

**BEFORE THE WASHINGTON
UTILITIES & TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION,

Complainant,

v.

PUGET SOUND ENERGY,

Respondent.

DOCKET UG-230393

**CROSS-EXAMINATION EXHIBIT OF RONALD J. ROBERTS
ON BEHALF OF THE
PUYALLUP TRIBE OF INDIANS**

EXHIBIT RJR-__X

Excerpt of Opening Statement of Joshua Frank, PSE Counsel, PCHB No. P19-087C
(Apr. 22, 2021)

October 31, 2023

POLLUTION CONTROL HEARINGS BOARD
FOR THE STATE OF WASHINGTON

ADVOCATES FOR A CLEANER TACOMA;)	
SIERRA CLUB; WASHINGTON)	
ENVIRONMENTAL COUNCIL; WASHINGTON)	
PHYSICIANS FOR SOCIAL)	PCHB NO. P19-087C
RESPONSIBILITY; STAND.EARTH; and)	
THE PUYALLUP TRIBE OF INDIANS,)	
)	
Appellants,)	
)	
v.)	
)	
PUGET SOUND CLEAN AIR AGENCY, PUGET)	
SOUND ENERGY,)	
)	
Respondents.)	

VIDEOCONFERENCE HEARING

DAY 8

Pages 1751 - 2048

OLYMPIA, WASHINGTON

April 22, 2021

8:46 a.m.

REPORTED BY: CRYSTAL R. McAULIFFE, RPR, CCR 2121

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1 VIDEOCONFERENCE HEARING
2 DAY 8
3 April 22, 2021

4	Witnesses:	Page
5	WILLIAM DONAHUE	
6	By Mr. Marchand	1790
	By Mr. Epley	1817
7	By Board Member Sun-Widrow	1820
8	STEVEN VAN SLYKE	
9	By Ms. Dold	1822
	By Mr. Thomas	1961
10	By Ms. Dold	1981
	By Board Chair Wise	1982
11	By Board Member Gonzalez	1986
	By Ms. Dold	1987
12	By Mr. Frank	1988
13	MATTHEW STOBART	
14	By Mr. Frank	1990

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1 hundred tons per year threshold applies, which it does
2 not, and fugitive emissions are included, Tacoma LNG's
3 maximum emissions are only 49 tons per year. So half of
4 even the hundred ton standard.

5 How, then, does the Tribe argue that Tacoma
6 LNG is a major source? Well, we heard yesterday, the
7 Tribe argues that Tacoma LNG will violate two
8 enforcement permit limits.

9 First, the Tribe argues that Tacoma LNG will
10 violate permit conditions requiring 99 percent
11 destruction of VOCs in the flare. Second, the Tribe
12 hypothesizes that Tacoma LNG will, in normal operations,
13 violate the permit's requirement that all gas be routed
14 to the flare and instead will send waste gas to an
15 emergency safety bypass that Mr. Stobart of CB&I does
16 not believe will ever operate.

17 And also Dr. Sahu claims that these
18 emergency bypass events will continue for a long
19 duration, even though the permit requires the facility
20 to stop operating if the flare goes out.

21 Dr. Sahu argues that these emergency
22 unpermitted bypass emissions should be included in
23 potential to emit. This contravenes the law regarding
24 how you calculate the potential to emit. Potential to
25 admit does not assume violations of the permit terms.