

## Testimony ends in Las Brisas hearing

### Ruling expected in spring

By Denise Malan

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CORPUS CHRISTI — Testimony ended Thursday in the Las Brisas Energy Center hearing, but a final ruling on the company's air permit isn't expected until spring.

Las Brisas presented rebuttal witnesses, including engineer Joseph Kupper, who testified last week that there were some errors in his estimates regarding one pollutant — particulate matter. Since last week, he tried to fix those mistakes but said Thursday he wasn't sure the new estimates were accurate.

It was unclear, however, whether any mistakes would affect Las Brisas' ability to meet pollution limits.

After the nearly two-week hearing concluded, Judges Tommy Broyles and Craig Bennett issued deadlines for attorneys to file

written closing arguments and responses. Final filings are due Jan. 22, which sets the clock on a 60-day time limit for judges to issue their recommendation.

Then Texas Commission on Environmental Quality commissioners have final say on the permit. Broyles estimated Las Brisas could be on their agenda by May or June. The air permit would allow Las Brisas to start construction of a \$3 billion, petroleum coke-fired power plant on the Corpus Christi Inner Harbor.

Kupper uses computer software to model how pollution is expected to disperse in the air. The computer models are based on meteorological data, such as wind speed and direction, as well as pollution allowed from current industry in the area and what is expected from Las Brisas.

Kupper testified last week that he believed Las Brisas' pollution estimates were conservative, meaning above levels expected in reality. He said they were set that way to remove any doubts about whether the plant meets regulations.

However, opposition attorney Tom Weber of the Environmental Defense Fund pointed out that three current sources of particulate matter weren't in the right locations in the computer models. Particulate matter is a complex pollutant made up of tiny solid particles and liquid droplets of various chemicals.

So Kupper moved those three sources and ran the computer models again, but Weber again said the locations were wrong, using a map in court to show the locations. Las Brisas attorney John Riley said Weber's questioning was misleading.

Under questioning from attorney Drew Hansen of the Texas Clean Air Cities Coalition, Kupper said he can't be sure whether the industries are in the correct spot.

"As of right now, on the ninth day of this hearing, you cannot say any of the modeling is 100 percent accurate. Is that correct?" Hansen asked.

"Yes," Kupper replied.



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