced lung function and missed school days.

Particulate Matter (PM) is the “soot” produced by burning coal. Tiny particles of this material can penetrate into the lungs. Exposure to greater levels of PM is associated with increased deaths from lung and cardiac disease as well as higher infant mortality. It can also trigger asthma attacks in susceptible individuals.

Note: The medical societies of Nueces, San Patricio, Refugio and Aransas Counties have denounced the building of this plant based on its proposed emissions.

Ozone Levels in our community are being monitored because we occasionally reach the federal limit for it. This is the reason for our near non-attainment status and Las Brisas would cause a 24% increase in industrial emissions of ozone-forming chemicals.

- Ozone, also known as smog, is formed when nitrogen oxides react with volatile organic compounds from industrial plants, mobile sources and others in the presence of sunlight.
- The U.S. Environmental Protection Agency (EPA) lowered the eight-hour smog-ozone standard from 80 to 75 parts per billion (ppb) on March 13, 2008. The American Academy of Pediatrics (AAP) and the EPA’s Clean Air Scientific Advisory Committee had both suggested the standard be 60 ppb.
- Ozone is a potent respiratory irritant. At low levels of exposure, it can cause coughing, wheezing, shortness of breath and chest pain. At higher concentrations, it can lead to lung tissue damage, reduced lung capacity, asthma exacerbation, as well as increased risk of hospitalization for asthma, bronchitis and other chronic respiratory symptoms. It is associated with premature death.

Note: The American Academy of Pediatrics stated in 2008: “The science is clear: Ozone pollution harms children. Critical parts of a child’s lungs don’t develop until after birth and the lungs continue to develop well into adolescence.”

What is being done about this?

A **CONTESTED CASE HEARING** was requested by opponents and held in November 2009. The two State Office of Administrative Hearing Administrative Law Judges (SOAH ALJs)—Tommy L. Broyles and Craig R. Bennett—spent two weeks in Corpus Christi hearing both sides of this issue. Their conclusion follows:

“In conclusion, the ALJs find that LBEC has failed to meet its burden of proof on a number of required issues. Among other things, numerous aspects of LBEC’s air modeling were simply inadequate and provide insufficient assurance that the permits, if issued, would comply with all applicable air quality standards and be protective of human health and the environment. Further, LBEC has failed to conduct a MACT analysis that the ALJs believe is required by law.

Given these failures, the ALJs conclude that the permits sought by LBEC may not issue at this time."

After reviewing exceptions, most of which were sent to the judges by our opposition, they ALJs replied:

"Given our findings and conclusions, it is not surprising that the bulk of exceptions have come from the Applicant. Many of those exceptions misrepresent or mischaracterize our analysis and conclusions, or imply that our reasoning was based upon no factual foundation. Although we would ordinarily reply to make sure the Commission understood the basis of our recommendations, we find that the replies to exceptions filed by the other parties generally have addressed the misrepresentations or mischaracterizations. Those replies to exceptions present many of the same points we would otherwise make, so we feel no need to repeat those points at this time."

In addition, the Office of Public Interest Council (OPIC), the TCEQ's own public interest division, attended the Hearing and replied:

"OPIC agrees with the Administrative Law Judges (ALJs) that Las Brisas Energy Center (Las Brisas or Applicant) has failed to meet its burden of proof on several issues ... In light of the multitude of errors contained in these applications, the Commission [TCEQ] should deny all of the applications sought by Las Brisas. OPIC supports all of the exceptions filed by the protesting parties in this matter."

Isn't Las Brisas bringing jobs to Corpus Christi?

They are promising to add 80 new full-time jobs to the area. We like that! We want to see good high paying jobs here. However, people and animals in this area will be exposed to dangerous pollution. What price do you place on your health? Add to that the risk of federal sanctions due to non-attainment and the cost to the community far outweighs the small number of jobs.

Note: Besides creating the same amount of energy, clean energy industries will actually create more jobs than a pet-coke burning facility.

How can I help keep clean air and water in the Corpus Christi area?

- ❑ **Receive notices** of CEC meetings by emailing CleanEconomyCoalition-Subscribe@yahoogroups.com. Also attend other meetings as posted on our website at www.CleanEconomyCoalition.org which pertain to this issue.
- ❑ **Make a donation** by using the **PayPal** link on this site.
- ❑ **Watch and encourage other to view "Fighting Goliath,"** a 25-minute Documentary, and learn more about this issue:
<http://www.fightinggoliathfilm.com>; <http://www.coalblock.org>
- ❑ **Contact the EPA** and ask for their assistance (reference TCEQ permit #85013):
 - **Lisa Jackson**, EPA Headquarters, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W. Washington, DC 20460, (202) 272-0167
 - **Al Armendariz**, EPA Texas Region 6, Fountain Pl. 12th Fl, Ste. 1200, 1445 Ross Avenue, Dallas, TX 75202, (214) 665-2200 <http://www.epa.gov/region06>. Toll free within Region 6: (800) 887-6063
- ❑ **Contact the Texas State Board of Education, District 2**, Mrs. Mary Helen Berlanga, 2727 Morgan Avenue, Corpus Christi, TX 78405, (361) 881-1000. Let her know we are concerned about the health of our school children after reading the Toxic Schools report at: <http://content.usatoday.com/news/nation/environment/smokestack/index>
- ❑ **Call your legislators** to let them know what you think about building a clean economy in the state of Texas (or look up their mailing addresses at <http://www.legis.state.tx.us>).

Rep. Abel Herrero	(361) 882-2277
Rep. Solomon Ortiz, Jr.	(361) 991-0047
Rep. Todd Hunter	(361) 694-3121
Sen. Juan "Chuy" Hinojosa	(361) 972-1841
Sen. Judith Zaffirini	(512) 463-0121
US Rep. Ruben Hinojosa	(361) 358-8400
US Rep. Solomon Ortiz, Sr.	(361) 883-5868

Clean Economy Coalition



JOIN US!

Meetings held monthly on 1st and 3rd Sundays at 3:00 pm.
Steering Committee meets at 2:00 pm same dates.
Newcomers "Welcome" at 2:30 pm before meetings.

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