

**SIERRA CLUB PETITION**

**EXHIBIT 3**

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
PUBLIC HEARING

IN RE:  
Proposed Issuance of a  
Construction Permit/PSD Approval  
to Power Holdings of Illinois, LLC  
for a Synthetic Natural Gas Plant  
in Blissville Township, Jefferson County

Report of the proceedings held on March 3, 2009, at  
7:00 p.m., at the Knights of Columbus Hall, 130 South  
Eighth Street, DuBois, Illinois, before Sharon  
Valerius, Notary Public and Certified Shorthand  
Reporter #084-003349 for the State of Illinois.

BEFORE HEARING OFFICER:  
MS. RACHEL L. DOCTORS  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
PANEL MEMBERS PRESENT:  
Mr. Chris Romaine  
Mr. Robert P. Smet

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1                   HEARING OFFICER: Good evening. My  
2 name is Rachel Doctors, and I'm an attorney with the  
3 Illinois Environmental Protection Agency. I want to  
4 begin by thanking everyone for coming this evening  
5 and attending the hearing. The Illinois EPA  
6 recognizes that the public hearings that we have --

7                   (Audience member(s) speaking.)

8                   HEARING OFFICER: Okay. Thank you. I  
9 have been designated by the Director of the Illinois  
10 EPA to serve as the hearing officer in this matter.  
11 As the hearing officer, my sole purpose tonight is to  
12 make sure that these proceedings run properly and  
13 according to the rules. It is not my job to answer  
14 questions regarding the permitting process or the  
15 permit itself.

16                   This is an informational public hearing  
17 before the Illinois EPA in the matter of air  
18 pollution control construction permit to Power  
19 Holdings for a synthetic natural gas plant five miles  
20 south of Illinois Route 15 on Tomahawk Lane, west of  
21 Waltonville in Blissville Township, Jefferson  
22 County. The Illinois Environmental Protection Agency  
23 has received an application for this plant.

24                   The proposed plant is designed to use  
25 gasification technology to convert coal into

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1 synthetic natural gas. The proposed plant is  
2 considered a major new source for emissions of sulfur  
3 dioxide, nitrogen oxides, carbon monoxide,  
4 particulate matter (PM, PM10 and PM2.5) and sulfuric  
5 acid mist under the federal rules for Prevention of  
6 Significant Deterioration (PSD), 40 CFR 52.21, as  
7 emissions of these pollutants would be above the  
8 significant emission thresholds established in that  
9 section.

10                   The Illinois EPA has made a preliminary  
11 determination that the project meets the requirements  
12 for obtaining a permit for the project and has  
13 prepared a draft permit for review. The Illinois EPA  
14 is holding this hearing for the purpose of explaining  
15 the draft permit, responding to questions, and  
16 accepting comments from the public on the proposed  
17 issuance of a permit for this project prior to  
18 actually making a final decision on the application.

19                   It is now approximately 7:10 on March  
20 3, 2009. This public hearing is being held under the  
21 provisions of the Illinois EPA's procedures for  
22 permit and closure plan hearings, which can be found  
23 at 35 Illinois Administrative Code, Part 166, Subpart  
24 A. Copies of these procedures can be obtained from  
25 either myself, upon request, or they can be accessed

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1 on the Web site for the Illinois Pollution Control  
2 Board at [www.IPCB.state.il.us](http://www.IPCB.state.il.us).

3 An informational public hearing means  
4 that this is strictly an informational hearing. It  
5 is an opportunity for the Illinois EPA to provide you  
6 with information concerning the permit. It is also  
7 an opportunity for you to provide information to the  
8 Illinois EPA concerning the same permit. This is not  
9 a contested case hearing.

10 I would like to explain how tonight's  
11 hearing is going to proceed. First we will have the  
12 Illinois EPA staff introduce themselves and identify  
13 their responsibilities at the agency. Then the  
14 employees of Power Holdings, LLC will introduce  
15 themselves. Following the overview, I will allow the  
16 public to ask questions or provide comments.

17 You are not required to provide your  
18 comments orally. Written comments are given the same  
19 consideration and may be submitted to the Illinois  
20 EPA at any time within the public comment period,  
21 which ends at midnight, April 2, 2009. Although we  
22 will continue to accept comments through that date,  
23 tonight is the only time that we will accept oral  
24 comments.

25 Any person who wants to make an oral

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1 comment may do so, so long as the statements are  
2 relevant to the issues that are addressed at the  
3 hearing and they have indicated on the registration  
4 card that they would like to comment. If you have  
5 not signed a registration card at this point, please  
6 see Brad Frost, who's standing in the back, and he  
7 will provide you with a comment card.

8                   You may indicate that you would like to  
9 orally comment or receive a copy of the summary of  
10 the hearing. If you have lengthy comments or  
11 questions, it may be helpful to submit them to me in  
12 writing before the close of the comment period, and I  
13 will ensure that they are included in the hearing  
14 record as exhibits.

15                   Please keep your comments and questions  
16 relevant to the issue at hand. If your comments fall  
17 outside the scope of this hearing, I may ask you to  
18 proceed to another issue. All speakers have the  
19 option of directing questions to either the Illinois  
20 EPA's panel, or they can make general comments, or  
21 they may do both.

22                   The applicant, Power Holdings, LLC, is  
23 also free to answer questions if it is willing to do  
24 so, but I am not in a position to require them to  
25 answer questions. Our panel members will make every

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1 attempt to answer the questions presented, but I will  
2 not allow the speakers to argue, or cross examine, or  
3 engage in a prolonged dialogue with our panel.

4                   For the purpose of allowing everyone to  
5 have a chance to comment, I'm asking that groups,  
6 organizations, and associations keep their questions  
7 and comments to 15 minutes, and that individuals keep  
8 their comments to 5 minutes, to give everyone who  
9 desires to speak that opportunity.

10                   In addition, I'd like to stress that we  
11 want to avoid unnecessary repetition. If anyone  
12 before you has already presented testimony that is  
13 contained in your written or oral comments, please  
14 skip over those issues when you comment. Please  
15 remember, all written comments, whether or not you  
16 say them out loud, will become part of the official  
17 record and will be considered.

18                   After everyone has had an opportunity  
19 to speak, and provided that the time permits, we will  
20 allow those who either ran out of time during their  
21 initial comments or who have additional comments to  
22 speak.

23                   On the registration card, you can ask  
24 to receive a summary of the public hearing. The  
25 Illinois EPA's responsiveness summary will attempt to

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1 answer all relevant and significant questions that  
2 were raised at this hearing or submitted to me prior  
3 to the close of the comment period. The written  
4 record in this matter will close April 2, 2009. I  
5 will accept all written comments as long as they are  
6 postmarked by April 2.

7                   During the comment period, all relevant  
8 comments and documents or data will be placed into  
9 the hearing record as exhibits. Please send all  
10 written documents or data to my attention. You can  
11 send them to Rachel Doctors, Hearing Officer,  
12 Illinois EPA, 1021 North Grand Avenue East, P.O. Box  
13 19276, Springfield, Illinois 62794. This address is  
14 also listed on the public notice for the hearing  
15 tonight.

16                   For anyone wishing to make a comment or  
17 ask questions, I would like to remind you that we  
18 have a court reporter here who will be taking a  
19 record of these proceedings for the purpose of  
20 putting together our administrative record.  
21 Therefore, for her benefit, please keep the general  
22 background noise in the room to a minimum, so that  
23 she can hear everything that is said.

24                   Please keep in mind that any comments  
25 from someone other than the person who is at the

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1 microphone will not be recorded by the court  
2 reporter. If you speak over someone else, she will  
3 not be able to take everyone's comments in. That  
4 rule applies not only when members of the audience  
5 are speaking, but also when someone from Illinois EPA  
6 or Power Holdings is speaking.

7                   When it is your turn to speak, please  
8 state your name, and if applicable, any governmental  
9 body, organization, or association that you  
10 represent. For the benefit of the court reporter, we  
11 ask that you spell your last name.

12                   People who have requested to speak will  
13 be called upon in the order that I will lay out based  
14 upon the cards that I have before me. After I've  
15 gone through the cards, and assuming that there is  
16 time, if anyone else wishes to comment, we can  
17 address it at that time.

18                   I have marked the following exhibits:  
19 The public hearing notice, the project summary for  
20 air pollution control permit application, the draft  
21 air pollution control construction permit.

22                   I would like to now ask the Illinois  
23 EPA staff to introduce themselves, and if they would  
24 like to make a short opening statement, they may do  
25 so at this time.

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1                   MR. ROMAINE: My name is Chris  
2 Romaine. I'm manager of the air permit section,  
3 construction unit. I will not make a statement.

4                   (Audience member(s) speaking.)

5                   MR. ROMAINE: My name is Chris  
6 Romaine. I'm manager of the air permit section,  
7 construction unit. I will not be making an opening  
8 statement.

9                   MR. SMET: Good evening. My name is  
10 Bob Smet, and I am a permit engineer in the Illinois  
11 EPA's Bureau of Air. I'll be giving you a brief  
12 description of the project.

13                   Power Holdings has requested a  
14 construction permit to construct a plant to produce  
15 synthetic natural gas from Illinois coal. The plant  
16 would use gasification technology and a multistep  
17 process to convert coal into pipeline quality natural  
18 gas to be sold to natural gas suppliers. In the  
19 process, sulfuric acid will also be produced as a  
20 saleable by-product.

21                   Because the proposed plant would be a  
22 major source of emissions, the emissions from the  
23 plant must be controlled with Best Available Control  
24 Technology.

25                   The coal gasification process will be

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1 very effective in controlling emissions of sulfur  
2 dioxide and particulate matter. This is because  
3 these pollutants will be removed by the cleanup  
4 processes for the raw synthesis gas, or syngas,  
5 produced by the gasifiers. During normal operation,  
6 the emissions of carbon monoxide and volatile organic  
7 materials generated by the syngas cleanup process  
8 will be emitted at the carbon dioxide vents and  
9 controlled using regenerative thermal oxidizers.

10                   Sulfur compounds removed during syngas  
11 cleanup will be recovered, and sulfuric acid will be  
12 produced in the two sulfuric acid production  
13 facilities. These facilities will be controlled by  
14 selective catalytic reduction to control nitrogen  
15 oxides and a hydrogen peroxide scrubber to control  
16 sulfur dioxide.

17                   Emissions from start-up of the  
18 gasifiers will be minimized by the use of alcohol  
19 during start-ups rather than coal. Flaring of gases  
20 will only occur during process upsets, which should  
21 only occur intermittently and must be addressed by a  
22 flaring minimization program.

23                   For the superheaters, which will burn  
24 fuel gas to help provide the electric power for the  
25 plant, Best Available Control Technology for NOx

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1 (nitrogen oxide) will be the use of selective  
2 catalytic reduction systems. For carbon monoxide,  
3 good combustion practices will be utilized.  
4 Likewise, emissions from material handling and other  
5 emission units at the plant will be controlled using  
6 Best Available Control Technology, as well.

7                   The air quality analysis for the  
8 project submitted by Power Holdings and reviewed by  
9 the Illinois EPA shows that the proposed project will  
10 not impact the air quality significantly, so the  
11 project will not cause or contribute to violations of  
12 ambient air quality standards.

13                   The proposed permit for the plant  
14 contains limitations on and requirements for  
15 operation of the plant. The permit also establishes  
16 appropriate testing, monitoring, record-keeping, and  
17 reporting requirements. This includes continuous  
18 emissions monitoring for the emissions of nitrogen  
19 oxides and carbon monoxide from the auxiliary boiler  
20 and superheaters. Emissions of sulfur dioxide would  
21 also have to be monitored if the sulfur content for  
22 the fuel gas is not monitored.

23                   In closing, the Illinois EPA is  
24 proposing to grant a construction permit for the  
25 proposed Power Holdings project. We welcome your

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1 comments or questions on our proposed action. Thank  
2 you.

3 HEARING OFFICER: Thank you, Bob. Is  
4 there anyone who'd like to -- would the  
5 representatives of Power Holdings now introduce  
6 themselves.

7 MR. DARGUZAS: I'm Joe Darguzas with  
8 Power Holdings.

9 MR. GILPIN: Bob Gilpin, Power  
10 Holdings.

11 (Audience member(s) speaking.)

12 HEARING OFFICER: It's on the handle.

13 MR. DARGUZAS: Thank you. I'm Joe  
14 Darguzas with Power Holdings, and Bob Gilpin with  
15 Power Holdings.

16 HEARING OFFICER: Can you please spell  
17 your names.

18 MR. DARGUZAS: My name is spelled  
19 Darguzas, D-A-R-G-U-Z-A-S. And Gilpin is  
20 G-I-L-P-I-N.

21 HEARING OFFICER: Do you have a  
22 statement or anything you'd like to present at this  
23 time?

24 MR. DARGUZAS: I would like to make a  
25 few comments.

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1 (Audience member(s) speaking.)

2 HEARING OFFICER: If people could move  
3 up, that would also help. There's lots of chairs in  
4 the front. There must be 20 chairs up here.

5 (Audience member(s) speaking.)

6 HEARING OFFICER: Do you have a  
7 statement that you would like to make at this point?

8 MR. DARGUZAS: Yes, ma'am. Madame  
9 Hearing Officer and colleagues from the Illinois  
10 Environmental Protection Agency, as I said, my name  
11 is Joe Darguzas with Power Holdings. And I would  
12 like to first acknowledge and thank all of the  
13 elected officials, as well as others who are here  
14 tonight in support of this project and have submitted  
15 written comments or will.

16 We've enjoyed the support from many  
17 state agencies that we've been working on this  
18 project, and we're grateful for that. We also  
19 appreciate the support of the local building trades  
20 associations that we will be working with if we  
21 receive a permit to build this facility.

22 Friends and neighbors, fellow citizens  
23 of the State of Illinois, ladies and gentlemen, this  
24 hearing represents a very important milestone for  
25 Power Holdings. Power Holdings is a small,

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1 privately-held company from Northern Illinois. We've  
2 been working on this project for over four years. In  
3 fact, depending on where you draw the boundary, if  
4 I-80 or Route 30's the boundary, I'm actually from  
5 Central Illinois.

6                   We are trying to do something very  
7 positive for the State of Illinois. We're trying to  
8 help our state become independent of imported energy,  
9 especially natural gas. We're trying to improve  
10 employment. We're trying to make natural gas, so  
11 that Illinois can become energy independent.

12                   As you heard, we have a very low  
13 emissions profile. Our emissions are below  
14 significant ambient air quality levels. Power  
15 Holdings is a partner in the Midwest Geological CO2  
16 Sequestration Consortium, and that issue is very  
17 important to us.

18                   To date, although a small company,  
19 we've spent over \$10 million working on this  
20 facility. We've brought together a world-class team  
21 of engineering consultants, including companies from  
22 Belleville, Salem, Lisle, Benton, Springfield, and  
23 elsewhere around Illinois and across the United  
24 States.

25                   We have equipment suppliers as part of

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1 our team, including General Electric Company. We  
2 have contractors able to start construction when  
3 appropriate permits are received. And we have an  
4 equity partner with the wherewithal needed for this  
5 facility to go forward.

6                   As you heard from the Hearing Officer,  
7 we are here tonight, along with the Illinois EPA, to  
8 make sure that our fellow citizens' input to this  
9 October 27 permit application are heard and  
10 acknowledged and addressed.

11                   Since October of 2007, when our revised  
12 permit application was submitted, we've been working  
13 very hard to address agency comments, questions, and  
14 concerns. We've attempted to reach out to our  
15 neighbors and key stake holders, and we have designed  
16 a facility to convert Illinois coal to natural gas  
17 using clean coal technology cleanly and efficiently.

18                   We have made sure that the equipment  
19 being designed will be able to meet, to comfortably  
20 meet the very tight air permit emission limits. I  
21 personally take these requirements very personally --  
22 I personally take them very seriously. Finally, we  
23 encourage everyone here to ask whatever questions on  
24 air emissions that may be still outstanding. Thank  
25 you very much.

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1 HEARING OFFICER: Thank you. Will  
2 Cliff Polczynski -- have I said your name right?  
3 Village of DuBois? You need to please come up here  
4 to speak, so everyone can hear you. Please begin.

5 MR. POLCZYNSKI: My big concern --

6 HEARING OFFICER: Could you start by  
7 spelling your name.

8 MR. POLCZYNSKI: My name is Cliff  
9 Polczynski, P-O-L-C-Z-Y-N-S-K-I. My big concern is  
10 the amount of water that's gonna' be used. Is Rend  
11 Lake gonna' be able to supply all the water? You  
12 know, will it affect our drinking water? 'Cause all  
13 our drinking water for all the little villages around  
14 here comes out of Rend Lake. That's all I have.

15 HEARING OFFICER: Thank you. Mary  
16 Ellen Bechtel. I'm gonna' call a couple of people's  
17 names. Ted Buck and Fred Kreger. If you could just  
18 come up and just wait.

19 MS. BECHTEL: Hi. I'm Mary -- which  
20 one do I use? Is this working? It's working now.  
21 It was off. Okay. I'm Mary Ellen Bechtel with the  
22 Jefferson County Development Corporation in Mt.  
23 Vernon, Illinois. B-E-C-H-T-E-L. Please consider  
24 our presence here our support for Power Holdings of  
25 Illinois' synthetic natural gas project located in

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1 Jefferson County.

2                   Jefferson County Development Board has  
3 23 board members representing local businesses and  
4 industry. This project is important to us for  
5 several reasons. First, this \$2 billion project will  
6 bring over 1,000 construction jobs to Southern  
7 Illinois. In this time of economic downturn,  
8 projects like this are vital to our recovery.

9                   The proposed 600 direct and indirect  
10 full-time permanent jobs created by Power Holding's  
11 project will inject millions of dollars annually into  
12 the economy, as well as offer stable and reliable  
13 employment for many years in a region that is  
14 experiencing unemployment at a much higher rate than  
15 national averages.

16                   Also, this project is an example of how  
17 Southern Illinois coal can be used to reduce our  
18 dependence on foreign energy sources. The Power  
19 Holdings project in Jefferson County will manufacture  
20 about 5 percent of the current volume of natural gas  
21 in Illinois and will serve as an outstanding example  
22 of how Illinois residents can depend on their own  
23 resources for energy.

24                   In addition, Power Holdings of Illinois  
25 is using technology that will show that our Southern

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1 Illinois coal does respect the environment. The  
2 emissions are below significant air quality impact  
3 levels and will not result in harmful effects to the  
4 soil or vegetation in the area. And the IEPA has  
5 imposed emission limits in accordance with the  
6 current Best Available Control Technology  
7 requirements and needed BACT analysis.

8 Capital investment, construction jobs,  
9 full-time jobs with benefits, use of local resources,  
10 product that will be used in Illinois by Illinois  
11 residents, and the opportunity to prove we can reduce  
12 our dependence on foreign energy are the reasons we  
13 feel it is imperative for this project to move  
14 forward.

15 The Illinois Environmental Protection  
16 Agency has strictly followed all applicable state and  
17 federal regulations, and we urge the agency to  
18 promptly issue a final air permit.

19 I also have several other letters of  
20 support. I'll just name who they're from.  
21 Congressman Jerry Costello and Congressman John  
22 Shimkus, Senator John O. Jones, Representative John  
23 Cavaletto, Representative Jay Hoffman, Representative  
24 Mike Bost, Representative Dan Wrights, Representative  
25 Brandon Phelps.

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1                   I have letters from mayors from the  
2 City of Benton, City of Christopher, City of Mt.  
3 Vernon, City of Marion, and the City of Nashville,  
4 and the City of Salem. The Village of Waltonville,  
5 as well. I have a letter of support from Rend Lake  
6 College Interim President Charlie Holstein, Southern  
7 Illinois University President Glenn Poshard, the  
8 South Central Illinois Growth Alliance, the Jefferson  
9 County Chamber of Commerce, Franklin County Regional  
10 Economic Development, and the Egyptian Building and  
11 Construction Trades Council. I would like to submit  
12 those to you now, if I could.

13                   HEARING OFFICER: We'll mark them as  
14 Exhibit 4.

15                   MS. BECHTEL: Thank you.

16                   HEARING OFFICER: Ted Buck, please.

17                   MR. BUCK: Madame Chairman, I'm Ted  
18 Buck, B-U-C-K, Jefferson County Board Chairman. Four  
19 years ago, Mr. Gilpin got ahold of the County Board  
20 and has constantly, on a periodic basis, informed us  
21 of what's going on with this company and especially  
22 with the emissions of air emissions. We would like  
23 to, at this time, to remind the Board that we need  
24 this permit approved because of employment at  
25 national, at state, and at county level. I have full

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1 support of the County Board.

2                   And someone asked me the other day if  
3 this would affect our tax basis if we should have an  
4 enterprise zone in this area. It will not affect the  
5 levies within the school district and so forth. The  
6 land that would be sold would go from agriculture to  
7 commercial immediately, and the taxes would go up.  
8 So if anybody has any questions about that, I can  
9 answer them later. Thank you, ma'am.

10                   HEARING OFFICER: Thank you for your  
11 comment. Fred Kreger? Could James Pelker, Larry  
12 Spotanski, and Stanley Wisniewski also come forward.  
13 You can sit up front while you're waiting.

14                   MR. KREGER: Madame Chairman, my name  
15 is Fred Kreger, K-R-E-G-E-R. Boy, it's tough to  
16 follow them two guys. I'd like to speak for the  
17 babies, not yet born.

18                   HEARING OFFICER: We can't hear you.  
19 Have you got the mike on?

20                   (Audience member(s) speaking.)

21                   MR. KREGER: Closer? Okay. I'd like  
22 to speak for the babies, not yet born, that if this  
23 plant goes in, that they will be forced to breathe  
24 the air, to drink the water. I'm in favor of jobs.  
25 And everybody here, I'm sure, is in favor of jobs.

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1 But at what cost? If the plant is good, let's build  
2 it. If it's bad, let's stop it now.

3                   So I know that the other people that  
4 are gonna' speak are gonna' cover all the bad  
5 situations here. But to start with, it's being built  
6 on a fault, and that means unstable ground. So Power  
7 Holdings told me on the February 21 Waltonville  
8 meeting that there was gonna' be six smokestacks I  
9 call them, and they corrected me, but there are  
10 gonna' be six. And what I would like to do is take  
11 you people on a tour of the six smokestacks. Climb  
12 it with me, and see what I see.

13                   We all know that in this area, the wind  
14 blows the majority of the time from the northwest,  
15 the west, and the southwest, very little out of the  
16 east. So as we climb this tower, we look around. I  
17 look to the northwest. Ashley, the little town of  
18 Ashley, one grade school, one group of kids. Then I  
19 look to the northeast. There's Woodlawn, two  
20 schools, two yards full of kids.

21                   I look to the east, straight east.  
22 There's Mt. Vernon, big city. I can't even see the  
23 schools and the children there. Then I look to the  
24 southeast, and there's Waltonville, two schools, kids  
25 in the yard playing. Oh, there's Rend Lake between

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1 Waltonville, and I look, and there's Sesser. They  
2 all can be seen from these towers. There's their  
3 school and their kids. And if you look from the  
4 tower, you can barely see DuQuoin. But you can see  
5 Tamaroa real well, one school full of schoolkids.

6                   So my point is, that if this plant, as  
7 Mr. Bob Gilpin -- I hope I'm saying it right -- told  
8 me that this is the most modern, the newest  
9 technology in development. I'm sure that everybody  
10 here has had something brand new on the market. I  
11 had a new model automobile. We got recalls and  
12 recalls and recalls.

13                   One minute? So anyway, that was what I  
14 was concerned about. One more minute. I'd like for  
15 you all just to shut your eyes for one minute. Let's  
16 relax and enjoy this. June 28, ten years from now.  
17 Cornfields are green, grass is green, beanfields are  
18 green. Everything is great. Clear day. Sun's  
19 shining. 9 o'clock in the morning. And all of a  
20 sudden, the biggest explosion you ever heard. We had  
21 a blowup at the Power Holdings plant. And that's  
22 drifted. A big cloud is drifting, drifting, and  
23 settles in Rend Lake, and poisons Rend Lake. How  
24 long would it take?

25                   So I ask you people to consider it, to

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1 think about it. In closing, I'd like to -- I'm not  
2 gonna' sing -- I'm gonna' read the words from a song  
3 I heard the other day. It went something like this.  
4 I think the name of the song is "Three Wooden  
5 Crosses." I'm moving on. "It's not what you take  
6 when you leave this world, it's what you leave  
7 behind." Thank you.

8 (Audience applause.)

9 HEARING OFFICER: Okay. We're not  
10 gonna' -- we don't have time to clap after the  
11 speakers, so we're gonna' move on to Mr. James  
12 Pelker. Mr. Pelker? Larry Spotanski? Is Stanley  
13 Wisniewski here? How do you pronounce his name?

14 AUDIENCE MEMBER: Wisniewski.

15 HEARING OFFICER: Okay.

16 MR. LARRY SPOTANSKI: My name is Larry  
17 Spotanski. I'm also --

18 HEARING OFFICER: Excuse me. Can you  
19 spell your last name.

20 MR. LARRY SPOTANSKI:  
21 S-P-O-T-A-N-S-K-I. I'm also Village President or  
22 some call Mayor of DuBois. You notice my name wasn't  
23 on no paper for this. And I own land in Jefferson  
24 and Washington County within a half a mile of where  
25 this plant would be. And the other concerns I have

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1 is, where's the CO2 going? The mercury outlet that's  
2 supposed to come from here. Dust, noise.

3                   And I have had comments from several  
4 people in town about hearing about all the traffic  
5 that might possibly be going through town with  
6 trucks. And, well, it was already mentioned about  
7 the water for homes. Our whole village is served by  
8 Rend Lake. And also, about the water runoff. I have  
9 a ditch, creek, or whatever you want to call it, that  
10 runs through my property, and I would be wondering  
11 what would be going through there. That's about all  
12 I have to say.

13                   HEARING OFFICER: Thank you for your  
14 comment. Stanley Wisniewski?

15                   AUDIENCE MEMBER: I don't have anything  
16 to say right now.

17                   HEARING OFFICER: Okay. Judy  
18 Spotanski? Linda Borowiak?

19                   AUDIENCE MEMBER: You're gonna' have to  
20 have you an interpreter. Do you want me to come up  
21 there and help?

22                   HEARING OFFICER: Yeah, yeah, that  
23 would be helpful. I'm having trouble with some of  
24 the names. Thank you.

25                   (Audience member(s) speaking.)

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1                   MS. BOROWIAK: Linda Borowiak,  
2 B-O-R-O-W-I-A-K. I live a mile north of this plant.  
3 And when it came out in the paper that these Power  
4 Holdings papers would be in Brehm Library, I went  
5 over there, and I was just totally overwhelmed by  
6 it. I'd say it's about three or four inches thick.  
7 I did not find one word in there about this  
8 earthquake fault. I've been around it all my life.  
9 I learned more about it when the oil guys moved into  
10 the neighborhood.

11                   Now, if this plant is going to be  
12 built, and things start to shake, rattle, and roll, I  
13 cannot begin to imagine what is gonna' be turned  
14 loose in the air and on the ground. When I was doing  
15 research for this, I found out that humans could  
16 actually cause earthquakes. I found this neat little  
17 article in "National Geographic." And one way they  
18 do it is by drilling along a fault line.

19                   Now, this oil field is a mile north of  
20 my house. And I guess everybody knows that these oil  
21 wells are, I'd say, about a half a mile from the  
22 road, so they're about a half a mile from this fault  
23 line. And they have been pumping oil out of here I  
24 guess for 20, 22 years. So we're gonna' build this  
25 plant on the fault line. We're pumping liquids out

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1 of this area. And when will it happen? I don't want  
2 to be around.

3 I want to direct -- I have one question  
4 for you. Who has the final jurisdiction to allow  
5 these permits in an earthquake zone?

6 MR. ROMAINE: I don't know the answer  
7 to that question. It's not something that is the  
8 subject of the permit that we're discussing tonight.

9 MS. BOROWIAK: I want to ask, how does  
10 this plant get a permit in an earthquake zone? What  
11 is the final say-so on that?

12 MR. ROMAINE: I don't have the answer.  
13 We will have to research that question.

14 MS. BOROWIAK: I'm just very concerned  
15 about this earthquake fault, and I hope everybody  
16 learns a lot here tonight. Thank you.

17 HEARING OFFICER: Thank you for your  
18 comment. Judy Spotanski?

19 MS. JUDY SPOTANSKI: My name is Judy  
20 Spotanski. If you cannot hear, please raise your  
21 hand. Good evening.

22 HEARING OFFICER: Please spell your  
23 last name.

24 MS. JUDY SPOTANSKI: It's spelled  
25 S-P-O-T-A-N-S-K-I. And I'm attending this meeting

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1 tonight to voice my disapproval of the proposed plant  
2 and the permit. This experimental plant, this  
3 technology has never been proven, is going to make  
4 syngas from coal. Syngas is ten times dirtier than  
5 natural gas. So why are we using one energy source  
6 to make a dirtier energy source?

7 I've read the 90-plus page permit,  
8 which I found to be full of loopholes, ands, ifs, and  
9 maybes. This company will have a way around every  
10 incident in this plant. The permit mentions  
11 start-ups, shutdowns, malfunctions, and such. At  
12 those times, we do not know what will be emitted from  
13 those stacks. I am very nervous, so please bear with  
14 me.

15 Read the permit. What about  
16 explosions, evacuations? My grandchildren wants to  
17 know, do we need gas masks? What kind of warnings  
18 will be given about these emissions? When will they  
19 be given? The self-reporting, record-keeping, and  
20 EPA notifications mentioned in this permit are a  
21 joke, a big joke that could cost lives, not only to  
22 neighborhoods, but employees of the plant, as well.

23 Every other day, I hear a different  
24 number for employees. I have paperwork that mentions  
25 25 -- no, 50 per day. This was put out by Power

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1 Holdings of Illinois. I don't understand a lot of  
2 this, but I wish somebody could explain that to me  
3 after the meeting.

4                   Who is watching for illegal dumping and  
5 other violations? Were these loopholes instrumental  
6 in choosing this out-of-the-way hidden construction  
7 site? Can any company be trusted to enforce the  
8 rules or regulations mentioned in this permit?  
9 Remember, no one is watching. This is a rural  
10 community. All of these concerns are caused  
11 indirectly by plant emissions. This plant is highly  
12 explosive and could blow at any time, especially on  
13 an earthquake fault.

14                   I have copies of the emissions charts,  
15 if anyone would like it, that I took from the permit,  
16 showing just what will be emitted into the air from  
17 six stacks at the plant. One stack is a spare. The  
18 other five will be used. 1,658 tons of emissions a  
19 year, or 3,360,000 pounds. If you spread that out  
20 over 5,000 acres, it will be around 663 pounds an  
21 acre, year after year after year.

22                   These emissions are extremely harmful  
23 to land, water, animals, buildings, yards, creeks,  
24 ponds, lakes, woods. Can we breathe? Asthma, lung  
25 disease, heart problems, cancer, etc., etc. How much

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1 can we take? These emissions go onto our land,  
2 pollute our wells, wash in our creeks to the rivers,  
3 lakes, and streams. Your cattle will be drinking  
4 from this water. People will be drinking this  
5 water. What will they drink? Eight million gallon  
6 of water from Rend Lake a day? What about human  
7 beings? Don't they count for anything?

8                   There will be between 15 and 20  
9 children living next-door to this polluting plant.  
10 Are they to be used as guinea pigs to see how this,  
11 to determine how long they can dump these emissions  
12 on us before they become sick or die? Approximately  
13 35 people's lives are at stake. We love our tiny,  
14 quiet community, our home. We did not choose to be a  
15 part of this battle. All we want is peace and  
16 quiet. Would anyone like this in their back yard?  
17 Because we will be happy to send it your way.

18                   HEARING OFFICER: Thank you.

19                   MS. JUDY SPOTANSKI: I know jobs are  
20 important. But every time I pick up a paper or hear  
21 a politician speak, it's a different number. My  
22 husband and I have been at the board members'  
23 meetings --

24                   HEARING OFFICER: Excuse me.

25                   MS. JUDY SPOTANSKI: -- several times.

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1 Every time, I look people in the face, and I ask them  
2 squarely, have you heard anything? Have you had any  
3 contact from this company? And they will look you  
4 right in the eye and say, "No."

5 HEARING OFFICER: Excuse me.

6 MS. JUDY SPOTANSKI: Yet Mr. Buck talks  
7 about all the meetings they've had. I thank you for  
8 your time. I'm sorry. This just makes me so nervous  
9 and so sick. Please help us out. Think of our  
10 children. Thank you.

11 HEARING OFFICER: Thank you for your  
12 comment.

13 (Audience applause.)

14 HEARING OFFICER: No, I'm sorry. We  
15 don't have -- you're gonna' have to leave if you  
16 clap. We will not get through. Everybody deserves  
17 an opportunity to speak tonight, and if we clap, this  
18 place, I've been told, closes at midnight. I want  
19 every single person who wants to ask a question or  
20 make a comment to have an opportunity.

21 AUDIENCE MEMBER: Let's move it on  
22 then.

23 HEARING OFFICER: Okay. Julie Klamm,  
24 Amy Spotanski, and Mark Spotanski.

25 MS. KLAMM: Hello. I'm Julie Klamm,

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1 and tonight I'm representing IDOT. I'm with District  
2 9, Carbondale Region 5. My last --

3 HEARING OFFICER: Can you please --

4 MS. KLAMM: -- name is K-L-A-M-M. And  
5 my question concerns the infrastructure that's going  
6 to be involved with this entire process, including  
7 roadways and railways that will be put in. I was  
8 wondering if there has been an environmental impact  
9 study done for those type of things.

10 MR. ROMAINE: I guess I would ask you,  
11 why are you asking us this question?

12 MS. KLAMM: Because I've not -- I mean,  
13 I've learned of this, and I've not heard anything at  
14 our office. Nobody's contacted me.

15 MR. ROMAINE: Well, those are matters  
16 that I would assume would be addressed by IDOT, and  
17 we're the --

18 MS. KLAMM: That's why I'm here.

19 MR. ROMAINE: -- Illinois EPA.

20 AUDIENCE MEMBER: We can't hear you.

21 MR. ROMAINE: We do not have the  
22 answers to those questions. I would again direct you  
23 to your office to get the answers to those  
24 questions.

25 MS. KLAMM: Well, we are supposed to --

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1 we're interagency coordination. We're supposed to  
2 coordinate with each other on these things. And so  
3 we would like to get a copy, please, of the  
4 environmental impact study concerning increased  
5 traffic. We would like to get a copy of the study  
6 that concerns all of the infrastructure that will be  
7 involved with it, including the railines, utilities  
8 including pipelines that go in that cross our  
9 roadways, increased traffic, loads on bridges.

10                   And then the environmental impact  
11 study, how it will affect the wetlands, what  
12 mitigation will be taking place, archeological  
13 impacts in all these areas, because this is a large  
14 archeological area. Private important farmland  
15 that's impacted, which permits have to be gotten from  
16 the Department of Agriculture, IDNR, U.S. Army Corps  
17 of Engineers.

18                   And then also, I was wondering about  
19 the air quality. I know for us, we have to have  
20 monitoring done, also. So I was wondering if you,  
21 with the monitoring, how often it's monitored, and if  
22 there are reports that are issued, and how regularly  
23 they're issued.

24                   MR. ROMAINE: Are you referring to  
25 ambient air monitoring conducted in the State of

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1 Illinois?

2 MS. KLAMM: Yes.

3 MR. ROMAINE: We conduct ambient  
4 monitoring on a continuous basis. This monitors  
5 throughout the state. And we prepare an annual  
6 emission report that's available on the Internet.

7 MS. KLAMM: That's once per year?

8 MR. ROMAINE: No. The report is  
9 provided once per year as a public document. The  
10 ambient monitoring is continuous.

11 MS. KLAMM: Okay. So anybody that's  
12 concerned can get on-line and check the results of  
13 that at any given time?

14 MR. ROMAINE: Yes, they can.

15 MS. KLAMM: Okay. That's all I have.  
16 Thank you.

17 HEARING OFFICER: Thank you for your  
18 comment. Amy Spotanski?

19 MS. AMY SPOTANSKI: Hi. My name is Amy  
20 Spotanski. It's S-P-O-T-A-N-S-K-I. This plant will  
21 greatly affect our community, along with many  
22 surrounding communities. I have so many concerns.  
23 The biggest, of course, is how this is going to  
24 affect my family. Some of the issues that seem to  
25 raise immediate question to me are as follows: The

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1 smell.

2                   If this is anything like the plant in  
3 North Dakota -- and I've talked to several people in  
4 Dakota -- there is definitely a smell. I don't see  
5 how you cannot have a smell with the wide variety of  
6 by-products that are created with this process. Just  
7 sulfuric acid alone is bad enough. In addition to my  
8 conversations, I had inquired about living close to  
9 the plant, and was told you would absolutely not want  
10 to live anywhere near it, because of the smell and  
11 also the lighting 24 hours a day.

12                   The holding ponds. Tell me how you can  
13 guarantee that something like what happened in  
14 Eastern Tennessee on December 22, 2008, and again on  
15 January 9, 2009, won't happen here, where these  
16 holding ponds failed twice. Or when we have one of  
17 our many two-inch plus rains in just a couple of  
18 hours. And how will these holding ponds be able to  
19 contain any and all runoff? If something would  
20 happen, the contamination would be so widespread.

21                   You can see this, for example, just by  
22 the last rain on February 11, where just this little  
23 creek behind our home was well out of its banks, over  
24 the road in several places, and just a hundred yards  
25 from our home. This happens a couple of times a

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1 year. All this water travels on downstream and  
2 continues and continues.

3 Traffic. No one can seem to tell us  
4 about how exactly the product of coal will be  
5 entering the plant, whether by rail, semi, or even  
6 pipeline, or how any of our by-products will be  
7 leaving the plant. If by rail, you have the dust off  
8 the coal being carried by rail cars. And which way  
9 does the wind usually blow? West to east. And there  
10 seems to be a breeze here almost every day.

11 With 5 million tons of coal a year,  
12 which equals about 13,700 tons of coal a day, there  
13 will be constant switching of rail cars, which, in  
14 turn, will create a lot of dust from the shaking of  
15 that coal. If by semi, again 13,700 tons of coal a  
16 day, and a semi can hold approximately 30 tons,  
17 that's over 500 semis a day, 20 semis an hour, and  
18 one semi every 3 minutes, 24 hours a day, 365 days a  
19 year.

20 And not only the dust from the coal,  
21 but also the dust from the roads. These roads here  
22 are just oil and chip. The dust rolls now just with  
23 farm equipment or a vehicle traveling by. Sorry,  
24 guys. I'm really nervous. Not to mention when the  
25 coal is dumped throughout the day either by rail or

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1 semi. There is no way you can keep the dust from  
2 leaving the plant and settling on our surrounding  
3 areas.

4                   It's different living in a neighborhood  
5 where you have houses all around you versus a  
6 gasification plant. We moved from a quiet  
7 neighborhood over four years ago and wanted a quiet  
8 rural country and locating on the family farm. We  
9 did not expect such a project to jeopardize our fresh  
10 air and quiet living.

11                   If this plant should become a reality,  
12 I can't let my kids play outside and not be concerned  
13 for their safety. With the different particles and  
14 pollutants coming from the plant, they have to land  
15 somewhere.

16                   Although the plant may have a main  
17 entrance, you cannot prevent an increase of traffic  
18 on our rural roads, whether it be construction  
19 traffic or plant operation traffic, not to mention  
20 the some 8 million gallons of water a day from Rend  
21 Lake that will be used. And what about the noise?

22                   Lastly, I would like to ask why someone  
23 from Power Holdings has never so much as offered to  
24 contact us. This project location has been in the  
25 workings now for at least two years. And if it is

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1 supposed to be such a terrific addition to Southern  
2 Illinois, why is everyone trying to hide it? Thank  
3 you.

4 HEARING OFFICER: Thank you for your  
5 comment. Mark Spotanski, Chad Kujawa, Barbara  
6 McKasson, and Bernard Bauza, if you could come  
7 forward to be ready.

8 MR. MARK SPOTANSKI: My name is Mark  
9 Spotanski. That's S-P-O-T-A-N-S-K-I. I kind of had  
10 a little bit of a speech made out here, but I'd be  
11 duplicating a lot of what my wife just said if I was  
12 to read it. A big concern of mine, on the permit  
13 application, they show on there that the operator of  
14 this plant is to be determined. Now, how can you  
15 issue a permit when you don't know the past history,  
16 or who the operator's gonna' be, or if this operator  
17 has had any repeated violations, you know, with EPA  
18 regulations and so forth?

19 I myself, too, have approached the  
20 County Board on a couple of occasions, and was told  
21 the same thing, We don't know anything. Well,  
22 evidently there was a lot of meetings going on that  
23 we weren't informed about. And I, too, am very  
24 concerned about the health of my children, the  
25 welfare of my family, neighbors.

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1                   If I was to stand on my back porch,  
2 this plant would be 400 yards from my back door, and  
3 I live on the east side of this proposed site. We  
4 all know, like everybody's been saying here this  
5 evening, the direction the wind blows. Anything and  
6 everything that goes on at that plant is gonna' be  
7 dumped in my back yard, on my buildings. Anything  
8 from air pollution, odors, noise, smell, you name it,  
9 if it's coming out of them stacks, it's landing on my  
10 land.

11                   I, too, am nervous. I'm not used to  
12 speaking in front of people. But I will say, whether  
13 you're for this plant or against it, I appreciate  
14 everybody showing up. It seems as though we've got a  
15 lot of people in this area that are concerned about  
16 this. That's all I have. Thank you.

17                   HEARING OFFICER: Thank you. John  
18 Kerry? Ted -- oh, I'm sorry. Chad Kujawa. I'm  
19 sorry. Kujawa.

20                   MR. CHAD KUJAWA: Chad Kujawa.  
21 K-U-J-A-W-A. I live right across from Mark  
22 Spotanski. And right a quarter of a mile from this  
23 plant where it's gonna' be, there's gonna' be 21 kids  
24 affected by this. What's their future gonna' hold?  
25 I grew up playing in the creeks, up and down the

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1 roads, out in the fields. What have they got to look  
2 forward to? The noise, the smell. What's it gonna'  
3 do to the wildlife, to the fish, to the livestock?  
4 That's my questions.

5 HEARING OFFICER: Thank you. Barbara  
6 McKasson?

7 MS. MCKASSON: My name is Barbara  
8 McKasson, M-C-capital-K-A-S-S-O-N. And I am chair of  
9 Shawnee Group, Sierra Club, which has members in 22  
10 counties in Southern Illinois. I am, however, giving  
11 testimony as an individual. I'm here to urge the  
12 Illinois EPA to deny the PSD air permit for the  
13 proposed Power Holdings' synthetic gas plant.

14 My main objection is that the permit  
15 does not address the CO2 emissions that are projected  
16 for the plant. CO2 is known to be the major  
17 pollutant causing global warming, with over 55  
18 percent of the global warming gases being caused by  
19 burning of fossil fuels, according to the latest  
20 report by the Intergovernmental Panel on Climate  
21 Change, the IPCC.

22 The U.S. Courts and the Federal  
23 Environmental Appeals Board have ruled that the EPA  
24 has the authority to regulate CO2 under the Clean Air  
25 Act. Climate scientists are almost unanimous in the

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1 opinion that human activity has caused global  
2 warming, and that the global warming is causing  
3 climate change.

4                   Currently the Obama Administration,  
5 through the U.S. EPA, is in the process of deciding  
6 how to regulate CO2 emissions, and that is why I  
7 think this should be considered in this permit.

8                   In the Congressional declaration for  
9 the purposes of the Clean Air Act, the first and most  
10 important purpose is "to protect and enhance the  
11 quality of the nation's air resources, so as to  
12 promote the public health and welfare." The public  
13 health is my main concern, also.

14                   Global warming is quickly becoming the  
15 biggest threat to public health and welfare. The  
16 IPCC 4th report, page 9 of the summary for  
17 policy-makers states that human health, this is a  
18 quote, "Human health in populations with low adaptive  
19 capacity are likely to be especially affected by  
20 climate change."

21                   The summary goes on to say that "even  
22 those areas with high incomes, some people such as  
23 the poor, young children, and the elderly can be  
24 particularly at risk." When threat to our health and  
25 welfare is the effect that global warming and climate

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1 change has on agriculture.

2                   According to Dr. Steven Kraft, a  
3 professor of agriculture at Southern Illinois  
4 University in Carbondale, says farmers in Illinois  
5 are already experiencing the effects of a changing  
6 and unpredictable climate. Here in Southern  
7 Illinois, crops have been damaged by weather events  
8 that are increasingly unpredictable, such as ice  
9 storms, high winds, early spring warming followed by  
10 late freezes, extreme drought, and extreme rains.

11                   In fact, scientists predict that  
12 because of global warming, the Midwest is an area  
13 that will experience a climate that shifts from  
14 decade to decade. This will make farming on  
15 America's most productive land a much riskier  
16 business and will threaten America's food supply,  
17 which I think is more important even than fuel  
18 supply.

19                   At a forum in September 2008, Dr. Kraft  
20 stated, "If precipitation is out of sync with the way  
21 a crop is maturing, a farmer may not get that full  
22 crop of corn." This means that when it rains, it  
23 probably isn't as important as how much it rains. So  
24 the timing of the rain is very important.

25                   He also stated that although CO2

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1 stimulates the growth of some crops, it also  
2 stimulates the growth of weeds that compete with  
3 those crops.

4 HEARING OFFICER: One minute.

5 MS. MCKASSON: Okay. What do I cut  
6 out? Dr. Kraft used the example of an unusual  
7 windstorm that swept across much of the U.S. the  
8 night of September 15, 2008, which knocked down whole  
9 fields of corn. If the corn gets knocked down, it is  
10 harder to harvest. It is also more prone to getting  
11 fungus. Cattle would not want to eat that corn. And  
12 many corn elevators would not even take that corn.

13 That is just one example of the kinds  
14 of significant events that will increase as a result  
15 of climate change caused by global warming and that  
16 would be increased by the CO2 emissions of the  
17 proposed Power Holdings' coal gasification plant.  
18 That is ten million tons a year of CO2.

19 HEARING OFFICER: Thank you for your  
20 comments. Bernard Bauza? Would you like to submit  
21 that? You can enter your thing into the record. It  
22 would be No. 5.

23 MS. MCKASSON: Okay.

24 HEARING OFFICER: Does it have your  
25 name on it?

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1 MS. McKASSON: Yes, right up there.

2 HEARING OFFICER: Okay. We'll mark it  
3 as 5.

4 MR. BAUZA: Hello. My name is Bernard  
5 Bauza, B-A-U-Z-A, 1412 East Salsbury Road, Ashley,  
6 Illinois. I live about a mile east of the Washington  
7 County/Jefferson line, where the plant's gonna' be  
8 built. My concern is for all the children that live  
9 around there. And I'd like to have my grandson come  
10 out and visit me and breathe some fresh air. But if  
11 they put this plant up, emissions of sulfur dioxide  
12 and minute amounts of mercury, that's totally  
13 unacceptable, this mercury stuff. And sulfur  
14 dioxide, it stinks. So that's all I gotta' say.

15 HEARING OFFICER: Thank you for your  
16 comment. John Kerry?

17 AUDIENCE MEMBER: Pass for now.

18 HEARING OFFICER: Ted Schanafelt?

19 AUDIENCE MEMBER: Schanafelt ain't it,  
20 Schanafelt?

21 HEARING OFFICER: Schanafelt? Bradley  
22 Hill and Ben Kujawa.

23 MR. PATRICK KUJAWA: Yes. I'm Patrick  
24 Kujawa, K-U-J-A-W-A. We live within a quarter of a  
25 mile of this. We have farmland, and our pasture land

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1 will be affected by the runoff. Our cattle will be  
2 drinking out of a creek that the flood water, that  
3 our bottomland will be affected. Uh, we have, uh --  
4 we water our cattle out of spring wells that I'm  
5 worried about underground water contamination. And,  
6 uh, I guess that's really about all I got to say  
7 right now.

8 HEARING OFFICER: Thank you for your  
9 comment. John Kerry? Oh, he passed. Okay. Ted  
10 Schanafelt?

11 MR. SCHANAFELT: All ready to go.  
12 Right? I got some documents I want to give to the  
13 recorder, so I don't have to mail them to you.  
14 Okay?

15 HEARING OFFICER: Okay. Do they have  
16 your name on them?

17 MR. SCHANAFELT: On the very last page,  
18 right. I've got two questions, 'cause some of the  
19 questions have already been answered or were already  
20 asked. And what I'm asking you is I'd like to know  
21 what the capacity of Rend Lake is right now. The  
22 Corps of Engineers have not had anything done since  
23 it was built, and it's been filled in quite a bit.  
24 So I need -- I'd like to have an answer to that  
25 question.

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1                   Now, the Illinois DNR has already give  
2 permits to three new coal mines, eight million gallon  
3 apiece, and we got a new alcohol plant in Benton,  
4 Illinois. And I didn't get any numbers on how many  
5 gallons a day it's gonna' take. Now, with all this  
6 source of gallons going, I don't know how the  
7 Illinois DNR can possibly give all this water away,  
8 when they have no idea how much they have.

9                   Now, nobody has run the Illinois DNR  
10 for about 20 years except a politician. Nobody in  
11 the department has ever run it that knows anything  
12 about this type of stuff. So I'd like to know what  
13 someone thinks about that. That's all I've got for  
14 right now. Thanks.

15                   HEARING OFFICER: Thank you for your  
16 comments. Bradley Hill?

17                   MR. HILL: Brad Hill, B-R-A-D,  
18 H-I-L-L. I actually live a pretty light stone throw  
19 away from my front porch from where the plant's  
20 gonna' be, proposed plant's gonna' be built. And you  
21 had mentioned a while ago, I believe the gentleman  
22 here in the front, mentioned the ambient levels. And  
23 I don't know all the numbers on what ambient levels  
24 are. But there's definitely a concern what ambient  
25 levels are safe.

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1                   And many people have talked about the  
2 particular contraindications with health concerning  
3 emissions and what you take in. But I want to just  
4 read a couple of things. Since a lot of questions  
5 aren't being directly answered, I want to just share  
6 a few things here. And what's been stated about  
7 particulate matter, which is only one of ten of the  
8 toxins that are being absorbed and exposed.

9                   There's over 65 tons per year of just  
10 particulate matter alone. And what particulate  
11 matter does is actually penetrate deeply into the  
12 lungs, and they're captured by lung tissue. They're  
13 directly associated with respiratory and cardiac  
14 problems and infections, asthmas, lung cancers, and  
15 decreased life expectancy.

16                   The World Health Organization estimates  
17 500,000 premature deaths each year associated with  
18 particulate matter pollution. 500,000 premature  
19 deaths. A recent study found that even a small  
20 increase of particulate matter, which you had  
21 mentioned 2.5 microns, which is pretty seriously  
22 small, results in significant increases in  
23 mortality. Now, we all know what mortality means.

24                   The American Lung Association believes  
25 that particulate matter at 2.5 represents the most

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1 serious threat to our health. The more susceptible  
2 to particulate matter pollution includes -- the  
3 people that are the most susceptible are children,  
4 athletes, senior citizens, and people with  
5 preexisting respiratory problems. That's all I've  
6 gotta' say about the PM.

7                   But how it directly affects me, and I  
8 guess I have to ask a question. How close can a  
9 plant be built close to a school? Can you answer  
10 that, even though it's not directly an air quality  
11 question?

12                   MR. ROMAINE: There is no specific  
13 distance that is required to separate a manufacturing  
14 plant from a school. What we require is that the air  
15 quality at the property line of the plant meet the  
16 ambient air quality standards.

17                   MR. HILL: Okay.

18                   MR. ROMAINE: So that means wherever  
19 the plant is located, on the far side of the fence  
20 line, if you walk by it, the air quality should be  
21 safe.

22                   MR. HILL: Okay. My question would be,  
23 beings I have a home school, I have eight children  
24 and the home school directly next to this plant, is  
25 who's gonna' be checking the air quality of my

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1 school?

2 MR. ROMAINE: We do not do monitoring  
3 in homes, private residences. We monitor ambient air  
4 in public locations. We will monitor the emissions  
5 coming out of the plant with continuous monitors for  
6 key pollutants in the various units of the plant.

7 MR. HILL: Okay. I have a direct  
8 concern concerning most of these toxins. And I'll  
9 cut it short. I have a lot of facts here, and I have  
10 a whole folder over at the table that actually is two  
11 inches deep on the effects of emissions and what it's  
12 gonna' do directly to those people exposed.

13 One of my children was born with a  
14 heart defect. And so even though right now she's  
15 doing fine, it's a rare defect, and so if there's any  
16 oxygen restriction or depletion in her blood, in her  
17 blood oxygen levels, if there's a depletion of that,  
18 there is a risk for her to actually have some serious  
19 contraindications with some air quality there.

20 Okay?

21 So nitrogen oxide's another concern.  
22 This causes bronchitis, pneumonia, reduces resistance  
23 to infection. The presence of this nitro dioxide in  
24 the atmosphere can have synergistic effects with  
25 other pollutants. Frequent long-term exposure can

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1 and will increase the incidence of acute respiratory  
2 illness in children. They basically do this because  
3 children are small. They run around a lot. They  
4 take in more air than all of us. So they kind of  
5 give examples with children mainly because of that.

6                   The sulfur dioxide reduces respiratory  
7 volume, increases breathing resistance in those  
8 exposed. Sulfur dioxide increases nasal airway  
9 resistance. Research shows that daily mortality  
10 rates are consistently associated with sulfur dioxide  
11 and higher ozone levels.

12                   Folks, this is imminent increases in  
13 and around this plant. I don't know how close you  
14 are to the plant. Even though this is right on top  
15 of me and on top of others right directly around me,  
16 it's gonna' affect everybody in a very large area.  
17 That's my comments.

18                   HEARING OFFICER: Thank you for your  
19 comment. Ben Kujawa, Vic Talbert, Louis Bauza, Jean  
20 Kujawa, and Dennis Taylor.

21                   MR. BEN KUJAWA: Okay. You guys want  
22 to create jobs, why don't we do it --

23                   HEARING OFFICER: Please state your  
24 name, and spell your last name, please.

25                   MR. BEN KUJAWA: K-U-J-A-W-A, Ben

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1 Kujawa. If you want to spend the tax dollars --

2 AUDIENCE MEMBER: Can't hear you.

3 MR. BEN KUJAWA: I have no comment. I  
4 live right next to it, and I'm so shaken up.

5 HEARING OFFICER: Please use the  
6 microphone. We want to hear what you have to say.

7 MR. BEN KUJAWA: Well, I'm just against  
8 the place. I don't want it in the neighborhood. I  
9 don't want it in Southern Illinois. How many plants  
10 do we have to put in the Southern Illinois area? I  
11 mean, we got three already here. We got Baldwin,  
12 Lively Grove, and now this one. How much more -- and  
13 I know there's a bunch of other ones. How many more  
14 do we need out there in one area? I mean, come on.

15 We could spend money on solar panels  
16 and wind energy, and then we could create jobs that  
17 way. Why with coal? Why can't we leave that coal  
18 for reserves and leave it there, so it could be used  
19 for later use if needed? That's all I have to say.

20 HEARING OFFICER: Thank you for your  
21 comment. Vic Talbert, Louis Bauza.

22 AUDIENCE MEMBER: Can't hear you.

23 HEARING OFFICER: Vic Talbert, Louis  
24 Bauza, Jean Kujawa, Dennis Taylor.

25 MR. LOUIS BAUZA: My name is Louis

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1 Bauza, B-A-U-Z-A. My main concern is about the  
2 mercury. You got the high-energy light bulbs right  
3 now. And if you happen to break one of those,  
4 they're telling you to go and get medical attention.  
5 Now, that's just a small thing of mercury. What's  
6 this plant gonna' leave us with? There's a lot more  
7 in that plant than in one light bulb. That's all I  
8 have.

9 HEARING OFFICER: Thank you. Jean  
10 Kujawa?

11 MS. JEAN KUJAWA: Hello. Hello. Is it  
12 on? Okay.

13 HEARING OFFICER: Yeah. Really  
14 project.

15 MS. JEAN KUJAWA: My name is Jean  
16 Kujawa, J-E-A-N, K-U-J-A-W-A. I'm not good at  
17 talking, either, so bear with me. My husband,  
18 Patrick, and I -- he just got done talking a few  
19 minutes ago -- we live right on the farm that will be  
20 about a quarter of a mile from the proposed plant,  
21 and this farm has been in my husband's family since  
22 1918, and we hope to hand it down to our sons and  
23 their family one day, too.

24 Air pollution is an important concern  
25 for us. I know this is an air permit meeting, but

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1 when we talk about air pollution, to me, it concerns  
2 other things being polluted, as well, because as they  
3 say, what goes up in the air eventually has to come  
4 down.

5                   We farm for a living, growing crops and  
6 raising cattle as a food source for ourselves and  
7 others. Our neighbors even supply us with fresh  
8 eggs. And our children hunt, fish, and trap, and  
9 that's also a source of food for me and my family.  
10 Our grandchildren play outside in the yards, woods,  
11 walk in the creeks. And our cattle feed on pasture  
12 and drink from the ponds and from the creek where  
13 this water runoff comes from the land where the  
14 proposed plant will be built. We also have  
15 spring-fed wells where we get water for our feeder  
16 cattle. The pollutants that would be emitted from  
17 this plant will contaminate all this.

18                   Mercury in the water supply. Carbon  
19 dioxide will produce acid rain on our crops and lands  
20 and buildings. Even the coal dust from the railroad  
21 cars bringing in the coal will be another air  
22 pollutant. These are just a few. It might not have  
23 an effect on us right now, but accumulation of these  
24 contaminants over weeks, months, and years will all  
25 take a terrible toll on us and our environment. We

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1 will develop a lot of health problems.

2                   It won't just stay in our neighborhood,  
3 either. The winds will blow and carry, and these  
4 contaminants will go for miles away to neighboring  
5 towns, lakes, and creeks. Power Holdings proposed to  
6 construct this plant directly, also, on a fault line,  
7 which is the Centralia Fault Line, and there's also  
8 the DuQuoin Fault Line right next to it, which is  
9 west of the County Line Road.

10                   If there is an earthquake, what will be  
11 the significant emission rate of air pollutants and  
12 ground pollutants when this happens? There will be a  
13 lot of farmland ruined because of it, too. We're  
14 losing farmland more each year. What will happen to  
15 our food source then?

16                   As for the plant bringing jobs, I'm for  
17 jobs, too. But there are cleaner, more cleaner  
18 energy sources to create jobs, and in the process,  
19 have a cleaner and safer environment to live in.  
20 Cleaner air has to be all our concern, Sierra Club,  
21 EPA, Power Holdings, and the people of this  
22 community. We all will be breathing the same air.  
23 That's all I have to say right now. Thank you.

24                   HEARING OFFICER: Thank you. Dennis  
25 Taylor?

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1 AUDIENCE MEMBER: Pass.

2 HEARING OFFICER: Becki Clayborn?

3 (Discussion held off the record.)

4 MS. CLAYBORN: My name is Becki  
5 Clayborn, last name C-L-A-Y-B-O-R-N. I'm a regional  
6 representative of the Sierra's Club's National Coal  
7 Campaign. Sierra Club has 1.3 million members and  
8 supporters nationwide, and here in Illinois, we have  
9 about 24,000 members.

10 First, I want to say thank you to all  
11 of these people. This is amazing how many people  
12 came out to this hearing. I've been to many a  
13 hearing, and sometimes there's five people. The fact  
14 that you care this much about your community,  
15 whichever way you care, is huge. And I fully  
16 encourage every one of you to get up there, get up  
17 here and participate in this public hearing, because  
18 that's what Sierra Club's all about, public  
19 participation and making sure that you have a say in  
20 what happens in your community.

21 Sierra Club works primarily to ensure  
22 clean air, clean water, and land protection locally,  
23 statewide, and nationally. Right now, the Sierra  
24 Club's number one priority has become climate  
25 change. The reason climate change has become our

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1 number one priority is because it affects clean  
2 water, clean air, and our lands. If we don't address  
3 the global warming problem, nothing else we do to  
4 protect water and air and land really means  
5 anything.

6                   We understand that according to top  
7 scientists, the International -- what is it?  
8 International Panel --

9                   MS. MCKASSON: Intergovernmental Panel  
10 on Climate Change.

11                   MS. CLAYBORN: -- Intergovernmental  
12 Panel on Climate Change -- thank you, Barb -- we  
13 understand that the top scientists in the world are  
14 looking at our climate and saying we need to reduce  
15 our global warming emissions 80 percent by 2050.  
16 This power plant is only going to increase the global  
17 warming emissions. This plant, actually, I don't  
18 know how much CO2 it's going to emit. That's a  
19 question to you guys. Do you know the amount of  
20 carbon dioxide that will be emitted by this power  
21 plant?

22                   MR. ROMAINE: I think the estimate by  
23 Ms. McKasson is reasonable, ten million tons per year  
24 would be the potential emissions of CO2.

25                   AUDIENCE MEMBER: How many?

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1                   MS. CLAYBORN: Ten million tons a  
2 year. That was an estimate that we made according to  
3 how much coal was gonna' be gasified. And by my  
4 calculations, ten million tons a year is about the  
5 equivalent of putting 1.8 million cars, additional  
6 cars on the road. It's a significant amount of  
7 carbon dioxide.

8                   If anyone's interested, there are some  
9 handouts on one of the tables back there that has a  
10 chart. And I would like to actually submit this as  
11 part of the proceedings. There is a chart that shows  
12 the life cycle of greenhouse gas emissions from  
13 different power sources.

14                   The smallest one is natural gas, 1,250  
15 pounds of CO2 per megawatt hour. Liquid natural gas,  
16 which is just a natural gas that we get from  
17 somewhere else that's liquified and shipped in, is a  
18 little bit more, 1,600. Coal, burning coal produces  
19 2,270 pounds of CO2 per megawatt hour. That's a  
20 lot.

21                   But then synthetic natural gas, which  
22 is basically taking coal and natural gas and putting  
23 all those CO2 numbers together, that is 3,550 pounds  
24 of CO2 equivalent. I don't know if you can see  
25 this. If you can't see it, come to me, and I'll get

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1 you more. I'll get you one. Can I keep using it,  
2 though?

3 HEARING OFFICER: Yes. You're at one  
4 minute.

5 MS. CLAYBORN: Oh, thank you. So this  
6 is a highly, it is a huge source of CO2, worse than a  
7 regular coal-fired power plant. And CO2 needs to be  
8 addressed in this permit. As Barb had mentioned, the  
9 EPA has the authority to regulate CO2, and I'd like  
10 to know why Illinois EPA has not put CO2 in this  
11 permit.

12 MR. ROMAINE: At this point in time,  
13 CO2 has not been regulated by U.S. EPA. We  
14 administer the program on behalf of U.S. EPA. We  
15 have to await action by U.S. EPA before we would  
16 address CO2.

17 MS. CLAYBORN: It's my understanding  
18 that the Environmental Appeals Board has, in two  
19 cases now, told a state to go back and look at their  
20 air permit and make sure to address CO2.

21 MR. ROMAINE: That's not correct. In  
22 one case, they actually told U.S. EPA to go back and  
23 examine its approach. The Environmental Appeals  
24 Board said that U.S. EPA, that is the administration  
25 of U.S. EPA, needs to better explain its position on

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1 CO2.

2 MS. CLAYBORN: Sure. I'm gonna' come  
3 back --

4 HEARING OFFICER: Yes.

5 MS. CLAYBORN: -- because I do have a  
6 lot more questions, but I want to make sure that  
7 everybody in here has an opportunity to speak before  
8 I sit here and ask you a ton of technical things.  
9 Thank you.

10 HEARING OFFICER: Thank you for your  
11 comment. Do you want to put that in as an exhibit  
12 now?

13 MS. CLAYBORN: Sure.

14 HEARING OFFICER: Or do you want to  
15 wait and do all your exhibits at one time, all your  
16 documents?

17 MS. CLAYBORN: Oh, we can do that.

18 HEARING OFFICER: Rick Nowland, Charles  
19 Spotanski, Verena Owen, and Walter Wagner.

20 MR. NOWLAND: My name is Rick Nowland.

21 HEARING OFFICER: Can you please spell  
22 your last name.

23 MR. NOWLAND: N-O-W-L-A-N-D. I went to  
24 the informational meeting that Power Holdings had at  
25 Waltonville Fire Station, and I talked to a gentleman

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1 up there and asked him some questions. And I asked  
2 him where the coal was gonna' come from that was  
3 gonna' be used at this coal gasification plant. He  
4 told me it was gonna' be provided by two underground  
5 mines in Washington County.

6 I asked him about the delivery of this  
7 coal, and he told me that the coal would be ground  
8 into powder, pumped underground via an underground  
9 pipeline to this facility.

10 So if Power Holdings is gonna' use one  
11 million gallons of water a day at this coal  
12 gasification plant, and they plan on pumping five  
13 million tons of clean coal -- I suppose it's clean  
14 coal -- underground to this facility, where are they  
15 gonna' get the water to pump it to this facility?  
16 Where are these mines gonna' be located? And how  
17 much water are they gonna' need to pump this slurry  
18 and process the coal?

19 So I talked to the gentleman further,  
20 and I asked him -- he was telling me about the, uh,  
21 all the technology in this coal gasification plant.  
22 And so I asked him if there was another plant in  
23 operation anywhere in the country designed like this  
24 plant. And he told me that we've taken all the  
25 technology that's in this plant and combined it and

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1 engineered it so everything will work at this  
2 facility.

3                   So I asked him point blank. I said,  
4 "So you're telling me that this is a prototype?"  
5 And he said, "Yes, this is a prototype." So he went  
6 on to tell me some other things, and, uh, he said  
7 something about we've got a catch pond for runoff  
8 water. He said, "There'll be no runoff water at this  
9 plant. We've engineered this catch pond to catch 3  
10 inches of rain in a 24-hour period."

11                   And so I asked him, I said, "Okay.  
12 What are you gonna' do about the gully washers we get  
13 sometimes when we get five or six inches of rain  
14 overnight?" And he stammered around a little bit.  
15 He said, "My God," he said, "we figured three inches  
16 was gonna' catch all the rain." So I said, "No," I  
17 said, "we get big rains like that, not very often,  
18 but we get them." So he said, "Well, I guess I'm  
19 gonna' have to go back and re-engineer that."

20                   So I work in the coal industry. I'm  
21 all for jobs. But from what, after I talked to this  
22 guy, it just seems like this plant and all its ideas  
23 has got some holes in it. And I'd like to see jobs  
24 come to this area, but unless it's proven technology  
25 that's not gonna' cause any damage or runoff or

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1 anything, I don't think it oughta' be installed.

2 Thank you.

3 HEARING OFFICER: Thank you for your  
4 comment. Verena Owen. Oh. Am I out of order?

5 MS. OWEN: I think you're out of order.

6 MR. CHARLES SPOTANSKI: Yeah. My name  
7 is Charles Spotanski, and I, too, like Rick Nowland  
8 -- and my name is S-P-O-T-A-N-S-K-I -- went to the  
9 Waltonville meeting there on February 21. And I  
10 spent four hours, four hours in there, and I went  
11 through with three different people from Power  
12 Holdings, and two of the gentlemen are sitting right  
13 here. And I got different answers from every one of  
14 them.

15 And I didn't do a lot of talking. I  
16 was with people more, and I done a lot of writing.  
17 And when I get to my report here, there's gonna' be  
18 like questions and answers which was on the board and  
19 how they were asked and how they were answered. So  
20 I'm gonna' throw that out, and you'll see what I'm  
21 talking about.

22 And I'd also like to know this \$10  
23 million that's been spent so far, how much of that is  
24 grant money? Can anybody answer that? I guess not.

25 Okay. Emissions. Total amount of

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1 emissions allowed as per air permit request for  
2 unproven technology. Just like Rick said, it's  
3 unproven. No regulations for capture of CO2 carbon  
4 dioxide mentioned in the 90-page request for air  
5 permit. What will happen to the tons of CO2  
6 emitted?

7                   Compared to natural gas, of which we  
8 have no shortage, what's reported in the paper, we  
9 have no shortage of natural gas. I'm not sure why  
10 we're worrying about this. Converting coal to  
11 synthetic gas will create approximately ten times  
12 more soot and smog pollution, leading to increased  
13 asthma, lung cancer, and other respiratory  
14 illnesses.

15                   Smog also harms plants and trees.  
16 Persistent smog pollution can alter and disrupt plant  
17 growth over time, leading to an estimated 500 billion  
18 lost due to reduced crops production in the United  
19 States every year.

20                   Use of coal to produce synthetic gas  
21 are potential sources of high-toxic contaminants like  
22 arsenic, mercury, chromium, titanium, cancer-causing  
23 which can damage nervous systems and other organs,  
24 especially children. And like has been said before,  
25 we have 20 children right in our area. Sulfuric acid

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1 taken by truck or rail. And there again, there's no  
2 mention of a rail in the permit. So what do we do  
3 with this disposal of the sulfuric acid?

4                   Flaring events during operation  
5 start-up, shutdown, equipment malfunction. What  
6 about emission at this time? What goes up must come  
7 down. Who will inspect and monitor plant emissions?  
8 Who and how will shutdown be done, by a man or a  
9 system? What plan for evacuation?

10                   Here's some of the questions and  
11 answers. There is no distinguishing odor from  
12 gasification operation. How can you say, when no  
13 plant operation yet, only on paper? The North Dakota  
14 plant has bad odors. Only minimal. What is  
15 minimal?

16                   The new technology of proposed plant  
17 has not been proven. How will it operate? How much  
18 emissions? Noise from site. 65 decibals, about  
19 level of conversation at fence line. What fence  
20 line? To my fence line? Is it Spotanski's fence  
21 line? I don't understand when you say fence line.  
22 There's a lot of fences around there.

23                   Traffic and noise. We have sub-par  
24 roads. Will be dust and dirt with excess cars and  
25 trucks. No same route. And they found that out at

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1 Prairie State. They couldn't control the trucks and  
2 stuff coming in. They had a designated route, but  
3 they went the shortest route.

4 HEARING OFFICER: One minute.

5 MR. CHARLES SPOTANSKI: Okay.

6 Gasifiers are supposed to be total of five and would  
7 use approximately 2,630 tons of coal per day for a  
8 total of about 13,000 tons. And if all by truck,  
9 about 25 ton per truck in a 24-hour period. You'd  
10 have about 510 semis getting in and out of there, and  
11 I don't know if that would be possible or not.

12 And like Rick said, there was something  
13 mentioned about the slurry to pipe the coal in, but  
14 that wasn't answered in Waltonville. And there's no  
15 mine been picked, as far as I'm concerned, unless  
16 they've picked it since the 21st.

17 HEARING OFFICER: One minute, sir.

18 MR. CHARLES SPOTANSKI: Okay. On  
19 stormwater to be captured on site, holding pond for  
20 3-inch rain in 24 hours. What happens when we get a  
21 4 to 6-inch rain in 24 hours and holding ponds  
22 overflow? Where does this contaminated water go? In  
23 the creeks, streams, lakes, etc. What happens to the  
24 water in the holding ponds after rain? How does it  
25 leave? We have clay soils in our area, also, so it

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1 will not absorb as much water as possibly the soil  
2 that you guys are talking about.

3                   What will the plant light level be at  
4 nighttime? Said light would be contained on the  
5 plant site. I don't know if that's possible or not.  
6 We all know, there's 40 farmers in here, and these  
7 crops will not ripen under lights.

8                   The water uses -- that's been brought  
9 up several times -- 8 million gallons of water per  
10 365 days from Rend Lake. I don't know about that.  
11 And I, too, would like to reiterate on what my wife  
12 said to the County Board. We went there numerous  
13 times and asked questions. I went to meeting after  
14 meeting after meeting, and I asked questions, and  
15 nobody knew nothing. Nobody knew nothing. But the  
16 gentleman here before the meeting said, oh, we've had  
17 a lot of meetings. So thank you.

18                   HEARING OFFICER: Thank you for your  
19 comment. Okay. Verena Owen.

20                   MS. OWEN: Hi. My name is Verena,  
21 V-E-R-E-N-A, Owen, O-W-E-N. I chair Sierra's Club's  
22 National Coal Campaign, which means I'm the lead  
23 volunteer on the campaign. It's actually the Move  
24 Beyond Coal Campaign. I live in Illinois, but I've  
25 never been in this part of Illinois. I was blown

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1 away how beautiful it is, how tranquil. I want to  
2 come back. I want to go hiking. I want to go  
3 fishing in Rend Lake.

4 I want to thank IEPA for holding the  
5 hearing. This must not be easy to be faced with a  
6 room full of people with a lot of questions. Now,  
7 I've been to a couple of dozen of hearings with you  
8 guys, and I'm a little troubled that we hear a lot of  
9 questions, and you don't have a lot of answers. And  
10 that seems to be indicative of this project. Let's  
11 try an easy one, shall we? Where is the nearest air  
12 monitor?

13 MR. ROMAINE: I'm sorry. We don't have  
14 that information with us tonight.

15 MS. OWEN: The next one will be harder,  
16 so let's skip them for the time being. About three  
17 weeks ago, I was in Washington, D.C. I attended a  
18 Green Jobs Conference. It was called Good Jobs Green  
19 Jobs. It was hosted by the Blue-Green Alliance. The  
20 Blue-Green Alliance is an alliance between the Sierra  
21 Club and the Steelworkers Union. Umm, I was -- it  
22 was a wonderful event.

23 And I remember at the closing, that the  
24 union, the Steelworkers Union President said, "You  
25 know, last year we planned this event for 500 people,

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1 and 800 showed up. This year we planned this event  
2 for 1,500 people, and 2,500 people showed up."

3 I also want a clean energy future for  
4 Illinois. This is not the future. This is the  
5 past. Can we do this? Yes, we can. Pretty much at  
6 the same time when IEPA issued their permit, they  
7 issued a permit for a company that makes towers for  
8 wind turbines. They want to expand. Yay! And I bet  
9 you, that's not gonna' cost \$2 billion for 50 workers  
10 or \$40 million a worker, and that's not gonna',  
11 they're not gonna' be asking for \$450 million from  
12 the state for the expansion of the wind turbine  
13 factory. That provides real jobs.

14 Also at the conference, I had the  
15 privilege for the first time to hear the new  
16 administrator of EPA speak, Lisa Jackson. Lisa gets  
17 it. She's from New Orleans. She knows what it means  
18 to be faced with global warming issues, and she  
19 understands it. And she made it perfectly clear to  
20 everybody in the room that the rule of law and the  
21 value of science has returned to EPA. She also made  
22 it perfectly clear that the days of unlimited CO2  
23 emissions are over.

24 So what I hear from you here is, in my  
25 view at least, at best disingenuous and just simply

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1 not true. There will be CO2 regulations, and you are  
2 instructed to make sure that permits have CO2 limits  
3 in them. Jim Hanson put it best. Jim Hanson is the  
4 preeminent scientist on global warming. He once  
5 said: The bottom line for the planet is coal. The  
6 bottom line is coal. If we burn it, liquify it, or  
7 gasify it, we are toast. Thank you.

8 HEARING OFFICER: Thank you for your  
9 comment. Walter Wagner, Brian Ramsey, and Ann  
10 Phillips, Mike Starr.

11 MR. WAGNER: My name is Walter Wagner,  
12 W-A-G-N-E-R.

13 (Discussion held off the record.)

14 MR. WAGNER: Now, it's hard for me to  
15 follow that person that just spoke, 'cause I'm not an  
16 orator at all. We from Illinois here know that in  
17 the last month or so, that a lot of words had to be  
18 bleeped on television, and I hope this doesn't happen  
19 here to me.

20 But I think that the first person that  
21 spoke of this group said they'd like to be good  
22 neighbors. Now, no construction has started there  
23 yet, that I know of. Now, the first construction  
24 that should start there, one of you guys should build  
25 a house there and move your family there. Now, that

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1 would make a good neighbor. Now, if you're willing  
2 to live by it, then nobody else would have a  
3 complaint.

4 Now, this next comment I'd like to make  
5 would be to the air, the EPA. Have you been to the  
6 site and have taken air samples and things, so you  
7 can establish a benchmark as to what is actually out  
8 there now?

9 MR. ROMAINE: We have used  
10 representative monitoring sites to assess the air  
11 quality. The air quality in Illinois is generally  
12 very good, except in our larger metropolitan areas.

13 MR. WAGNER: So what you're saying is  
14 that our air quality could be deteriorated quite a  
15 bit before it would be unacceptable?

16 MR. ROMAINE: That is correct.  
17 However, this plant would not significantly  
18 deteriorate the air quality, based on the analysis  
19 that's been performed.

20 MR. WAGNER: Uh-huh. Really the reason  
21 I'm here for is not to make jokes like that. I look  
22 out across the audience, and, uh, I've got 49 and a  
23 half years doing continuously the same thing. And,  
24 uh, I don't know how many people here worked at the  
25 same job for 49 and a half years. That's quite a few

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1 years to work at the same thing. I'm a farmer. Our  
2 ground, my son and I, our ground starts a mile to the  
3 south, and it continues on for another mile south.

4                   Now, a hundred percent of all of this  
5 watershed -- and I don't know if you know it or not,  
6 but you got a continental divide there on that. What  
7 I'm talking about continental divide, it flows into  
8 two streams. But the two streams join right at the  
9 edge of Jefferson and Perry County in Section 1 in  
10 Perry County. Well, our ground starts there again  
11 and continues on for another half a mile.

12                   Now, the thing that bothers me about  
13 this, all of this, uh, stuff that we talked about  
14 tonight are in real technical figures and things.  
15 Now, I'm a real simple person, and I do things the  
16 simple way. I would like to make a proposal to one  
17 or both of you men tonight, to one or the three of  
18 you up here. I've got the equipment with me right  
19 now to test the water quality in this stream, because  
20 every drop of it will run through and exit our  
21 property.

22                   There won't be a drop, not a -- now  
23 when I'm talking about testing this water, my dad  
24 taught me how to test water. Uh, it's been in the  
25 family, this has, and all this water has been going

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1 through the same way, hardly ever got changed, this  
2 water course has.

3 Now, this equipment I have on me -- and  
4 this is the proposal I'd like to make to you people  
5 here -- uh, I got two hands and knees and a mouth.  
6 I'll lean over that stream tonight, and I'll be  
7 waiting for somebody to come with me, and we'll test  
8 the water quality. Now, I need an answer before the  
9 meeting's over. I'll stay till it's over.

10 HEARING OFFICER: Thank you for your  
11 comment. Brian Ramsey?

12 MR. RAMSEY: I'm just here, 'cause fair  
13 is fair. I've been the president of Mt. Vernon Coon  
14 Hunters Club. I've had hunting dogs. I like to  
15 hunt, fish, eat from the water. Okay? I've also  
16 worked as a worker at Lake of Egypt down here, the  
17 power plant. It's a full-blown coal-burning power  
18 plant. I've worked on the scrubber back there. The  
19 water that comes from that power plant comes directly  
20 into it and directly into the lake, a 2,000-acre  
21 lake, 2,000-plus acre lake.

22 There's a golf course within a stone's  
23 throw from the fence of this power plant. Okay?  
24 That water is what those people drink there. There's  
25 homes, hundreds of them, built around this lake.

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1 Okay? They have hundred thousand dollar homes. They  
2 try to give their kids the best quality of life they  
3 can give. I've hunted, I mean, I've fished and ate  
4 fish since I've been 19 years old out of that lake.  
5 I'm 46 years old now. I've never had anything happen  
6 to me as far as getting anything from the water.

7                   They supply water not only for those  
8 homes there, but for the surrounding community. And  
9 the air there, there's ducks. I've actually worked  
10 on the scrubber, and there's hundreds of pigeons in  
11 that steel, and they're hatching eggs. So I don't  
12 know how bad this power plant will be, but they're  
13 supposed to be cleaner than a full-blown coal-burning  
14 scrubber that gets the sulfur and everything from the  
15 coal power plant. So I just wanted to say my part,  
16 and that's what I got to say.

17                   HEARING OFFICER: Thank you for your  
18 comment. Ann Phillips?

19                   MS. PHILLIPS: My name's Ann Phillips.  
20 I've spent most of my life in South Africa, where  
21 this technology has been used for decades, many,  
22 quite a few decades, not making natural gas,  
23 synthetic natural gas, but making synthetic liquid  
24 fuel. Okay? It's made in a place called Sassa.  
25 Some of you may have heard of that. And I was in

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1 South Africa just a couple of months ago, and we read  
2 an article about Sassa, that said it's not a very  
3 good place to have a new car, because after one year,  
4 the paint job on your car is pretty awful from all  
5 the emissions that come out from that synthetic fuel  
6 plant. Okay? That's what I have to say. Thank  
7 you.

8 HEARING OFFICER: Thank you for your  
9 comment. Mike Starr?

10 MR. STARR: My name is Mike Starr,  
11 S-T-A-R-R, and I am an intern with the Sierra Club.  
12 And the first thing I'd like to say is just a little  
13 bit about underscoring the fact that the life cycle  
14 of synthetic natural gas produces double the  
15 emissions of carbon dioxide compared to conventional  
16 natural gas.

17 And the first question I have is, I'm  
18 wondering if the members of the EPA here present  
19 would be willing to share with everybody here what  
20 the mission statement of the EPA is or a summary of  
21 it, to give the gist of what purpose your agency  
22 serves.

23 MR. ROMAINE: I don't have a copy of it  
24 with me, but our mission, in general terms, is to  
25 protect the environment in Illinois.

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1                   MR. STARR: Thank you. Now, with that  
2 in mind, I would like to know if the members of the  
3 EPA present here today believe that the Illinois EPA  
4 is acting responsibly when it fails to regulate the  
5 CO2 emissions in the air permit of a synthetic  
6 natural gas plant, knowing that CO2 is a major  
7 contributor to global warming?

8                   MR. ROMAINE: As Ms. Owen stated, we  
9 are a country of law. We are carrying out the  
10 current laws. We are acting responsibly.

11                   MR. STARR: Thank you. That is all I  
12 have to say.

13                   HEARING OFFICER: Thank you for your  
14 comment. Dale -- I'm gonna' probably not do justice  
15 to your name. Wojtkowski, Leo Suchomski, and -- can  
16 you hear me? And Sandra Suchomski, and Theodore  
17 Kujawa and Patrick Kujawa. Dale?

18                   MR. WOJTKOWSKI: Hello. My name is  
19 Dale Wojtkowski. That's W-O-J-T-K-O-W-S-K-I.  
20 Although my name is spelled like I should be from  
21 this area, I was born and raised in St. Louis, and I  
22 eventually settled in west Washington County, and I  
23 obviously settled in the wrong part of the county.

24                   I'm here, initially I would like to say  
25 the permit, this permit should be denied, because

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1 there are no CO2 controls built into the permit. And  
2 I would just like to state for all the previous  
3 reasons that were stated. And also, I do not believe  
4 that any mercury emissions are acceptable. When we  
5 talk about ambient air quality, have you extrapolated  
6 the effect of the Prairie State Energy Campus on this  
7 area? That's a question.

8 MR. ROMAINE: I would have to  
9 double-check with our modelers to verify it.  
10 However, my expectation is that the impacts of the  
11 Prairie State Generating Station, which are at the  
12 other end of the county, would not significantly  
13 affect this area.

14 MR. WOJTKOWSKI: Okay. I find that  
15 kind of amazing, especially with all the other power  
16 plants that are in the area. Umm, I'm sorry here.  
17 Umm, oh, I just want to go on. Since I stated my  
18 objections, I would also like to state to all the  
19 people here, I live right next to the Prairie State  
20 Generating, or Prairie State Energy Campus.

21 Uh, and many of the benefits that were  
22 stated such as, uh, oh, I think the figure 2,500  
23 construction jobs being created. I'd have to say  
24 that's been way over-exaggerated. And I'd say if  
25 they're talking about a thousand jobs here, they're

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1 probably really meaning 100. And that's the type of  
2 exaggeration I've been seeing.

3                   And when they say, oh, don't worry  
4 about your roads; everything's gonna' be okay. They  
5 don't mean that. I mean, the trucks don't stop at  
6 stop signs. Uh, I've been, I've woken up at 3:30 in  
7 the morning on a Saturday morning by vibrations being  
8 made a mile and a half away at the construction  
9 site.

10                   And I don't have to turn my lights on,  
11 because the site lights illuminate the inside of my  
12 house. I mean, those are the types of things you can  
13 look forward to.

14                   And I'm just appalled that the  
15 Jefferson County Board members that's supposed to  
16 represent you would even let something like this  
17 happen with so many people being opposed to it. I  
18 would certainly hope that you would never vote for  
19 them again. You probably should run them out of the  
20 county, or worse. Anyway, before I lose my cool,  
21 I'll just shut up. Thank you very much for your  
22 time.

23                   HEARING OFFICER: Thank you for your  
24 comment. Leo?

25                   MR. SUCHOMSKI: My name is Leo

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1 Suchomski, S-U-C-H-O-M-S-K-I. I live about 80 acres  
2 to the northwest of the proposed plant. I've heard a  
3 few numbers thrown around here, like 2.5 microns.  
4 And this question is directed to you as the EPA. How  
5 high and how far, say if they got to be 400, 4,000,  
6 who would make the call to pull the plug or shut this  
7 down, and who's gonna' clean this up?

8 MR. ROMAINE: You're referring to  
9 numbers. 400 what?

10 MR. SUCHOMSKI: All right. Say 2.5  
11 microns of mercury, sulfuric acid or chromium or any  
12 of the other numbers. Who decides what the high  
13 number is and when it's time to shut it down?

14 MR. ROMAINE: The emissions that we  
15 permitted, or are proposing to permit, the potential  
16 emissions of the plant represent the required level  
17 of technology. So they represent the Best Available  
18 Control Technology. The requirement is a technology  
19 requirement. It isn't the level that would be merely  
20 adequate to meet ambient air quality standards. The  
21 levels of emissions from the plant are well below the  
22 levels that are necessary to protect ambient air  
23 quality standards.

24 In terms of decisions about future of  
25 the plant, depending on how it's operating, those

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1 would be made jointly between the Illinois EPA and  
2 the Attorney General's Office, potentially the U.S.  
3 EPA if there were significant problems with the  
4 operation of the plant.

5 MR. SUCHOMSKI: Okay. By significant,  
6 what are you saying here? We gotta' wait for an  
7 orange cloud to come over or what?

8 MR. ROMAINE: No. If there are things  
9 that are directly impacting public health, there are  
10 provisions available to enjoin the operation of a  
11 facility.

12 MR. SUCHOMSKI: Okay. My questions  
13 were, is what would the response time be if something  
14 got out of hand here?

15 MR. ROMAINE: We have not contemplated  
16 that something would get out of hand. That is not  
17 the experience we've had with these types of  
18 facilities. The action would have to be taken on a  
19 case-by-case basis in response to the particular  
20 events.

21 MR. SUCHOMSKI: All right. That's all  
22 I have.

23 HEARING OFFICER: Thank you. Sandra?

24 MS. SUCHOMSKI: Hi. I am Sandra  
25 Suchomski, S-U-C-H-O-M-S-K-I. That was my husband,

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1 Leo. We have a 13-year-old son, and I am very  
2 unhappy about this. If I wanted to live where  
3 there's gonna' be daylight 24 hours a day, and, you  
4 know, what goes up in the air has to come down.  
5 Every time it rains, all that's gonna' come down.  
6 And we're gonna' be breathing it in, and it's gonna'  
7 be in our water stream.

8                   And anyway, I just wanted to voice my  
9 opinion that I'm very unhappy about it. And I wish  
10 somebody would've come to our door and asked us what  
11 we thought about it, since we only live 80 acres  
12 away. I wish, just like my Uncle Walter said, you  
13 know, why don't you build a house there? You wanta'  
14 live there? Thank you.

15                   HEARING OFFICER: Thank you. Theodore  
16 Kujawa?

17                   MR. THEODORE KUJAWA: Yes. Theodore  
18 Kujawa, K-U-J-A-W-A. I'm a Vietnam vet. And when I  
19 was in 'Nam, they sprayed the foliage down there, and  
20 they said, "Agent Orange won't hurt you. Don't worry  
21 about it." Now we've come home, veterans have died.  
22 Now we're gonna' have a factory here. Don't worry  
23 about it. It's okay. The EPA's gonna' take care of  
24 us.

25                   When that thing blows up, and my

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1 cabin's right there a half a mile from it, my wife  
2 and I's retirement home, we won't have nothing left.  
3 It won't even be fit to live there. Just thank you.  
4 I wish you'd move someplace else. Go to Mt. Vernon,  
5 where that lady said it's so nice.

6 HEARING OFFICER: Thank you for your  
7 comment. Patrick Kujawa? Patrick --

8 AUDIENCE MEMBER: He talked already.

9 HEARING OFFICER: He did? Thank you.  
10 Vido Mastrangelo? I've probably --

11 M-A-S-T-R-A-N-G-E-L-O? Bob Hood, Blaine Middleton,  
12 Jeff Williams.

13 MR. MIDDLETON: Hello. My name is  
14 Blaine Middleton, M-I-D-D-L-E-T-O-N. And my wife's  
15 family's owned ground. We're gonna' be less than a  
16 mile from this company. There's a lot of unanswered  
17 questions, you know. They -- it was last week that I  
18 found out about it, you know. It's awful funny that,  
19 you know, Jefferson County Board can make decisions  
20 and keep everything under wraps when it's not  
21 affecting them, you know. Let's put it out on the  
22 county line away from Mt. Vernon, where it doesn't  
23 affect us, you know.

24 It's awful sad that, you know, I had --  
25 I've got plans to put a cabin out there on our

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1 property, bring my kids out there, go fishing. And  
2 basically we always face north. Well, I guess we  
3 won't have to see the stars anymore, 'cause it'll be  
4 all lit up, you know. And all the pollutants and  
5 everything else is gonna' come this way, you know.

6                   Unanswered questions. Where's the  
7 pipelines gonna' go for this company, you know, where  
8 you're gonna' put it back into a natural gas  
9 pipeline, you know? Where's the raw, the pipeline  
10 from Rend Lake gonna' come from? I'll tell you  
11 what. Don't come to my door, 'cause you won't get an  
12 easement from me, you know. I feel that, you know,  
13 you can't be up-front with somebody, you know, before  
14 you start this, you're not no friend of mine. Thank  
15 you.

16                   HEARING OFFICER: Thank you. Vido, Bob  
17 Hood, Jeff Williams. Okay. Kathy Andria?

18                   (Discussion held off the record.)

19                   MS. ANDRIA: My name is Kathy Andria,  
20 A-N-D-R-I-A. I'm conservation chair of the Kaskaskia  
21 Group of the Sierra Club. We have about 500 members  
22 in seven counties, including Washington and  
23 Jefferson, where Power Holdings has chosen to locate  
24 this plant. I grew up in Granite City and live in  
25 the Metro East, so I'm very familiar with air

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1 pollution from a variety of sources. Is this working  
2 okay? Not loud enough?

3 AUDIENCE MEMBER: No.

4 MS. ANDRIA: I strongly oppose  
5 Peabody's Prairie State Power Plant, because they  
6 chose a location just 1.8 miles inside Washington  
7 County, thereby avoiding stronger controls that  
8 would've been required had it located in St. Clair  
9 County, because St. Clair County does not meet  
10 federal air standards for air quality.

11 The Power Holdings site is just  
12 downwind of Prairie State and the Baldwin Power  
13 Plant. What will be the cumulative impacts to the  
14 air quality to the neighbors there? Power Holdings  
15 is locating its plant right along the  
16 Washington/Jefferson County line. Why Jefferson  
17 County? Well, other than you see that they  
18 apparently don't, aren't responsive to their  
19 citizens, Jefferson County does not have zoning.

20 So this plant has not gone through a  
21 public review of its location. Citizens have not had  
22 an opportunity to object to its siting, to ask  
23 questions, and present information. So tonight,  
24 Illinois EPA, we ask you to review the suitability of  
25 the site for such a facility.

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1                   As you've heard, the facility sits  
2 above a fault zone, with yet another fault zone just  
3 across the road. At a recent open house that Power  
4 Holdings held for elected officials, its CEO seemed  
5 not to be aware of that fact, when asked by those  
6 attending the event. And Jeff Spotanski referred to  
7 that.

8                   In fact, as a number of people have  
9 indicated, Power Holdings seems not to know a lot of  
10 details about how the plant will be operated, who  
11 will operate it, where will they get their coal,  
12 whether or not they will sequester CO2, whether they  
13 will slurry their coal in by pipeline or by train or  
14 by truck. They've said all of these.

15                   According to newspaper accounts and  
16 those who have met with Power Holdings, they seem to  
17 have a different answer for nearly every question,  
18 depending on who is asking and/or who is answering.  
19 They say they do not think carbon sequestration is  
20 viable. Indeed, it is not included in this permit.  
21 They have not done a BACT analysis for CO2.

22                   Given the Supreme Court decision on  
23 carbon dioxide as a pollutant and recent decisions by  
24 the EPA's Environmental Appeals Board, CO2 should  
25 have been addressed in this permit. Why is it not?

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1 Chris Romaine has given us the answer.

2                   To another audience, Power Holdings  
3 indicates that yes, they will sequester CO2. Where?  
4 How? The proposed site sits above two fault zones.  
5 According to Congressman Jerry Costello, in  
6 announcing why two Southern Illinois sites were  
7 disqualified as sites for FutureGen, the Department  
8 of Energy indicated it was because of our active  
9 seismic area and the potential for earthquakes. I  
10 refer you to the map that I believe one of the Ashley  
11 people is going to hand in.

12                   Not only is such a site unsuitable for  
13 carbon sequestration, it is totally unsuitable to put  
14 a plant converting coal to gas and gas pipelines over  
15 a fault. That should go into your calculation as to  
16 whether this site is suitable for a syngas plant and  
17 should be permitted. Remember, you are also  
18 functioning as a de facto siting board.

19                   We understand that the engineering firm  
20 that prepared the application is no longer associated  
21 with Power Holdings. In fact, we read an article in  
22 the newspaper that the firm brought legal action  
23 against Power Holdings, because it did not pay its  
24 bill. Surely that gives you pause as to whether  
25 Power Holdings should even receive an air permit to

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1 operate a potentially explosive plant.

2                   Who will operate the plant? Who will  
3 be responsible if something goes horribly wrong?  
4 What goes into your decision on whether to give a  
5 permit to a company? With the PSD permit, don't they  
6 have to be a viable project, be a viable company?

7                   Everything about Power Holdings  
8 indicates it is not ready for prime time. It does  
9 not have a business plan. It gives evasive or  
10 different answers to the same questions. What are  
11 the financial resources of the company? Do they have  
12 investors, or are they operating solely on the funds  
13 from taxpayers? They say they have already spent \$10  
14 million. On what? Whose money? Our money?

15                   There are companies in Illinois and  
16 other states that seem to go along for years getting  
17 money for research from all sorts of government  
18 entities, from local municipalities, TIF funds,  
19 enterprise zones, state economic and county economic  
20 development agencies, the Department of Energy, and  
21 who knows where all. They promise jobs, always lots  
22 of jobs. But all too often, a plant never  
23 materializes.

24                   I see that Joe Darguzas is now with  
25 Power Holdings. I remember seeing his name as a

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1 representative for Enviropower when I read the  
2 transcript for the hearing that you held on its  
3 permit. That plant never got built.

4                   Power Holdings told the local people at  
5 their open house that they have a spotless safety and  
6 environmental record. But where? They don't own or  
7 operate another plant anywhere so that we can see  
8 their record. That, too, should give you pause.

9                   Power Holdings has applied for and  
10 received provisionally, I believe, an allocation to  
11 take eight million gallons of water a day from Rend  
12 Lake. That is half the allocation of water daily for  
13 300,000 people. There was a drought in 2007, and Dr.  
14 John Tranquille, a retired biologist, who was an  
15 administrator for the Illinois Department of Natural  
16 Resources, expresses deep concern that there is  
17 simply not enough water in Rend Lake to provide water  
18 to both industry and people.

19                   IDNR seems to be waiting to issue the  
20 final allocation until the air permit is issued. So  
21 while you may say you are only concerned with air,  
22 once again, your decision affects many other  
23 decisions. We understand that Power Holdings has  
24 applied for solid waste bonds for \$150 million and  
25 moral obligation bonds for \$300 million more from the

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1 state.

2                   Jefferson County Economic Development  
3 Corporation, which, in the beginning of the meeting,  
4 strongly promoted this plant and endorsed it, and  
5 they have already provided funding, as well as staff  
6 time, describes the bonds on the Web site. They are  
7 not -- this is the moral obligation bonds. They are  
8 not a full faith and credit guarantee, but are  
9 referred to as moral obligation bonds. If ever there  
10 was a default, the governor would notify the  
11 legislature and put into the Illinois state budget an  
12 appropriation of state moneys sufficient to cure the  
13 default. The legislature is not legally obligated to  
14 make this appropriation, but has a moral obligation  
15 to do so. No fooling! It's on the Jefferson County  
16 Development Web site.

17                   So it seems to me, you, EPA, have a  
18 moral obligation to do more than just evaluate a  
19 standard PSD permit. So much rests on your  
20 decision: Drinking water for hundreds of thousands  
21 of people, the safety of the neighbors, their homes,  
22 families, crops, property values, adding ten million  
23 tons per year of carbon dioxide to our planet's  
24 atmosphere, and now with the possibility of moral  
25 obligation bonds, potentially the loss of 300 million

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1 of dollars of scarce state funds, taxpayer money, our  
2 money. This is your decision. Weigh it carefully,  
3 and make sure it is the right one. Thank you. I  
4 will have some additional questions after.

5 HEARING OFFICER: At this time, we're  
6 gonna' take a ten-minute break. I have that it's  
7 9:05 approximately. We'll go back on the record at  
8 9:15. If anybody here would like to have an  
9 opportunity to make a statement and hasn't, if they  
10 could come see me at the break, so I get their name.  
11 Thank you. And there'll be some additional questions  
12 from several people who've already spoken. They've  
13 let me know.

14 (A break was taken.)

15 MS. CLAYBORN: We're gonna' get started  
16 again, everybody. My name is Becki Clayborn. I'm  
17 with the Sierra Club, Move Beyond Coal Campaign. So  
18 the last time I was up here, we were talking about  
19 CO2 a little bit and about whether or not it would be  
20 in the permit.

21 And my understanding is that what the  
22 ruling was is that the Environmental Appeals Board  
23 asked the State of Michigan to explain again, that  
24 their reasoning for not including CO2 in the permit  
25 was not enough. So if you were to have to explain to

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1 the Environmental Appeals Board why CO2 was not in  
2 the permit, what would the answer be?

3 MR. ROMAINE: The Michigan case is an  
4 interesting case, because it occurred before  
5 Administrator Johnson made the determination.  
6 Administrator Johnson was the former administrator of  
7 U.S. EPA finding that CO2 was --

8 (Audience member(s) speaking.)

9 MR. ROMAINE: The decision, the  
10 decision in Michigan came before Administrator  
11 Johnson had made a formal determination that CO2 was  
12 not regulated under the PSD program.

13 The interesting development in the last  
14 month has been that the new administrator of U.S. EPA  
15 will be reevaluating that decision. So at this point  
16 in time, U.S. EPA is considering how and whether, in  
17 what context and form, CO2 should be regulated.

18 MS. CLAYBORN: Okay. Interesting.  
19 Thank you. I'm gonna' ask some questions that aren't  
20 related to CO2, because I'm sure there are some  
21 things here that folks locally might be interested  
22 in. Was dust from coal, if it's shipped in by rail,  
23 considered in this air permit?

24 MR. ROMAINE: The receiving -- I guess,  
25 Bob, do you want to answer that?

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1 MS. CLAYBORN: Could you guys stop  
2 talking back there? Thank you. So again, the  
3 question is, if coal is coming in by rail or by truck  
4 or whatever, will the coal dust, has the coal dust  
5 been considered in the air permit?

6 MR. SMET: Yes, it's been included as  
7 part of coal handling operations.

8 MS. CLAYBORN: So I'm confused, because  
9 there's been talk of slurring the coal in, but  
10 there's been talk of railing the coal in. So how is  
11 it determined in the permit? Was it determined on  
12 the railing end or slurring end, or were there two  
13 different options?

14 MR. SMET: It's based on it occurring  
15 on site.

16 AUDIENCE MEMBER: We can't hear you.

17 MS. CLAYBORN: Hold it closer.

18 MR. SMET: It's based on it occurring  
19 on site.

20 MS. CLAYBORN: The coal being  
21 brought --

22 MR. SMET: Right, on site, as a worse  
23 case situation.

24 MS. CLAYBORN: I don't know what that  
25 means, brought on site.

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1 MR. SMET: Umm --

2 MS. CLAYBORN: Was it based on coal  
3 trains coming into the site, or was it based on a  
4 pipeline with slurry?

5 MR. SMET: It's based on it coming on  
6 site by rail.

7 MS. CLAYBORN: Okay. Thank you. Were  
8 fugitive emissions for traffic considered in the air  
9 permit?

10 MR. SMET: It should've been considered  
11 in terms of secondary effects. But in terms of it  
12 off site, uh, as far as the emissions generated here,  
13 uh, it shouldn't be. It should only be that which  
14 occurs on site.

15 MS. CLAYBORN: So only if there's a  
16 dirt road on site that they're traveling over,  
17 kicking up dust, that's the only thing in the  
18 permit?

19 MR. SMET: That's right, that's right.

20 MS. CLAYBORN: One of the questions  
21 that was brought up was about a fault line in the  
22 area, and who determines whether there's proper  
23 siting of a site, of a building or a coal-fired power  
24 plant on that site. And if you guys aren't the ones,  
25 which I'm assuming you aren't the right people to

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1 address that issue, do you have any clue as to where  
2 people could go to find out the answer to that  
3 question?

4 MR. ROMAINE: At this point, I'd have  
5 to do some research to see what the role of state,  
6 Illinois government is in reviewing that. The  
7 Illinois Geological Survey may have some background  
8 information on that subject, but they are certainly  
9 not a permitting agency. Beyond that, it would be a  
10 research job that we will conduct.

11 MS. CLAYBORN: And that will be in the  
12 responsiveness summary?

13 MR. ROMAINE: Yes, it will.

14 MS. CLAYBORN: Thank you. Could you  
15 talk a little bit about emissions that may have an  
16 outfall in the nearby watersheds, and how that could  
17 potentially affect water quality in the area. There  
18 are people that are concerned about their livestock,  
19 water, and their creeks.

20 MR. ROMAINE: Given the relatively  
21 small amount of emissions from this facility, we do  
22 not anticipate any issues with water deposition of  
23 pollutants.

24 MS. CLAYBORN: And could you describe  
25 the status of the endangered species consultation?

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1                   MR. SMET: We have notification that  
2 the U.S. EPA and Fish & Wildlife found no significant  
3 impact on endangered species.

4                   MS. CLAYBORN: Okay. I'd be interested  
5 in having that in the responsiveness summary, because  
6 we can't find that information. Thank you. And one  
7 of the big concerns that we have identified is the  
8 use of water for their project, eight million gallons  
9 a day from Rend Lake. And I'm just wondering, is  
10 there any -- was there an alternative cooling system  
11 looked at, like a dry cooling system, a closed  
12 cooling system, anything that would preserve that  
13 water from being evaporated?

14                   MR. ROMAINE: The usage of that water  
15 is part of the gasification process. Only a small  
16 amount of that water is used in the cooling tower.  
17 The consideration of alternative types of cooling was  
18 considered for that particular, as part of the BACT  
19 analysis for the cooling tower.

20                   MS. CLAYBORN: Okay. I did not realize  
21 that. I thought it was mostly going out through the  
22 cooling tower. But it's actually in the process that  
23 it's used?

24                   MR. ROMAINE: I don't have the water  
25 breakdown; I'm certainly the Air Bureau. But part of

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1 the process of converting coal into natural gas  
2 involves reacting coal with water, steam reforming to  
3 make hydrogen.

4 MS. CLAYBORN: Thank you. In terms of  
5 air quality -- and this is an issue that I've never  
6 actually dealt with before. But when there is a  
7 smell, an odor, is that considered an air pollution?  
8 Is it considered pollutants nearby, and how does that  
9 work?

10 MR. ROMAINE: Under Illinois state law,  
11 the presence of an odor in the atmosphere, if it is a  
12 nuisance, is a form of pollution.

13 MS. CLAYBORN: So is that considered in  
14 this permit?

15 MR. ROMAINE: It would be if this plant  
16 was of a type that has been traditionally associated  
17 with odors. To our knowledge, it is not. There have  
18 been comments made about the Great Plains facility in  
19 North Dakota, and we will have to investigate those.

20 MS. CLAYBORN: Great. Thank you. Kind  
21 of similarly, but I realize it may not be an air  
22 issue but on the end of noise. If there's a noise  
23 issue or a light issue, who is the regulator of  
24 those?

25 MR. ROMAINE: Light, to my knowledge,

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1 is addressed locally, so that is something that I  
2 would look to the nearby community to address. Noise  
3 is something that there are state regulations for.  
4 They can be directly enforced by individuals that are  
5 concerned, by obtaining a consultant and making  
6 necessary noise measurements to verify whether those  
7 standards are met.

8                   It is typical practice for new power  
9 plants to conduct such measurements before and after  
10 the development of a facility. Given concerns  
11 expressed about noise from the proposed facility,  
12 even though this is not a power plant, it's a  
13 synthetic natural gas plant, we would certainly  
14 encourage Power Holdings, if a permit is issued, to  
15 undertake a similar approach, where they conduct  
16 baseline measurements before the plant, and then  
17 conduct measurements after the plant is constructed,  
18 to confirm that they do comply with the state noise  
19 regulations.

20                   MS. CLAYBORN: Great. Thank you. In  
21 terms of need -- I'm pretty sure I know the answer to  
22 this question -- but anywhere in the process of their  
23 permitting from either you guys or beyond, does  
24 anyone ever stop and say, "Wait, do we need this?"

25                   MR. ROMAINE: That is not a subject

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1 that is directly addressed by the Illinois EPA as  
2 part of the permitting program. It is certainly a  
3 subject that members of the public, interested  
4 parties can submit comments to us on as part of the  
5 process.

6 MS. CLAYBORN: 'Cause I would like to  
7 kind of expand on this a little bit, because I really  
8 don't think that there is need for a syngas plant.  
9 As someone else said, I'm not sure we're having a  
10 shortage of natural gas right now, so it doesn't  
11 really make sense. It doesn't seem like a market  
12 would be there for a product that's gonna' take twice  
13 as much energy to create the product. It's obviously  
14 gonna' cost more than what typical natural gas is  
15 gonna' cost. I don't understand. It doesn't seem to  
16 me like a viable project if it doesn't look like  
17 there's a market for their product right now.

18 I believe that there are definitely  
19 alternatives. Sierra Club has released a study with  
20 the American Solar Energy Society talking about the  
21 different types of energy sources that are available  
22 to replace the need for burning fossil fuels or  
23 gasifying fossil fuels to then burn them.

24 And some of the alternatives that exist  
25 are solar thermal, which is using the sun to heat

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1 water. If you've had a barrel, a dark barrel of  
2 water, it warms up in the sun. Geothermal, which is  
3 getting the power from the ground, the heat from the  
4 heat of the earth.

5 Energy efficiency. Right now there is  
6 a bill that's being proposed at the state level that  
7 is a natural gas efficiency bill for the State of  
8 Illinois. We don't need to produce more natural  
9 gas. We need to use the natural gas that we have in  
10 existence much more efficiently, and we can. There  
11 are ways to do that. We can get our power from solar  
12 energy, wind.

13 HEARING OFFICER: Excuse me.

14 MS. CLAYBORN: These are all job  
15 creators. And I think that the need here is being  
16 proposed as there's a need for jobs. There's a need  
17 for coal to make money, coal companies to make money  
18 by creating this product. And I believe that there  
19 is a need for jobs, but that it's not necessarily  
20 gonna' be, it does not need to be fulfilled by  
21 creating syngas out of coal.

22 HEARING OFFICER: Okay.

23 MS. CLAYBORN: Back to my questions.

24 HEARING OFFICER: How much more do you  
25 have?

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1 MS. CLAYBORN: Umm, about five, six.

2 HEARING OFFICER: Okay. 'Cause --

3 MS. CLAYBORN: About the air permit.

4 Who typically does the modeling for the PSD permits?

5 Does your department? Does IEPA?

6 MR. ROMAINE: A consultant for the  
7 company performs the initial modeling. That modeling  
8 is then reviewed by our --

9 MS. CLAYBORN: They can't hear you.

10 MR. ROMAINE: Oh, sorry.

11 MS. CLAYBORN: I don't think it's  
12 working again.

13 MR. ROMAINE: I think you have to hold  
14 it this way or this way. The modeling is performed  
15 using U.S. EPA models by a consultant for the  
16 company. The modeling is then reviewed by our  
17 department of air quality planning.

18 MS. CLAYBORN: And that's how it's  
19 always done typically?

20 MR. ROMAINE: Yes, it is.

21 MS. CLAYBORN: Okay. After the life of  
22 this plant, which in some documents, we've noticed  
23 that the life of the plant is considered 20 years.  
24 After that 20 years is up, is there anything, either  
25 in this permit or permits after this stage, that has

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1 a bonding requirement to make sure that the company  
2 takes care of the building either taking it down or  
3 cleaning up the property?

4 MR. ROMAINE: That is not a subject of  
5 air permitting.

6 MS. CLAYBORN: Do you know if there is  
7 any part of state government that does require that  
8 of the company?

9 MR. ROMAINE: No, I don't.

10 MS. CLAYBORN: Is that something that  
11 you'd be willing to look into for us?

12 MR. ROMAINE: Yes.

13 MS. CLAYBORN: Thank you. In terms of  
14 safety for the community, one of the questions that  
15 came up was explosions, fires, gas leaks. Is there  
16 anything in this permit or other permits that  
17 requires them to have on site either fire department  
18 or emergency personnel or to beef up the fire  
19 departments of the surrounding communities?

20 MR. ROMAINE: There is nothing in this  
21 permit that requires that. Such provisions are  
22 usually developed as part of the planning facility in  
23 conjunction with insurance companies. Insurance  
24 companies are very concerned that chemical plants  
25 like this one are appropriately designed to operate

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1 safely, and that they have the appropriate safety  
2 equipment, including adequate fire protection  
3 systems, to address the potential risks to the plant  
4 from such fire, explosion, or such an event.

5 MS. CLAYBORN: I would suggest to those  
6 of you in the audience that heard the county board  
7 saying they're all behind this, they need to take  
8 this on, 'cause this is a safety issue that needs to  
9 be evaluated, and you need to make sure that there's  
10 enough water to even put out a fire that might  
11 happen.

12 One of the concerns that came up was  
13 the property values of people surrounding the  
14 property. Is there anything in your permitting  
15 process that requires you to take into consideration  
16 economic impacts in the positive or negative?

17 MR. ROMAINE: There are certain aspects  
18 of the permitting process that look at control  
19 technology that consider economic impacts. The air  
20 permitting process does not consider local property  
21 values.

22 MS. CLAYBORN: Or local community  
23 impacts economically?

24 MR. ROMAINE: No, it does not consider  
25 local community impacts, either positive or

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1 negative. This permitting process is looking at the  
2 impacts of the facility on air quality and the level  
3 of control of emissions.

4 MS. CLAYBORN: Great. Thank you. I  
5 would like to submit two pieces of information, our  
6 handout about what we have researched for the Power  
7 Holdings Coal Syngas Plant. I'd like to give that to  
8 you guys.

9 But I also, there's this handout that I  
10 have about clean energy job growth, that basically  
11 says that if we were to manufacture wind power  
12 components in Illinois, we could potentially have  
13 31,000 new jobs. If we were going to manufacture  
14 solar power components, we could potentially have  
15 18,000 new jobs. These are the kinds of jobs that we  
16 need in this area, not for a dirty coal syngas  
17 plant. Thank you very much.

18 HEARING OFFICER: Are you -- have you  
19 concluded?

20 MS. CLAYBORN: Yes.

21 HEARING OFFICER: Thank you. Could I  
22 have Judy Spotanski?

23 MS. JUDY SPOTANSKI: My name is Judy  
24 Spotanski. If you cannot hear me, please raise your  
25 hand; I'll speak louder. You can't hear me?

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1 HEARING OFFICER: Move it closer to  
2 your mouth.

3 MS. CLAYBORN: I think I turned it  
4 off.

5 MS. JUDY SPOTANSKI: Is that better?

6 MS. CLAYBORN: I think I turned it  
7 off. There you go.

8 MS. JUDY SPOTANSKI: Is it better now?

9 S-P-O-T-A-N-S-K-I, Judy. On Monday morning of this  
10 week, I called the post office, the Catholic Church  
11 office, and the health clinic in Beulah, North  
12 Dakota. These are located between eight and ten  
13 miles from the gasification plant. It is the only  
14 plant known to be operating in the United States. I  
15 spoke with the postmaster, the church secretary, and  
16 an employee of the clinic.

17 My concern was stinking odors given off  
18 from these emissions from the plant. They all stated  
19 the stink was present. It is worse when they have  
20 problems, stated the health clinic employee. She  
21 lives six miles from the plant. And complained about  
22 worse odors when they have start-ups, shutdowns,  
23 malfunctions, or other problems there. The wind has  
24 a bad effect on these odors.

25 I also asked the health clinic employee

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1 about health concerns. She said if I asked ten  
2 people, I would get ten different answers. She told  
3 me she thought there was more of an incidence of  
4 asthma, but that was her personal opinion.

5                   Stink is definitely a concern to our  
6 neighborhood and should be a concern for residents of  
7 Ashley, Waltonville, DuBois, and even Mt. Vernon when  
8 the wind is right. Have you ever visited Granite  
9 City or any other town with a big plant? Thank you  
10 for your time tonight.

11                   HEARING OFFICER: Thank you for your  
12 comment. Verena Owen?

13                   MS. OWEN: Hi. We're all missing  
14 "American Idol" tonight. It's a good thing, because  
15 none of us really know how to handle a microphone.  
16 My name is Verena Owen, that's a four-letter word, no  
17 S. That usually gets laughs. You guys aren't with  
18 it. I have a couple of questions. The cooling  
19 tower. Will the company put anti-fouling agents into  
20 the water? What are those? Will there be potential  
21 impact to vegetation from like bromide or fungicide  
22 or herbicide and other things?

23                   MR. ROMAINE: There will be  
24 anti-fouling agents in the cooling tower. Those  
25 anti-fouling agents would be addressed as part of the

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1 NPDES permit process.

2 MS. OWEN: The NPDES permit process?

3 MR. ROMAINE: The wastewater permitting  
4 process.

5 MS. OWEN: So do you anticipate what  
6 kind of fouling agents they would use, and if they  
7 would have an impact on the farms around it?

8 MR. ROMAINE: I would not anticipate an  
9 impact, because the concentrations from the loss of  
10 cooling tower water would be much lower than the  
11 impacts of direct discharge of the water and direct  
12 impacts on water quality.

13 MS. OWEN: That's interesting, because  
14 I think we had the same discussion with another  
15 company, and the company decided to change what they  
16 were putting in there because of the prairie next to  
17 it. And I wonder if the company here would extend  
18 the same courtesy to their neighbors.

19 I have just a curiosity question. Did  
20 Power Holdings ever come to IEPA and offer to capture  
21 and sequester carbon?

22 MR. ROMAINE: No.

23 MS. OWEN: Never?

24 MR. ROMAINE: No.

25 MS. OWEN: Okay. What is the waste

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1 product? I mean, there must be something other than  
2 gas that is left over after you squeeze all kinds of  
3 things out of coal.

4 MR. ROMAINE: The waste product is a  
5 slag material.

6 MS. OWEN: What's a slag?

7 MR. ROMAINE: A slag is a vitreous  
8 mineral material.

9 MS. OWEN: Is that a waste?

10 MR. ROMAINE: Yes.

11 MS. OWEN: Do they need a waste  
12 permit?

13 MR. ROMAINE: They need to manage the  
14 slag properly, in accordance with applicable waste  
15 management regulations. However, they do not need a  
16 waste permit.

17 MS. OWEN: Why don't they need a waste  
18 permit if they produce waste?

19 MR. ROMAINE: Because simply the fact  
20 of generating waste does not require a permit.

21 MS. OWEN: Because if they needed a  
22 waste permit, there would've been siting approval  
23 required; is that correct?

24 MR. ROMAINE: No.

25 MS. OWEN: Oh, okay. Well, I disagree

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1 with that, but that's okay. I can put that in  
2 writing. People's eyes are gonna' glaze over, 'cause  
3 these are some technical questions. Start-up,  
4 shutdown, and malfunction. In your draft permit, you  
5 require that Power Holdings create a plan for  
6 start-up, shutdown, and malfunction. However, you  
7 don't set any standards in the permit as to what that  
8 plan would look like. So my question is, why does  
9 the draft permit fail to require specific standards  
10 for start-up, shutdown, and malfunction? And  
11 secondly, and as importantly, will that plan, after  
12 it's submitted then, escape public comment?

13 MR. ROMAINE: The purpose of that plan  
14 is to minimize the amount of syngas that is sent to  
15 the flares. Syngas during start-up and shutdown or  
16 the emissions from the gasifier would be controlled  
17 by the flaring process. As such, the plan is  
18 appropriately developed, I'd say, to minimize the  
19 amount of emissions that occur from those periods of  
20 time.

21 The project is not a major source of  
22 hazardous air pollutants. As such, there is not a  
23 requirement that the plan be subjected to public  
24 review, provided that the plant stays a minor source  
25 of hazardous air pollutants. There is the

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1 opportunity, as part of the operating permit for this  
2 facility, assuming it's built and begins operation,  
3 for members of the public to comment on that plan if  
4 they have concerns at that time.

5 MS. OWEN: Hmm. Seems a little  
6 backwards to me, but okay. Talking about the  
7 flares. Will the gas that is a source of the  
8 atmosphere as the acid gas flares have been cleaned  
9 by thermal oxidizers or any other method prior to  
10 combustion?

11 MR. ROMAINE: The majority of the gas  
12 that would be flared would have, in fact, gone  
13 through the gas cleaning process, so it would've been  
14 processed for removal of particulate, chlorides, and  
15 mercury. It would not necessarily have been cleaned  
16 to remove sulfur compounds.

17 MS. OWEN: Hmm. Okay. Second to last  
18 question. The permit fails to require specific  
19 standards for a flare minimization plan. Why didn't  
20 you think that was necessary?

21 MR. ROMAINE: Again, a flare  
22 minimization plan is something that is developed over  
23 time, based on experience with the operation of a  
24 facility, to reduce the amount of flaring. One of  
25 the key aspects or I guess the two parts of the

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1 flaring minimization plan, one is appropriate  
2 planning in advance to address likely scenarios and  
3 develop a plan to minimize the amount of flaring.

4                   The other aspect of the plan is to have  
5 corrective action evaluations when flaring events  
6 occur that had not been adequately addressed. When  
7 those events occur, the plant has to perform a root  
8 cause analysis to evaluate why the flaring event  
9 occurred, what can be done to mitigate similar  
10 events, or ideally to eliminate future events in the  
11 future.

12                   MS. OWEN: So it's let them build it  
13 first, then check it later kind of approach to that?

14                   MR. ROMAINE: In terms of the nature of  
15 flaring in chemical plants, I think you, in a certain  
16 sense, explained it. In fact, this plant does not  
17 want the flare emissions. That's not its objective.  
18 Flaring does not produce product. So we work over  
19 time with the plant to assure that it's keeping  
20 flaring at an absolute minimum level.

21                   MS. OWEN: Okay. Well, I'm glad we  
22 agreed on something tonight. I have a last question  
23 for the vitrified product they're producing. Power  
24 Holdings says that there is a market for this, but  
25 they don't have any materials safety sheet. I don't

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1 know that they tested it. What is your  
2 responsibility to make sure, if they manage to sell  
3 it to somebody, that it is used appropriately and  
4 safely?

5 MR. ROMAINE: That's a matter that  
6 would be addressed by our land use control. From a  
7 much more basic level, the concern would be that the  
8 slag material is tested to assure that it meets the  
9 leachate LCP test and does not need to be managed as  
10 a special or hazardous waste.

11 MS. OWEN: But we don't know that yet?

12 MR. ROMAINE: We have not seen tests.  
13 This is a new facility. We can only speculate based  
14 on information from similar facilities.

15 MS. OWEN: And how many do we have of  
16 those, and what are the results there?

17 MR. ROMAINE: I have not seen them.

18 MS. OWEN: Okay. Again, build it  
19 first, and see what happens later. I don't like that  
20 approach. And thank you.

21 HEARING OFFICER: Thank you. Mary Ann  
22 Kujawa?

23 MS. MARY ANN KUJAWA: My name is Mary  
24 Ann Kujawa, K-U-J-A-W-A. That's two words, Mary, and  
25 then A-N-N. I just have a couple of comments to

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1 make. This is the first meeting that I've attended  
2 for this, but I have a couple of questions. We all  
3 see nowadays what the government has done to us.  
4 We're all broke with our retirements. Now, what is  
5 the government in Illinois gonna' do for us? Are you  
6 going to give us this permit, when you right now told  
7 us you do not know where the nearest air monitor is?

8                   So how do we know how clean our air  
9 will be before the plant is built, and how will we  
10 know how our air is gonna' be after the plant is  
11 built? And who reviews this and decides on giving  
12 this permit to this company? Do you have a board?  
13 Are you three people making that decision? Or how  
14 many other people are making that decision?

15                   HEARING OFFICER: The Hearing Officer  
16 does not make the decision.

17                   MR. ROMAINE: The decision would be  
18 made by the Illinois Environmental Protection Agency,  
19 and it would be a decision of the collective judgment  
20 of the Bureau of Air, consulting with people in other  
21 bureaus as necessary.

22                   MS. MARY ANN KUJAWA: So do they review  
23 the notes that have been taken at these hearings --

24                   MR. ROMAINE: The matter --

25                   MS. MARY ANN KUJAWA: -- and these

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1 comments?

2 MR. ROMAINÉ: The matters that have  
3 been raised and these comments will be discussed with  
4 individuals in the Illinois EPA.

5 MS. MARY ANN KUJAWA: Okay. So on this  
6 permit, is it like a certificate of need?

7 MR. ROMAINÉ: No, it is not like a  
8 certificate of need under -- I assume you're  
9 referring to --

10 MS. MARY ANN KUJAWA: I've been in  
11 nursing for 40 years, and when you have to have a  
12 hospital or increase their beds or decrease their  
13 beds, you have to go and get a certificate of need to  
14 change your need for your environment. So I -- the  
15 other lady from the Sierra Club said we really don't  
16 see why we need to have this plant. So I just was  
17 wondering, this isn't like a certificate of need?

18 MR. ROMAINÉ: No, it is not like a  
19 certificate of need for medical facilities.

20 MS. MARY ANN KUJAWA: Okay. So then,  
21 since I have that history of medical, I would like to  
22 know, when you do a permit, do you take in the area  
23 of who is able to take care of these people if there  
24 is a disaster in our area? We have a rural hospital  
25 in Nashville that probably, if they have one vent, I

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1 don't know if they even have a vent. We have two  
2 hospitals in Mt. Vernon. How many vent beds do they  
3 have? Because if it would be gas explosion, you're  
4 going to have lung problems. Then you have a  
5 Carbondale Hospital, which that is 50 miles from  
6 here.

7                   So are we able to provide good service  
8 for our people in our area? It won't even be the  
9 people just on the site. It'll be the people who  
10 live around there that are gonna' need medical  
11 attention. Who considers that?

12                   MR. ROMAINE: The approach in  
13 permitting facilities like this is to prevent  
14 off-site impacts. As was mentioned, there should be  
15 appropriate planning. A key aspect of that planning  
16 is evacuations, if there are events in which it is  
17 unsafe to remain in the vicinity of the plant.

18                   MS. MARY ANN KUJAWA: Okay. The next  
19 thing I just have a comment about. You know, we live  
20 in an area, everybody knows about the black lung  
21 that's been in this area, because this is a coal  
22 area. We had a number of coal mines. A lot of  
23 people have black lung disease. From this plant, are  
24 we gonna' have bad gas lung disease? And who will  
25 pay those medical bills?

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1                   You know, right now, the health cost in  
2 the nation is just exploding, just going up, up, up.  
3 And when you have a lung disease, have you seen  
4 somebody with oxygen, struggling to breathe? It's  
5 not a pretty picture. And since I -- I don't live  
6 exactly in this area. I live in Nashville. But we  
7 do have land that is close, that's been in the family  
8 since in the early 1900's.

9                   We plan to retire there. We plan to  
10 have our grandchildren play there. But now we won't  
11 be able to. Right now, I walk three and four times a  
12 week, a full mile, close to that plant. I'll  
13 probably not be able to walk. If I do, I'll have to  
14 wear a mask. That's the only comment that I have.  
15 Thank you so much.

16                   HEARING OFFICER: Thank you for your  
17 comment. Kathy Andria?

18                   MS. ANDRIA: Again, my name is Kathy  
19 Andria. I have a question that I asked during my  
20 comments rhetorically, but I'd like Chris Romaine to  
21 please respond, because I know that PSD permits have  
22 different rules than other permits, and I wondered  
23 whether, with a PSD permit, don't they have to have a  
24 viable project?

25                   MR. ROMAINE: The viability of the

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1 project is something that has been discussed in  
2 certain past projects and certain policy by U.S. EPA,  
3 yes. I think it's simpler to say that a PSD permit  
4 cannot be issued for a project that is clearly not  
5 viable. The project that I'm most familiar with is a  
6 person that was proposing a project requesting a PSD  
7 permit, and then let its lease on the land that the  
8 project was to be developed upon lapse. I think it  
9 actually sold the property to another party. So at  
10 that point, it was impossible for that project to be  
11 pursued. The company had taken specific actions  
12 essentially abandoning the proposed project.

13 MS. ANDRIA: Well, when you get an  
14 application in, what efforts, what steps do you take  
15 to evaluate the viability of the company that has  
16 filed the application?

17 MR. ROMAINE: That is not a routine  
18 action that we take. As Power Holdings has  
19 explained, I believe they've spent approximately \$10  
20 million in development costs. That shows a serious  
21 interest in developing a facility. We don't feel  
22 qualified to further evaluate the circumstances of  
23 the project.

24 MS. ANDRIA: Well, since they seem to  
25 have had trouble, the local neighbors have had a lot

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1 of problems getting answers, and the answers have  
2 varied depending on who asks them, have you made any  
3 attempt to see whether they did indeed spend \$10  
4 million and on what?

5 MR. ROMAINE: No, I have not. And I  
6 would like to thank everybody who's been here tonight  
7 and explained their concerns about the project, by  
8 making us aware of them. That is the purpose of this  
9 public hearing, to hear concerns from the people that  
10 would be potentially affected by a proposed project.

11 MS. ANDRIA: So you do not plan to  
12 further investigate the viability of this project?

13 MR. ROMAINE: I cannot answer that at  
14 this time.

15 MS. ANDRIA: Because, you cannot answer  
16 it, because you may, because you are required to,  
17 because you can't? Why?

18 MR. ROMAINE: I will have to think  
19 about it.

20 MS. ANDRIA: We urge you to do that.  
21 We're not sure. There are a lot of financial  
22 questions about this. Do you look into and are you  
23 consulted by the Illinois Finance Authority before  
24 they issue bonds for a project?

25 MR. ROMAINE: I'm not familiar that

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1 that consultation occurs.

2 MS. ANDRIA: Do you have consultation  
3 with any other agency over any kind of financial  
4 viability?

5 MR. ROMAINE: I'm not familiar with  
6 that type of consultation.

7 MS. ANDRIA: So then what goes into  
8 your thinking if, because of a PSD permit, you don't  
9 want a nonviable project hoarding credits or whatever  
10 they're called that they need to for the PSD permit.  
11 How do you evaluate whether a project and a company  
12 is viable?

13 MR. ROMAINE: As I said, the policy  
14 that has come up in the past has involved  
15 circumstances where projects were clearly not  
16 viable. They have not been assessments of the degree  
17 of viability of a particular project. There are many  
18 projects that are proposed that never get developed.  
19 The State of Illinois has received applications for  
20 over 50 new ethanol plants. We've issued permits for  
21 over 50 new ethanol plants. My expectation is that  
22 only ten of those will be built. The projects that  
23 are financially viable will flourish and proceed.  
24 The ones that are not financially viable will be  
25 dropped and will not be developed.

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1                   MS. ANDRIA:  When a company files an  
2 application, what kind of fee are they required to  
3 post?

4                   MR. ROMAINE:  The application fee  
5 varies upon the type of facility, the complexity of  
6 the permit.  Off the top of your head, remember the  
7 fees that are involved for this project, Bob?

8                   MR. SMET:  No.  But it's tens of  
9 thousands.

10                  MR. ROMAINE:  Something on the order of  
11 \$50,000.  It's not a trivial sum.

12                  MS. ANDRIA:  And in your experience, an  
13 application such as what was prepared for this  
14 permit, how much would that cost?

15                  MR. ROMAINE:  I don't know.

16                  MS. ANDRIA:  We would assume it  
17 wouldn't cost anywhere near \$10 million, would you  
18 think?

19                  MR. ROMAINE:  I don't think so, no.

20                  MS. ANDRIA:  We don't -- do you know  
21 whether the company owns the land that it's proposing  
22 to build on?

23                  MR. ROMAINE:  No, I don't.

24                  MS. ANDRIA:  Is that part, would that  
25 be part of your inquiry into whether it's a viable

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1 project?

2 MR. ROMAINÉ: Again, I'd have to  
3 consult with experts, maybe my attorney back in  
4 Springfield, to decide whether it's a relevant  
5 consideration.

6 MS. ANDRIA: Are emissions different  
7 and your calculations as to the emissions different  
8 whether the coal is slurried in or whether it's  
9 brought in by rail, say?

10 MR. ROMAINÉ: No. Because part of the  
11 process of gasifying coal involves mixing coal and  
12 water, the coal can either be slurried at a distant  
13 site or be slurried at the plant before being  
14 produced in the gas pipes.

15 MS. ANDRIA: And I know this isn't your  
16 field, but if it were slurried, say, in another  
17 county, then that would not count toward this  
18 company's allocation of getting water from Rend Lake,  
19 say?

20 MR. ROMAINÉ: I don't know. It would  
21 depend where that water came from.

22 MS. ANDRIA: But if it were, since they  
23 don't own a mine, it would have to be the mine that  
24 got the permit for the water allocation; right? It  
25 would be a different one? They couldn't extend that

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1 over?

2 MR. ROMAINE: I do not know how water  
3 allocations work.

4 MS. ANDRIA: Since apparently, from my  
5 understanding from the people who live around there,  
6 and looking at the application and some other  
7 documents, this proposed plant site would go, extend  
8 over to the other side of the county line. Does that  
9 change your evaluation?

10 MR. ROMAINE: I'm not familiar with the  
11 exact property details, but, uh, again, the exact  
12 outline. At this time, it would not affect it,  
13 because Washington County and Jefferson County have  
14 similar air quality. Both are attainment areas.

15 MS. ANDRIA: So it doesn't matter that  
16 one, uh, that say they put the sulfur tanks or  
17 something on the other side in Washington County, and  
18 wouldn't there be some sort of vapor? I mean, I  
19 don't know. Do they have the floating caps on the  
20 tanks or what? Wouldn't that be part of the mix that  
21 you should be evaluating?

22 MR. ROMAINE: Well, it's part of the  
23 plant, it's part of the plant's emissions, yes. But  
24 it doesn't matter -- the distinction between being in  
25 Jefferson County or in Washington County is not a

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1 distinguishing feature on the layout of the plant.

2 MS. ANDRIA: There was a recent ruling  
3 that was about start-up, shutdown with regard to HAP  
4 standards. Will that apply to this plant?

5 MR. ROMAINE: That ruling will not  
6 apply, because this plant is not a major source of  
7 hazardous air pollutants. In addition, that ruling  
8 doesn't directly do anything. The ruling found that  
9 U.S. EPA had erred in certain actions it had taken  
10 with respect to its rules for hazardous air  
11 pollutants. This is something that the Obama  
12 Administration has inherited from the Bush  
13 Administration, and now must proceed to take  
14 corrective action for.

15 MS. ANDRIA: So Illinois EPA is not  
16 going to be on the other things, like refineries and  
17 steel mills, you're not going to be changing the  
18 start-up, shutdown?

19 MR. ROMAINE: We will follow the  
20 relevant regulations as eventually adopted by U.S.  
21 EPA.

22 MS. ANDRIA: You said in, I think Becki  
23 Clayborn asked you about evaluating economic benefits  
24 for a PSD permit, and you said that you do evaluate  
25 economic benefits, but that you didn't -- and I'm

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1 unclear as to what you said. You don't evaluate  
2 property value loss. What do you evaluate?

3 MR. ROMAINE: Economic impacts are  
4 something that can be addressed as part of the  
5 determination of Best Available Control Technology.

6 MS. ANDRIA: Only in that?

7 MR. ROMAINE: That is the area where  
8 they have to be considered. The issue of economic  
9 benefits beyond that is something that is  
10 discretionary, I'd say. Certainly we are not  
11 considering the number of jobs that are provided by  
12 this facility or the potential tax benefits for local  
13 municipalities.

14 MS. ANDRIA: What about all of the,  
15 what about all of the letters of support that were  
16 offered by Ms. Bechtel? How are those evaluated?

17 MR. ROMAINE: Those are simply letters  
18 of support. We also received a number of statements  
19 of opposition.

20 MS. ANDRIA: So they're valued  
21 equally?

22 MR. ROMAINE: I think, in fact, the  
23 letters or the comments of opposition, as they raised  
24 specific concerns about the proposed facility that  
25 are something that we deal with, are heard much more

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1 carefully than general letters saying that there is  
2 support for a particular project.

3 MS. ANDRIA: And how does the political  
4 atmosphere, support, whatever you want to call it,  
5 feed into this decision-making?

6 HEARING OFFICER: That's not relevant.  
7 We're here to gather, have you ask questions  
8 concerning the permit. So why don't you confine your  
9 questions to what's contained in the project summary  
10 and the permit, please, and wrap this up.

11 MS. ANDRIA: I was just responding,  
12 since the Economic Development Director made sure she  
13 mentioned Congressman Costello and Shimkus' support  
14 and Senator Jones, etc., Cavaletto and dah, dah, dah,  
15 dah, dah, dah. And I just wondered what value, does  
16 each letter of support balance a complaint about -- I  
17 don't know why this is doing this -- a complaint  
18 about odor or explosion or seismic activity or  
19 mercury?

20 MR. ROMAINE: No. To the extent that  
21 there are concerns about mercury, our job is to  
22 demonstrate that this plant, in fact, adequately  
23 controls mercury. This plant will have carbon  
24 absorbers and do an extremely good job in collecting  
25 the mercury that is present in the coal, so that it

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1 is not released in the environment. The letters from  
2 political people, as I have said, don't really go to  
3 the environmental matters that are addressed in  
4 permitting.

5 MS. ANDRIA: I was also given, from  
6 some shy person who didn't want to come to the mike,  
7 something that we're calling questions from a  
8 neighbor. Some of them are not questions, but they  
9 are statements, and I'm just gonna' read them so it  
10 gets into the record.

11 Transportation impact. They want to  
12 know the impact of large trucks and equipment on  
13 local roads and bridges during construction and on a  
14 daily operating basis. And the impact on the air  
15 quality of all of these. Impact of real costs on  
16 road improvements and repairs to local communities  
17 and county governments. That might not be your  
18 issue, but they want, this person wanted this  
19 addressed.

20 The railroad line location, I don't  
21 know. Are they gonna' have a railroad or not? We're  
22 not sure. We know there's no application that's been  
23 filed. The type. We want to know the type and the  
24 size of the rail-loading area. Is there a rail  
25 yard? Some of the people were told there would be a

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1     turnaround for a particular track. Some people were  
2     told that the coal could be brought in from all kinds  
3     of places. It's certainly not a mine smelting plant  
4     anymore.

5                     Safety. Let's see. The impact of the  
6     railroad crossings on local traffic, including  
7     farming activities. It really did change Prairie  
8     State. They changed, farmers have to go miles out of  
9     their way. They had to, when roads were being built  
10    and all kinds of issues there. Umm, safety issues.  
11    Single and lighted crossings on all roads, number of  
12    roads that will be closed to through traffic.

13                    Will crossings for farm activities be  
14    made available in off-road areas? Crossing  
15    blockages. They're concerned about the actual time  
16    of road closures due to trains on a daily basis. I  
17    know that was of extreme concern to the people at  
18    Prairie State.

19                    Environmental issues. They're  
20    concerned about the impact on local residents in all  
21    surrounding counties. The impact on local flora and  
22    fauna. What studies have been done to understand  
23    what presently exists in the surrounding area? Have  
24    all species been catalogued, and how can this be  
25    verified? Are all questions answered about any

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1 species that may exist?

2 I did not hear the name of the person  
3 who was asking for coordination with -- was it EPA?  
4 I missed -- I couldn't hear that testimony at all.

5 MR. SMET: Do you mean --

6 MS. ANDRIA: I can't hear you.

7 MR. SMET: Do you mean in regard to  
8 U.S. EPA and Fish & Wildlife?

9 MS. ANDRIA: The person -- I didn't  
10 hear what the person said. I heard part of the  
11 testimony. It was not -- it was very difficult to  
12 hear her. So I didn't know whether she was an agency  
13 person. It sounded like she was an agency person.

14 MR. SMET: Clarify something. You're  
15 talking about what occasion that you heard?

16 MS. ANDRIA: Someone who was up here  
17 earlier.

18 MR. SMET: Oh, oh, okay. I didn't  
19 gather -- oh, you're talking about the woman from  
20 IDOT? Is that who you mean?

21 MS. ANDRIA: Yeah, I guess so.

22 MR. SMET: Okay. So your question's in  
23 regard to her asking us about what effects this would  
24 have on endangered species? We have some  
25 documentation that U.S. EPA found no significant

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1 impacts on endangered and threatened species, which  
2 we can provide in the response to comments.

3 MS. ANDRIA: My understanding is, the  
4 modeling that was done did not do modeling for  
5 commingling. The Class One area did not take into  
6 account Baldwin or Prairie State or the other plant  
7 that hasn't been built. Those are cumulative  
8 impacts. All of those emissions will come this way,  
9 and I think that there should've been modeling done  
10 to reflect cumulative impacts. I'm going back to the  
11 shy person's notes.

12 HEARING OFFICER: Can we have that just  
13 admitted into the record? It will have the same  
14 weight as if it's read. It's getting late, so let's  
15 make sure that everybody gets a chance to speak, and  
16 I'll mark that as Exhibit 12, I think.

17 MS. ANDRIA: All right. That's a very  
18 strange microphone.

19 HEARING OFFICER: Actually Exhibit 13.  
20 Does that conclude your questions, Kathy?

21 MS. ANDRIA: I think so.

22 HEARING OFFICER: This is Exhibit --  
23 you don't have a name or anything for me?

24 MS. ANDRIA: No.

25 HEARING OFFICER: That's fine.

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1 MS. ANDRIA: It was given to me by not  
2 the shy person, but by someone --

3 HEARING OFFICER: That's fine. Is that  
4 the conclusion?

5 MS. ANDRIA: I'm sorry?

6 HEARING OFFICER: The conclusion of  
7 your questions?

8 MS. ANDRIA: Yes.

9 HEARING OFFICER: Thank you. Ted  
10 Schanafelt?

11 MR. SCHANAFELT: I got a question about  
12 the coal piles. You know, when you bring the coal  
13 into this place, you're talking about 13,000 tons a  
14 day. Is it gonna' be covered? Is it gonna' be out  
15 in the open?

16 MR. ROMAINE: The plans for storage of  
17 coal at the plant now involve storage of coal in  
18 silos.

19 MR. SCHANAFELT: In silos? Okay.  
20 'Cause they have fires all the time, you know.

21 MR. ROMAINE: I can't agree to "all the  
22 time," but certainly coal piles have to be managed  
23 carefully because of the danger of fire.

24 MR. SCHANAFELT: What I'm gonna' tell  
25 you is, we had a coal fire three times last year at

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1 Coulterville. The Coulterville Fire Department has  
2 got nine women on the fire department, and they had  
3 three fires last year that they had to fight. They  
4 have no way of fighting coal fires inside the silos,  
5 that I know of. They gotta' be oxygen-free.

6                   So you might want to consider that.  
7 None of the fire departments around here will be able  
8 to do that. They're all volunteers, most of them.  
9 Now, another thing is, you know, you can put it in  
10 there, material in there so that won't happen, or you  
11 can make them oxygen-free.

12                   Okay. Now, on this air pollution by  
13 trucks and all that stuff, you know, right now, all  
14 the garbage trucks that haul garbage have to be  
15 covered. And when they go to the dump every day,  
16 they have to be covered with dirt. Now, is that some  
17 kind of weird regulation or not? You know, 'cause  
18 you're gonna' have the same problems with these coal  
19 trucks.

20                   All the asphalt trucks have to be  
21 covered now. You know, now, the rail cars are not  
22 gonna' be covered. They're gonna' be open. The  
23 fertilizer industry mandated that all the fertilizer  
24 cars had to be covered. You know, this is standard  
25 practice. Now, here we got an industry that has no

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1 regulations on that at all, that I know of. Okay.

2 Now, if you put this coal in a slurry  
3 line, is all of the water gonna' be used in the  
4 process? And if not, where does all that extra water  
5 go?

6 MR. ROMAINE: I don't have the water  
7 balance. I guess Power Holdings will have to answer  
8 that tonight.

9 MR. SCHANAFELT: Well, I doubt if  
10 anybody knows, 'cause nobody's ever done it before.

11 MR. DARGUZAS: I didn't hear the  
12 question.

13 MR. SCHANAFELT: That's gotta' be a lot  
14 of extra water, you know.

15 MR. DARGUZAS: Madame Hearing Officer,  
16 we can address that, if you like.

17 HEARING OFFICER: If you would like to  
18 address it, you may. Does that conclude your  
19 questions?

20 MR. SCHANAFELT: No.

21 HEARING OFFICER: Okay.

22 MR. SCHANAFELT: 'Cause down in  
23 Florida, the phosphate mines, all slurry or phosphate  
24 take it to a processing plant, but they got all these  
25 great big holes in the ground that they put it back

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1 into, so there's always excess of water, 'cause they  
2 use water in phosphate manufacturing, too, along with  
3 sulfuric acid. Now, if all this extra water's gotta'  
4 be put in a settling pond or something, is this  
5 settling pond gonna' have clay liners or plastic or  
6 in the dam structure itself?

7 MR. ROMAINE: Again I'd refer that to  
8 Power Holdings to answer.

9 MR. SCHANAFELT: Well, I asked that  
10 same question last time at the mine permit over  
11 there, all them three mines over there that you've  
12 already permitted, I assume.

13 MR. ROMAINE: Permits for mines are  
14 issued by the Department of Natural Resources.

15 MR. SCHANAFELT: Yeah. But this was an  
16 air hearing, too, you know. So if they don't have  
17 clay liners, then they're just gonna' go right down  
18 in the soil. Now, when you start talking about this  
19 slag that's left over, there's 25 heavy metals. Now,  
20 is that gonna' be in that slag?

21 MR. ROMAINE: The metals in the ash  
22 that are present in coal will be retained in the  
23 slag, yes.

24 MR. SCHANAFELT: Right. So there's 29  
25 heavy metals that ain't never gonna' go away, ever.

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1 Now, that's gotta' be toxic somewhere. And when this  
2 plant shuts down, what are they gonna' do with all of  
3 it? The State of Illinois will be responsible for  
4 cleaning up just like all these gas stations that  
5 they had to dig up the tanks and replace the ground  
6 and run through a big thermal process to burn it  
7 off.

8 I don't think this is ever gonna'  
9 happen with heavy metals, so there's gonna' be some  
10 waste product forever. So this has to be addressed.  
11 If they haul it to a dump, they ain't gonna' be able  
12 to dump it, so they're gonna' have someplace to put  
13 it. And when the site shuts down, we're gonna' have  
14 a toxic waste site, as far as I can see. Okay.  
15 That's all the questions I got for now. Thank you  
16 very much.

17 HEARING OFFICER: Okay. Thank you.  
18 Mr. Darguzas, would you like to respond to the water  
19 cycle question at this time? You don't have to.

20 MR. DARGUZAS: Since that's not an air  
21 question, Power Holdings would be happy to stay after  
22 and talk about that.

23 HEARING OFFICER: You're not required.  
24 Charles Spotanski? This is the last person I have  
25 that wishes to speak, so --

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1                   MR. CHARLES SPOTANSKI: Charles  
2 Spotanski. I have a few questions that I didn't get  
3 answered earlier.

4                   HEARING OFFICER: Mr. Spotanski, please  
5 face the court reporter, and hold the mike up, so  
6 that everybody in the room can hear you.

7                   MR. CHARLES SPOTANSKI: All right. Is  
8 that better? Monitoring these stacks for emissions,  
9 now, is that gonna' be by computer or employee, or  
10 how is that gonna' be monitored? Is it gonna' shut  
11 down if the emissions are greater than they are  
12 supposed to be, or you just increase them to let it  
13 go or what?

14                  MR. SMET: It's electronic, so that  
15 it's monitoring the emissions constantly,  
16 continuously, and it's being recorded.

17                  MR. CHARLES SPOTANSKI: Okay. When it  
18 gets above the level --

19                  MR. SMET: It gets recorded, and  
20 that's --

21                  MR. CHARLES SPOTANSKI: I mean, it gets  
22 recorded, but does it shut down, or how long does it  
23 go that way?

24                  MR. SMET: It continues to monitor  
25 those emissions. And it doesn't require that they be

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1 shut down. It's an indication that it must be  
2 addressed by the company, and --

3 MR. ROMAINE: The purpose of that  
4 monitoring is to make sure that equipment is operated  
5 properly. Accordingly, when levels that measure  
6 pollutants increase, it's the obligation of Power  
7 Holdings to take corrective action to assure that  
8 levels of emissions don't exceed the permitted  
9 levels.

10 MR. CHARLES SPOTANSKI: How long is  
11 that gonna' take to do that?

12 MR. ROMAINE: Again, it's a  
13 case-by-case process, depending on why the emission  
14 levels are increasing. Is it something out of  
15 balance that can be readily corrected? Is it  
16 something that can be corrected over time? Is it  
17 something that requires the process to be shut down  
18 and maintenance performed? But you can't generalize  
19 the time.

20 MR. CHARLES SPOTANSKI: Sounds like in  
21 that permit, it reads in it like you notify EPA, and  
22 they might respond in 30 or 45 days.

23 MR. ROMAINE: The purpose of the  
24 notification to the Illinois EPA is to assure that we  
25 are aware of what has occurred, and that we can

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1 oversee and verify that Power Holdings took  
2 appropriate actions in the particular circumstance.  
3 It is not intended to be the means by which  
4 corrective actions are taken. It's under the  
5 obligation of Power Holdings at all times to operate  
6 the plant properly to the capability of equipment and  
7 comply with the applicable standards that have been  
8 set for it.

9 MR. CHARLES SPOTANSKI: Okay. I want  
10 to ask you a question on this railroad situation.  
11 Once it's railroad, and once it's slurry. Now, if  
12 there's going to be a railroad, do we have a route  
13 picked out for that railroad, or when will we have?  
14 Can anybody answer that? I mean, I would think at  
15 this time and date, you might be talking to some  
16 landowners in that area, you know, to just maybe let  
17 them know that you might be looking at something like  
18 that, but I guess that's not part of the process.

19 Okay. The other one here, on this  
20 noise level at the fence line. Can you answer that  
21 for me? What fence line? Is that the fence around  
22 the plant or what?

23 MR. ROMAINE: It's the fence around the  
24 plant.

25 MR. CHARLES SPOTANSKI: Have you got

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1 any idea how far that's gonna' go?

2 MR. ROMAINÉ: It presumably will be at  
3 their property line.

4 MR. CHARLES SPOTANSKI: Okay. On the  
5 thing of crops not ripening. You know, a crop won't  
6 ripen under a light. Now, whose responsibility is  
7 that gonna' be whenever you got 40 acres of beans  
8 there next to this proposed plant that don't ripen?  
9 Who's gonna' take care of that?

10 MR. ROMAINÉ: I would want to research  
11 the information you're basing that statement on. I  
12 know that lighting is certainly a nuisance for  
13 individuals. I'm not sure what level of lighting is  
14 needed to interfere with the growth of soybeans.

15 MR. CHARLES SPOTANSKI: Well, any  
16 street light, you go by a town or any place like  
17 that, and there's a large area right around that  
18 street light that will not ripen.

19 Okay. On this holding pond. Now,  
20 after this 3-inch rain in 24 hours, what happens to  
21 that water? If it holds all that water, what happens  
22 to that water once it quits raining?

23 MR. ROMAINÉ: Again, I don't have a  
24 water balance. That water would either have to be  
25 used as part of the manufacturing process or

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1 appropriately be treated to be discharged. If it  
2 were to have the ability to be discharged, there  
3 would have to be a separate permit issued for that  
4 discharge, depending on whether it went to a  
5 municipal treatment plant or was sent to a waterway.  
6 If it's a waterway, there would be an extensive  
7 permitting process under the National Pollution of  
8 Discharge Elimination System or NPDES.

9 MR. CHARLES SPOTANSKI: Okay. I just  
10 have to say one more thing, and it'll probably get me  
11 in trouble. But at the meeting in Waltonville on  
12 Saturday the 21st, I was there from 9 o'clock to 4  
13 o'clock. Now, in that time frame, I know there was  
14 two alternating, and I think there was three sheriff  
15 deputies in there. Do we have a reason why you'd  
16 have a sheriff deputy at that meeting? Is that a  
17 strong tactic or something that just nobody likes, or  
18 was the county doing that? I'd just like to know.  
19 Jefferson County, if you read the papers and the  
20 financial situation we're in, I don't think we'd have  
21 money to run three deputies around from Mt. Vernon,  
22 you know. They didn't stay there. They alternated.  
23 So with that, thank you.

24 HEARING OFFICER: Thank you for your  
25 comment. Is there anyone else that would like to

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1 make a comment at this time? Seeing that there are  
2 no more members of the public with questions or  
3 comments, we will bring this hearing to a close.

4 I'd like to again remind everyone that  
5 the comment period for the record in this matter  
6 closes on April 2, 2009. Any written comments must  
7 be postmarked before midnight on April 2 to be  
8 accepted as part of the record. Copies of the  
9 exhibits are available upon request. The time is  
10 approximately 10:30, and this hearing is adjourned.  
11 Thank you very much for coming this evening.

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1 STATE OF ILLINOIS )  
2 )  
3 COUNTY OF JACKSON )

4  
5

6 I, Sharon Valerius, a Freelance Court  
7 Reporter for the State of Illinois, do hereby certify  
8 that I reported in machine shorthand the Illinois EPA  
9 Hearing held on March 3, 2009, from 7:00 p.m. to  
10 10:30 p.m., at the Knights of Columbus Hall, 130  
11 South Eighth Street, DuBois, Illinois; that I  
12 thereafter caused the foregoing to be transcribed  
13 into computer-aided transcription, which I hereby  
14 certify to be a true and accurate transcript of the  
15 same.

16

17 Dated this 9th day of March, 2009.

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FREELANCE COURT REPORTER

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