

1 BEFORE THE ILLINOIS EPA
2 Proposed Issuance of Clean Air Act Permit to
3 Solutia inc. in Sauget
4

5 The following is a transcript of a
6 public hearing held in the above-entitled matter
7 at the SIU Higher Education Campus in East
8 St. Louis, Illinois, on the 19th day of July,
9 2005, commencing at the hour of 7:00 p.m.

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12 EPA Members present:

13 Charles Matoesian, Hearing Officer

14 Jonathan Sperry, Environmental Protection Engineer

15 Kenneth Page, Environmental Justice Officer

16 Brad Frost, Public Relations

17

18

19 REPORTED BY:

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1 HEARING OFFICER MATOESIAN: Good
2 evening, ladies and gentlemen, we might as well
3 start this hearing then, my name is Charles
4 Matoesian, I will be the hearing officer tonight.
5 This hearing is being held by the Illinois
6 Environmental Protection agency, also known as the
7 Illinois EPA Bureau of Air concerning the proposed
8 issuance of a Clean Air Act Permit Program Permit
9 or CAAPP Permit to Solutia, Incorporated in
10 Sauget.

11 Solutia, Incorporated has requested that
12 the Illinois EPA issue a CAAPP Permit for its W.G.
13 Krummrich plant located at 500 Monsanto Drive in
14 Sauget. The facility is a chemical manufacturing
15 plant. The CAAPP is Illinois' operating permit
16 program for major sources of emissions as required
17 by Title V of the Clean Air Act. The conditions
18 of CAAPP permits are enforceable by the public as
19 well as by the U.S. EPA and the Illinois EPA.
20 CAAPP permits may contain new and revised
21 conditions established under permit programs for
22 new and modified emission units, pursuant to Title
23 I of the federal Clean Air Act, thereby making
24 them combine Title V and Title I permits.

1 This hearing is being held to receive
2 comments and answer questions from the public
3 prior to making a final decision concerning the
4 draft permit. This hearing is being held under
5 the Illinois EPA's Procedures for Permit and
6 Closure Plans regulations found at 35 Illinois
7 Administrative code, part 166, Subpart A. Those
8 not wishing to speak tonight may submit written
9 comments and indeed lengthy comments and questions
10 are better suited to a written submission.
11 Comments should be submitted to myself and the
12 address which was in the hearing notice and is
13 available in the handouts but I will state it
14 again, it's Illinois EPA, Charles Matoesian,
15 M-a-t-o-e-s-i-a-n, Hearing Officer regarding
16 Solutia Hearing, address 1021 North Grand Avenue
17 East, P.O. Box 19276, Springfield, Illinois and
18 the zip code is 62794 dash 9276. Written comments
19 need not be notarized but must be postmarked by
20 midnight August 18, 2005. I will note that with
21 me tonight is Mr. Jonathan Sperry, Environmental
22 Protection Engineer, Mr. Kenneth Page,
23 Environmental Justice Officer with the Illinois
24 EPA. There are also several members from Solutia

1 here tonight, they will be making a brief
2 statement and perhaps answering some questions. I
3 would also like to note for the record that notice
4 of this hearing was placed in the East St. Louis
5 Monitor and Belleville News Democrat with dates of
6 June 1, June 8, June 15 all 2005. With that I
7 will turn things over to Mr. Sperry.

8 MR. SPERRY: Good evening, ladies and
9 gentlemen, my name is Jonathan Sperry, I am an
10 environmental protection engineer with the
11 Illinois Environmental Protection Agency at
12 Springfield. I have been working in the Permit
13 Section of the Division of Air Pollution Control
14 for over eight years. My duties include reviewing
15 air pollution permit applications for various
16 types of stationary emission sources. Most of the
17 emission sources I work with are chemical
18 manufacturing plants, coating industries and
19 printing industries.

20 I would like to thank everybody for
21 coming to tonight's hearing to express your
22 interest in the draft CAAPP permit that the
23 Illinois EPA has prepared for Solutia's W.G.
24 Krummrich Plant. Comments received tonight can

1 certainly affect the conditions that are placed in
2 the permit. I will first discuss a background of
3 the general permitting process, then describe the
4 structure of the draft permit, including the
5 significant emission units and the uniqueness of
6 this source from a regulatory standpoint. I want
7 to stress that we are here to discuss an operating
8 permit for Solutia. As an operating permit, it
9 would not address or authorize construction of any
10 new emission units at the plant. Of course, we
11 are also here to listen to your concerns and
12 answer any questions that you may have regarding
13 this draft permit.

14 Since this hearing is focused on the
15 draft CAAPP permit, I feel it's important that you
16 understand the purpose of the permit and the
17 permit program from which it originates.
18 Therefore, I will start by giving you a brief
19 history of the Title V permit program.

20 The 1990 Clean Air Act Amendments
21 created a federal operating permit program known
22 nationally as the Title V or Part 70 permit
23 program. In March 1995 the United States
24 Environmental Protection Agency approved the Clean

1 Air Act Permit Program for the State of Illinois
2 in order to implement its federal operating permit
3 program. Illinois' permit program which goes by
4 the acronym C-A-A-P-P pronounced "cap" focuses on
5 the industrial sources of air pollution of
6 greatest concern, that is, the major sources. The
7 terms CAAPP and Title V are synonymous in
8 Illinois. For example, we refer to the permits
9 that are issued under this program as either Title
10 V permits or CAAPP permits. All major sources of
11 air pollution in Illinois must apply for, obtain,
12 and operate under a CAAPP permit. Any stationary
13 source is determined to be a major source if its
14 potential and actual emissions exceed a major
15 source threshold level as listed in the Illinois
16 Environmental Protection Act. The major source
17 threshold for the Metro East area is 100 tons per
18 year for each air pollutant other than hazardous
19 air pollutants. The major source threshold for
20 hazardous air pollutants are 10 tons per year for
21 any individual hazardous air pollutant and 25 tons
22 per year for total hazardous air pollutants.

23 I will now explain some of the major
24 benefits of the draft permit that we are

1 discussing tonight. These are the reasons why
2 this permit is necessary and good for the air.
3 Getting sources permitted and operating under a
4 CAAPP permit provides many benefits to the
5 environment, which is one of our most important
6 goals. It is not meant to allow or permit
7 additional air pollution. The permit seeks to
8 assist all persons in providing clarity and
9 awareness on applicable regulations and the
10 mechanisms by which a source must comply with
11 those regulations. This permit adds to the
12 compliance checks and balances put on a source,
13 thereby providing an additional layer of
14 protection for our air quality. As I will clarify
15 later, the public has reason to endorse the
16 issuance of CAAPP permits, especially for sources
17 with which they have concerns about air emissions
18 and the associated impacts on their health and
19 well-being. The environment is better protected
20 when major sources are made to operate under this
21 type of permit.

22 The USEPA says that the purpose of these
23 permits is to reduce violations of air pollution
24 laws and improve enforcement of those

1 laws. CAAPP permits do this in a number of ways.
2 First CAAPP permits are to be complete and
3 encompassing permits that address all the emission
4 units and activities at a source. Before this
5 program, a source could have several operating
6 permits covering different aspects of a plant.
7 Those permits were not as detailed as the CAAPP
8 permits must now be. Solutia has had as many as
9 50 separate state air operating permits. This
10 often causes confusion and permit conflicts. The
11 single, all-inclusive permit strategy simplifies
12 the compliance process, resulting in only one
13 enforceable document. These CAAPP permits are
14 very detailed in scope and range in size from 50
15 to 1,000 pages. Solutia's draft permit is 463
16 pages long. The typical size of an operating
17 permit before the Title V permit program was only
18 1 to 5 pages.

19 Second, CAAPP permits must be
20 comprehensive, addressing all applicable air
21 pollution control requirements. This improves the
22 awareness and understanding of emission standards
23 that apply to a source and the various compliance
24 procedures that a source must carry out. Given

1 the complexity of the state and federal
2 requirements for air pollution control, it is
3 widely accepted that a comprehensive permit
4 facilitates compliance by a major source, since
5 the permit summarizes and acts as a guide to the
6 various requirements that apply to a source. This
7 is certainly very important for the general
8 public, who may be unfamiliar with the rules that
9 apply to a source, and for the various management
10 and operating personnel at a source, so that
11 obligations are understood and nothing is
12 neglected or overlooked. A comprehensive permit
13 is also very important to the staff at the
14 Illinois EPA, especially inspectors, as it
15 facilitates a thorough and consistent approach in
16 the various activities that we undertake to verify
17 and track compliance.

18 Third, CAAPP permits add to the
19 compliance checks applied to a source, thereby
20 providing additional protection of our air
21 quality. One compliance check of CAAPP permits is
22 gap filling. CAAPP permits can fill in gaps in
23 existing rules for monitoring, testing,
24 recordkeeping and other compliance procedures.

1 This requires sources to carry out additional
2 procedures to show compliance with applicable
3 rules. Often more monitoring is required;
4 otherwise, the permit at least provides a check
5 that current monitoring is appropriate. The CAAPP
6 permit can develop appropriate record keeping and
7 compliance procedures to assure compliance with
8 such rules.

9 The other major compliance check of
10 CAAPP permits is additional reporting
11 requirements. These reports are available to the
12 public, and you can get them from the Illinois
13 EPA. CAAPP permits make sources publicly
14 accountable for their compliance status. This is
15 first accomplished by requiring a source to
16 promptly report all deviations from applicable
17 requirements. The other significant obligation
18 created by the CAAPP permit is an annual
19 compliance certification, which is included in
20 Condition 9.8 of the draft permit. This requires
21 a source to review its compliance status during
22 the previous year and formally report its
23 findings, which include a determination of whether
24 each emission unit was in full compliance,

1 intermittent compliance, or noncompliance during
2 the previous year and explain what actions have
3 been taken to correct any noncompliance events.
4 These certifications are also available to the
5 public. Also required is a semi-annual monitoring
6 report, found in Condition 8.6 of the draft
7 permit. Both the semi-annual monitoring report
8 and the annual compliance certification are
9 required only after the issuance of the CAAPP
10 permit.

11 Finally, CAAPP permits improve the
12 enforcement of air pollution laws by making the
13 terms of the permit federally enforceable. This
14 means that the USEPA and the public can enforce
15 the terms of the permit, along with the State of
16 Illinois. This permit is considered the primary
17 compliance tool for verifying compliance of the
18 source. Currently the public is not able to
19 directly enforce permit requirements. Only after
20 the issuance of a CAAPP permit can this be done.

21 I have spent the majority of my time
22 going over what the permit does; but equally
23 important is what the permit does not do. This
24 permit does not allow any increase in overall

1 emissions above those previously and currently
2 allowed, nor does it allow the construction of any
3 new equipment or the modification of any existing
4 equipment. Those sorts of activities are still
5 subject to separate construction permit
6 requirements.

7 In summary, the Illinois EPA believes
8 that issuance of CAAPP permits is a good thing.
9 The environment and air quality is better
10 protected if they have this type of permit. A
11 CAAPP permit would help assure that this plant
12 fully complies with the existing limits and other
13 regulatory requirements that restrict its
14 emissions. A CAAPP permit will do this by
15 summarizing emission control requirements in a
16 single, comprehensive permit, clarifying the
17 provisions of certain rules, filling in certain
18 gaps in the compliance procedures in existing
19 rules, and requiring additional reporting related
20 to compliance. We are certainly interested in any
21 suggestions that you may have to improve the
22 permit in this regard.

23 At the same time, the CAAPP permit is
24 generally not a means for setting new requirements

1 to control emissions from this source. The
2 Illinois EPA does not have a legal authority in
3 CAAPP permits to establish new requirements to
4 further control emissions from existing sources.
5 Instead, the development of control requirements
6 for existing sources like this chemical
7 manufacturing plant generally occurs with the
8 adoption of new laws and rules. This ensures that
9 all sources in a particular category are treated
10 fairly and that overall environmental goals are
11 efficiently achieved.

12 I will now speak briefly about the
13 structure of the draft permit. Solutia is an
14 existing chemical manufacturing plant located in
15 Sauget, Illinois. The Illinois EPA received the
16 application for a CAAPP permit for Solutia on
17 January 2, 1996. The draft permit for Solutia has
18 been prepared based on this source requiring a
19 CAAPP permit as a major stationary source of
20 volatile organic material and hazardous air
21 pollutant emissions. Emissions are controlled
22 through various add-on control equipment,
23 including gas scrubbers, condensers, and dust
24 collectors.

1 The draft permit was open to public
2 review beginning in November 2004. On June 1 of
3 this year, this comment period was extended in
4 preparation for tonight's hearing.

5 The draft permit for Solutia is divided
6 into nine sections with five attachments. The
7 rest of this presentation will focus on three
8 major sections with the following designations:
9 Significant Emission Units (Section 4), Overall
10 Source Conditions (Section 5), and Unit Specific
11 Conditions (Section 7). These sections establish
12 the total emissions allowed at this site from the
13 stationary emission units, describe applicable and
14 nonapplicable regulations, unit-specific
15 conditions, emission limitations for individual
16 stationary emission units at this source,
17 recordkeeping, monitoring and compliance
18 requirements needed to demonstrate compliance with
19 applicable state and federal rules.

20 Section 4 lists each significant
21 emission unit and the year that they were
22 constructed, which is important because the
23 construction date often tells us what rules and
24 regulations apply. Significant emission units

1 include the following: the monochlorobenzene and
2 dichlorobenzene processes (which are currently
3 shutdown), the Santoflex process, the phosphorus
4 pentasulfide or (P2S5) process and the ACL process
5 which is a chlorine based sanitizer.

6 Section 5 lists the source-wide
7 requirements. Total permitted emissions of
8 regulated air pollutants, as established in this
9 section, are at the following levels: for
10 volatile organic material, 390.55 tons per year,
11 for sulfur dioxide, 3.3 tons per year; for
12 particulate matter, 53.6 tons per year; for
13 nitrogen oxides, 67.27 tons per year and for
14 hazardous air pollutants not included in the
15 above, 55.83 tons per year. These emission limits
16 are expected to decrease due to process shutdowns
17 made after the draft permit was prepared. Of
18 these pollutants, only the volatile organic
19 material emissions and hazardous air pollutant
20 emissions are above the major source threshold.
21 This source is also considered a major source for
22 hazardous air pollutants, which are typically a
23 subset of volatile organic material. There is no
24 limit for source-wide carbon monoxide emissions

1 because the State of Illinois does not include
2 carbon monoxide when calculating the annual site
3 fee; however carbon monoxide emissions have been
4 below 2 tons per year for the past five years.

5 Section 7 lists the applicability and
6 nonapplicability for state and federal regulations
7 for all of the significant emission units
8 described in Section 4. Conditions of this
9 section also establish appropriate compliance
10 procedures, including inspection practices,
11 testing, monitoring, recordkeeping, and reporting
12 requirements. This section also contains most of
13 the conditions which are carried over from
14 Solutia's numerous existing state permits.
15 Solutia must comply with these procedures on an
16 ongoing basis to demonstrate that they operate
17 within the limitations set by the permit. To be
18 able to check compliance with the limits of this
19 permit, Solutia is generally required to keep
20 monthly records for material usage and emissions
21 for permitted operations. Monthly recordkeeping
22 ensures compliance can be determined on a
23 short-term basis rather than having just annual
24 limits, which would require a full year before

1 compliance can be determined. These records can
2 be checked by our field inspectors, as well as
3 USEPA staff. Solutia is required to report any
4 exceedance of the limits of this permit to the
5 Illinois EPA within 30 days after such exceedance.
6 In addition, as indicated before, Solutia must
7 submit an annual compliance certification along
8 with their annual emission report to the Illinois
9 EPA as another avenue to ensure compliance.

10 Frankly, the most distinctive part of
11 the permit relates to the emission units which are
12 subject to the National Emission Standards for
13 Hazardous Air Pollutants for the Synthetic Organic
14 Chemical Manufacturing Industry, commonly known as
15 the Hazardous Organic NESHAP, or HON. Again, the
16 processes at this source that are subject to the
17 Hazardous Organic NESHAP have been shutdown, and
18 after the draft permit was prepared and
19 distributed for public comments. Solutia
20 submitted a request to delete these portions of
21 the permit. This will affect Sections 7.1 through
22 7.16 and a significant portion of Section 5.
23 Although this source had been complying with these
24 regulations, their removal from this permit will

1 signify a considerable reduction in hazardous air
2 pollution from this source.

3 The most notable requirements for the
4 remaining significant emission units include the
5 state rules on volatile organic material emissions
6 from batch chemical operations, which generally
7 requires a reduction of 90 percent from
8 uncontrolled organic emission rates. In addition,
9 the Santoflex process is subject to National
10 Emission Standards for Hazardous Air Pollutants
11 for Miscellaneous Organic Chemical Production and
12 Processes, commonly known as the Miscellaneous
13 Organic NESHAP, or MON. This regulation includes,
14 among other things, standards for batch process
15 vents, storage tanks, and equipment leaks to
16 reduce emissions of hazardous air pollutants.
17 Solutia will have to begin complying with this
18 regulation in November 2006.

19 With respect to tonight's hearing, we
20 are here to listen to your comments and concerns.
21 Your comments can, and often do, affect the
22 content of permits or even the final action that
23 is to be taken on the application. So please,
24 make your concerns known to us. Following

1 consideration of your comments, we will prepare a
2 revised permit, known as a proposed permit, which
3 will be sent to the USEPA for its review. It is
4 very important that you state your concerns,
5 either at this hearing or in writing prior to the
6 close of the comment period, so that as possible
7 and as legally allowed, we can address them in the
8 proposed permit.

9 It is also important that you make known
10 your concerns in order to retain your rights
11 should you wish to object to the CAAPP permit or
12 petition the USEPA to object to the CAAPP permit.
13 The issues that you may cite in a petition to
14 object to the CAAPP permit may be limited to those
15 that you have previously raised. Therefore, it is
16 important that you identify and raise any concerns
17 that you may have here tonight or alternatively
18 that you let us know in writing prior to the close
19 of the hearing record, which will be approximately
20 30 days from tonight.

21 That concludes my presentation and I
22 thank you for your attention. I hope that the
23 public, local community and Solutia are satisfied
24 with how the Illinois EPA is handling this

1 challenging project. And I now would like to turn
2 it over to our next speaker.

3 HEARING OFFICER MATOESIAN: Thank you,
4 Mr. Sperry. At this point we will turn to public
5 comments. Those wishing to make comments please
6 approach the podium here, please state and spell
7 your name for the record, state any organization
8 or community group that you represent and please
9 note whether you are in favor of or opposed to
10 granting the permit. We will start with a
11 presentation from Solutia.

12 MR. LEBOLD: Good evening, my name is
13 Jerry LeBold, I'm the plant manager for the
14 Solutia Manufacturing facility located in Sauget,
15 Illinois, that currently operates three chemical
16 manufacturing units for other companies. I would
17 like to thank everyone for coming to this Title V
18 public hearing.

19 Our site has been a long standing member
20 of the community with operations starting nearly
21 100 years ago. It is Solutia's intent to continue
22 as a good neighbor and a member of the community
23 for many years to come. Just a quick comment and
24 reinforcement of something that was mentioned

1 earlier, the current Title V draft permit contains
2 references to shut down operations at the facility
3 mainly the monochlorobenzene and dichlorobenzene
4 operations which are the last Solutia owned
5 operations at the site. These operations ceased
6 production in 2004 and those assets are scheduled
7 to be demolished by mid 2006. The final draft
8 that will go to the EPA for approval will not
9 contain these references. Once again I'd like to
10 thank everyone for taking the time to attend this
11 Title V public hearing.

12 HEARING OFFICER MATOESIAN: Thank you,
13 Mr. LeBold. The next scheduled speaker I have is
14 Mr. Carl Officer.

15 MR. OFFICER: Good evening, I'd like to
16 thank Illinois EPA for its selection of the City
17 of East St. Louis to hold this public hearing and
18 the location at which you do. I come tonight as
19 the Mayor of the City of East St. Louis. My first
20 question is was there a public notice or is there
21 a requirement in the Title V application or in the
22 law either federal or local that requires
23 notification of public entities or public units of
24 government?

1 Secondly, I'd like to note if the
2 Illinois Department of Public Health has any
3 standing whatsoever in these issues as it relates
4 to air quality as monitored by the Illinois EPA?
5 Thirdly, I had a question, I believe I heard your
6 definition earlier, 3 tons, 3 tons, 56, 67, 55, it
7 appears to me somewhere in the neighborhood of 200
8 tons of emissions annually without the carbon
9 monoxide being counted and then I believe I'd like
10 to have an answer to the question just what is
11 volatile organic material?

12 Finally I think that in item 5 on page 8
13 of the handouts that were passed out here this
14 afternoon, this evening, it refers to a CAAPP
15 permit contains all conditions that apply to the
16 source and a listing of all applicable state and
17 federal air pollution control regulations and
18 other origin of the conditions. The permit also
19 contains emissions limits, appropriate compliance
20 procedures. The appropriate compliance procedures
21 may include inspections, work practices,
22 monitoring, recordkeeping and reporting to show
23 compliance with these requirements. The permittee
24 must carry out these procedures on an ongoing

1 basis.

2 While I am familiar with several plants
3 in and out of the region and I do read some of
4 these reports, I am concerned of just how the
5 statute defines work practices, monitoring, I
6 believe I understand recordkeeping but I'd just
7 like to have a clear definition on work practices
8 and monitoring and I'd appreciate you taking time
9 out to listen to our comments. I believe you said
10 we have 30 days from which today to submit
11 questions in writing and this is just the draft
12 permitting process, am I correct?

13 MR. SPERRY: That's correct.

14 MR. OFFICER: Thank you so very much.

15 HEARING OFFICER MATOESIAN: Thank you,
16 Mr. Officer. We'll take those questions back and
17 have them addressed in a responsiveness summary
18 and yes, once again there is a 30 day period for
19 which to submit written comments, once again as
20 long as they're postmarked by midnight August 18,
21 2005, which I believe is a Thursday they will be
22 made part of the record, thank you, sir. The next
23 speaker I have then is Ms. Kathy Andria.

24 MS. ANDRIA: Good evening, my name is

1 Kathy Andria, K-a-t-h-y, A-n-d-r-i-a, I'm with
2 American Bottom Conservancy, I'm the conservation
3 chairman of the Kaskaskia Group of the Sierra
4 club. I'm a member of Olivette Park Neighborhood
5 Association, I'm a member of the Solutia Community
6 Advisory Group and I'm a member of the
7 Environmental Justice State Advisory Group which I
8 understand is going to be meeting pretty soon.

9 I very much am in favor of Solutia
10 having a Title V permit because Title V permits
11 are supposed to be as the gentleman said
12 enforceable by the public. We want to know what a
13 company is doing. We want to know what they are
14 emitting. We want to know what they house, what
15 chemicals they house at their facility. We want
16 to know what happens if there's an accident. We
17 want to know how we will be informed if there is
18 an accident. We want to know all of these things
19 and in fact according law, we have a right to
20 know.

21 I am truly appalled at finding out
22 tonight that part of the permit has been yanked.
23 I think that's incredibly inconsiderate to the
24 public who has spent time reviewing permits. This

1 thing started out -- I'm not sure how many pages,
2 over 500, it is now 474 I believe. How much of
3 that wouldn't I have had to look at? My
4 presentation, I went through historical operation
5 of the company. I have heard stories from friends
6 of East St. Louis from a school teacher who told
7 historical operation stories when there was a leak
8 or an accident at the plant which was then called
9 Monsanto. The company would go to the hospital,
10 pay people \$50 and have them sign a release and
11 they would go to the schools and take the children
12 all out in a bus for ice cream. They have come a
13 long way but we don't know where they are now
14 because when we started reviewing this permit and
15 got a copy of the application, much of it was
16 wiped out, much of it is still wiped out.

17 I want to make a few comments as to what
18 Solutia has been just in the latest score card
19 information and make a few other comments and then
20 I'm going to let the people who live here talk and
21 then I would like to come back afterwards, I have
22 some specific questions on the permit itself.
23 According to the toxic release inventory, Solutia
24 in 2002 emitted more than 60 tons per year that

1 year, 127,000 pounds of pollutants included were
2 21,000 pounds fugitive air chlorobenzene, 32,000
3 through the stat chlorobenzene. There's
4 dichlorobenzene, hydrochloric acid, other kinds of
5 dichlorobenzene, ammonia, chlorine, we don't know
6 since the permit is now changed what they're going
7 to emit and what they're not. I read in the Post
8 Dispatch this morning that Mr. Chris Romaine said
9 well it's a little confusing. Then how is the
10 public supposed to make an informed comment?

11 This facility in 2002 was rated in the
12 top ten percent meaning dirtiest of air releases
13 of recognized carcinogens, top ten meaning
14 dirtiest in the whole country this is, air
15 releases of recognized reproductive toxicants. I
16 was once told a couple years ago by a nursing --
17 someone with a nursing faculty for SIU that there
18 was a high incidence of birth defects and deaths
19 in babies in East St. Louis. Is this a
20 contributor? Was this a contributor? One would
21 appear -- it would appear to be so.

22 In the 2002 pollution releases sorted by
23 health defects, Solutia that year put out 34,000
24 pounds of recognized carcinogens, 92,000 of

1 suspected cardiovascular or blood toxicants,
2 recognized developed toxicants, 9,000
3 developmental toxicants, 79,000 pounds, it goes on
4 down, kidney toxicant, gastrointestinal or liver
5 toxicants, neuro toxicants, how many of those are
6 not going to be produced with the chlorobenzene
7 line? We need to know before we go forward with
8 making a comment.

9 For people who want to know, they have
10 information about what all these things do, what
11 all these dichlorobenzenes and hydrochloric acids
12 and everything does, those are on a website and
13 I'd be happy to share them with anyone in the
14 audience.

15 I'm pleased that Illinois EPA is heading
16 toward having an environmental justice policy.
17 Within three miles of this plant, there's 54,000
18 people, 68 percent of those are minority, 32
19 percent are below poverty level. There are 5,000
20 children under the age of five years old, 6,500
21 seniors. Within one mile of the plant, there's
22 1,400 people, one mile, 83 percent minority, 33.7
23 percent below poverty, 1,500 -- I mean, excuse me
24 153 kids five or under, 183 65 or older. This

1 without a doubt is environmental injustice.

2 It's incumbent upon the agency and it's
3 in part of your policy that you involve the
4 community. I appreciate that you put the public
5 notice in the Monitor in addition to the
6 Belleville News Democrat but the outreach didn't
7 go too much further than that. Some of us sat and
8 watched to see exactly was going to happen.
9 Yesterday when no newspaper articles and no
10 meetings or no outreach or nothing happened, I
11 sent out e-mails and called the Belleville News
12 Democrat and the St. Louis Post Dispatch, then
13 today or yesterday, I'm losing track, an article
14 appeared so people did know and presumably some of
15 the people here saw the articles and came and we
16 made a very few phone calls but I wanted to see
17 what happened when it wasn't up to citizens to do
18 the calling. The Environmental Justice Policy
19 says that it's supposed to be -- that the IEPA is
20 supposed to do the outreach. We are not paid to
21 do this, we don't have the funds to do this, we
22 don't have the time, we are volunteers. It's
23 truly an environmental injustice.

24 I'm going to let the other people go

1 after me and then I would like to come back
2 because I have other comments and I wanted to say
3 one thing though, it was really kind of
4 interesting, the Belleville News Democrat, their
5 article from the hearing was on the business page.
6 A lot of us don't get that far, we are looking for
7 local news, we go, on the front page, the
8 editorial page, people sometimes call it other
9 names, the Belleville News Democrat but it has
10 just a very perfunctory notice on the page, which
11 I'm grateful they put on it but people don't know
12 what it's about, people don't know that there's
13 chemicals that are going -- that they're exposed
14 to. They really don't know what their role is,
15 what a Title V permit is.

16 In the Post Dispatch there was a good
17 article, it really told people what was going on
18 and how people would be affected and why they
19 should participate. Chris Romaine who is the
20 manager of Illinois EPA was quoted and one of the
21 things we commented on was we been waiting for
22 this for a long time and the agency put all of the
23 metroeast permits last. We got ten permits, some
24 of them this big, within a two week time period,

1 we went up to the agency, we met with Johnathan,
2 we met with other people and we did get them to
3 space them out but they waited for the metroeast
4 for last, it's always the metroeast gets dumped on
5 and this is part of what happened. Mr. Romaine is
6 quoted as to why it took from 1996 that we issued
7 permits for 700 sources, some of them more
8 difficult than others, and this is one of them he
9 said explaining the nine year lag, it isn't as
10 simple as somebody painting a cabinet. That is so
11 disrespectful to the people who live here who have
12 cancer, it is so disrespectful for what the people
13 who live here with all of the plants in Sauget,
14 the people who live in between Granite City and
15 Sauget, no matter which way the wind blows the
16 people are getting this pollution.

17 Then he talks about, Mr. Romaine, talks
18 about the purpose is to make sure that the plant
19 meets applicable standards and the permit may not
20 give all the simple types of information the
21 public would like to see like what it is they're
22 doing, what chemicals are there, what are the
23 processes and what we do in case of an accident,
24 that's not too much to ask and I'm sorry

1 Mr. Romaine thought so little of the people here
2 and I'll be back, thank you.

3 HEARING OFFICER MATOESIAN: Thank you,
4 Ms. Andria, the next speaker is Ms. Fern Watts.

5 MS. WATTS: Good evening, my name is Fern
6 Watts and I am the president of the South End New
7 Development Organization and the acronym is SENDO.
8 I support the Title V with some suggestions as how
9 to get better for our community, surrounding
10 community. At one time we had a hotline, it
11 worked quite well for the people in my
12 neighborhood in East St. Louis but I think that
13 can be improved upon and I think that the
14 gentleman here read something or asked a question,
15 did you say there would be no additional new
16 buildings, did you say? MR. SPERRY:

17 That's correct.

18 MS. WATTS: How about that, I was
19 listening. Well thanks for saying that however
20 I'll proceed in saying that I think we can be more
21 community friendly by adding to the communication
22 with Solutia and the community in so far as if God
23 forbid there is a problem, how Solutia would
24 communicate with the citizens of East St. Louis,

1 we're so close. Secondly, if there was a printout
2 of the kinds of things that Solutia will be
3 making, creating or whatever in language that
4 anybody can read that would be most beneficial.

5 Thirdly, it was advertised in the
6 Monitor paper and Belleville Democrat paper but we
7 do have a cable station here, and it was on our
8 cable station, I don't know whether you asked for
9 it to be on there but you didn't mention that. I
10 would suggest too that whenever you advertise
11 contact our local cable station and they will run
12 that for you because most of us listen to cable.
13 Further, I'm pleased with many other things that
14 Solutia is doing how we happen to have more jobs
15 but I think we can do better on the points I just
16 spoke to you about, thank you very much.

17 HEARING OFFICER MATOESIAN: Thank you,
18 Ms. Watts. The next speaker I have is Mr. John
19 Ivy.

20 MR. IVY: Hello, my name is John Ivy and
21 it's spelled I-v-y, I'm a little nervous right
22 now. Why did it take the EPA so long to get to
23 one of the polluted plants in the United States,
24 one of the worst and the dirtiest plant and

1 another thing, what it's going to be, three
2 applications, one for EPA, one for Solutia and one
3 for East St. Louis because I keep hearing that so
4 much is blacked out on the application, how many
5 it's going to be, three or just one? If it's
6 being blacked out, who, how and what and how long
7 they going to make it or whatever they going to
8 make it's going to be a hazard to the people that
9 live in the surrounding area because from me
10 living out there in Rush City, they haven't did
11 nothing for Rush City but like Ms. Andria said
12 give you \$50 to sign a waiver saying don't sue us,
13 that's all I got to say.

14 HEARING OFFICER MATOESIAN: Thank you,
15 Mr. Ivy. Next speaker is Mr. Jeffrey Hoffman.

16 MR. HOFFMAN: Good evening, I'd like to
17 turn this mike around because I really want to
18 speak to the people of East St. Louis and the
19 people of Earth City because that's what this is
20 all about. For those of you that don't know me,
21 my name is Jeffrey L. Hoffman. I was a former
22 employee at Solutia, Incorporated. Last September
23 the 11th, 2004, I lost my job and in the process
24 of losing my job, I was only five months away from

1 being eligible to retire. I been requested by my
2 lawyers not to say as much as I wanted to say
3 tonight pending they could make it out of Chicago
4 tonight, they couldn't get a flight but I just
5 would like to let you people know that if Solutia
6 won't take care of their own employees, you all
7 need to know that they're not going to take care
8 of you.

9 I'm a little nervous and more than
10 anything, I'm a little hurt. My supervisor when I
11 entered the building, spoke to me in front of the
12 Mayor and he told the Mayor how much he missed me
13 but it's very strange that they didn't miss me
14 enough that I put in 26 years and I was the
15 backbone of my shift, there was many a time I
16 could have come in on my job and left it down but
17 I took it upon myself to keep the place running
18 because I figured this is my job, that's what I'm
19 paid to do but neither did I know that somewhere
20 down the line when I needed a favor that I
21 wouldn't get it. I just want you people to know
22 that I presently have a discrimination suit
23 against Solutia, I only needed five months and out
24 of 26 years they wouldn't write me that but I

1 found out that they did give it to a couple other
2 people or even offered it to other people.

3 I'd like to comment on the statement she
4 made as far as communication, it was very ironic
5 that the Mayor of East St. Louis was not told
6 about this meeting. It is very ironic that the
7 state representative of this state did not know
8 about this meeting. It is very ironic that the
9 fire department, he said he briefly knew about it
10 but the emergency disaster team also didn't know
11 about it so I would like to ask that the EPA put
12 this permit on hold pending my discrimination suit
13 against Solutia because I feel like that they
14 won't take care of their employees, they will not
15 take care of the people of East St. Louis.

16 I got one more comment to make, I turned
17 this over to the EEOC and you all need to know
18 that I have a mediation scheduled with Solutia and
19 three days before this meeting they cancelled my
20 mediation and I think you all need to know that
21 and the reason they gave my mediator was an excuse
22 that they cancelled was because the person that
23 was supposed to have been at the mediation was out
24 of the country, well let me tell you people he's

1 sitting in this room.

2 HEARING OFFICER MATOESIAN: Thank you,
3 Mr. Hoffman. The next speaker is Mr. Curtis
4 Thomas.

5 MR. THOMAS: Good evening everyone, I
6 feel like I need to say this and I'll say it fast,
7 EPA from the citizens point of view has done a
8 very poor job of protecting the residents of this
9 area that we're speaking of now. So you want to
10 know if I would approve of the permit, no,
11 unequivocally no and I'll tell you why, because
12 they have done so many things in the past they
13 have not made retribution for, high cancer deaths,
14 COPD disease, not young people, senior citizens, I
15 can't take two steps so I say to the EPA get out
16 of the bed with big industry and come to the
17 community and help us straighten out our
18 environmental problems. There will not be any
19 justice until the people who are affected by this
20 develop policy and make decisions that's going to
21 affect us. All of these guys, they going to eat
22 your booty every day at five o'clock, we're left
23 here with it. I say to you this, there was a guy
24 who was a neighbor of mine, he had some vicious

1 dogs and I kind of equate that to Solutia with all
2 the stuff that they're turning loose, like having
3 bulldogs playing with your kids so I say to you,
4 be a good neighbor, get your dogs, cur your dog,
5 make sure your dog got all its shots and the
6 people are protected that's around it and if
7 necessary muzzle your dog because that's what
8 we're going to do. EPA, you work for us, you
9 don't work for them. We have no right to go in
10 their board room and tell them nothing but we can
11 harass and arraign our state and our elected
12 officials to make sure that the people make
13 decisions that affect them, their families, their
14 health, their wealth, have a great day, I love you
15 all, just be a good neighbor, muzzle your dog.

16 HEARING OFFICER MATOESIAN: Thank you,
17 Mr. Thomas. Next speaker is Mr. Ted Horn.

18 MR. HORN: Good evening, glad to have
19 you folks here. I'm chairperson of the Kaskaskia
20 Group Sierra Club, as Kathy is our conservation
21 person. Air quality, water quality, these are all
22 issues that are a concern to our members of the
23 Sierra Club and our membership includes members in
24 East St. Louis, Cahokia, Belleville and a

1 cocooning radius of where the air can carry from
2 here so these issues are a great concern to us
3 because this is a quality of life issue and
4 unfortunately, seems like these issues also affect
5 the people who have the less input, who have the
6 lowest means. I'm glad Kathy is really doing a
7 good job representing us and these folks here too.

8 My greatest concern was from what I
9 understand, about this information about the
10 chemicals were blocked out of the permit and this
11 is like what are we being hidden from, what's
12 being hidden from us and it's a great concern and
13 that's basically all I have to say is that I'm
14 here to represent members of the Sierra Club and
15 we are also very interested in how air quality,
16 water quality, all these environmental issues
17 affect the low income people of the communities,
18 thanks for your time and the opportunity to come.

19 HEARING OFFICER MATOESIAN: Thank you,
20 Mr. Horn. The next speaker is Dr. Blount.

21 DR. BLOUNT: Good evening, I'm
22 Dr. Blount, I'm a medical doctor and I've been in
23 Missouri for years. I'm very much concerned with
24 the dysfunctional affects on young folk, elderly

1 and those most in need of prophylactic
2 preventative health care. I'm on the board of
3 Edge, an organization in St. Louis that is
4 concerned about environmental injustice and one of
5 my concerns is that the community, I know that
6 Solutia, they're not going to do big business and
7 they're not going to do it real rarely and I
8 wonder what role IEPA does in terms of notifying
9 the community particularly when you have
10 situations where you have those that are
11 disadvantaged, culture situation, racism, in the
12 areas where health care is least provided and so
13 I'm wondering how you disseminate this information
14 to this community.

15 Ms. Andria mentioned some of the
16 statistics and they are known nationally by a lot
17 of people, many of you here, the general
18 population of this area have no idea about what
19 benzene and hydrocarbons and detoxants and other
20 organic materials because we know that our
21 youngsters in these areas have allergies and
22 asthma three and four times a higher rate than
23 someone in the outlying areas away from this metro
24 area. So kids with allergies and asthma, they're

1 in the emergency rooms four to five times more
2 than youngsters that have asthma who don't live in
3 East St. Louis but live in Collinsville or Cahokia
4 so that's very important. I'm wondering at your
5 agency in terms of your mission statement have
6 concern about this because that's one of the core
7 issues, that has to be attacked. You got a
8 situation where you got this plant, they're not in
9 the affluent areas, they're not in the suburbs, we
10 know that, they're not in affluent areas, they're
11 in areas where youngsters are dysfunctional, many
12 times from malnutrition not because of their own
13 being but because of the situation. I raise the
14 issue, I think that this needs to be addressed,
15 needs to be looked at, I know you are not
16 necessarily -- you're regulatory commission but
17 it's like the cat chasing its tail, I wasn't going
18 to speak tonight but it's like people many times
19 cannot do it --

20 Our agency closed down, waste
21 incinerator in north St. Louis, big hospital is
22 born BJC, good institution, they were burning
23 medical waste in incinerators so small business,
24 we had it shut down and now the kids who were

1 getting to the emergency rooms, Children's and the
2 one on Grand, children's hospital also, St. Louis
3 University's pediatric hospital, they were going
4 there four to five times more so -- that's just
5 the routine every day thing, not to talk about --
6 the public should know that youngsters come here
7 with low birth rates, born prematurely in
8 situations where you have plants like Solutia and
9 others, when I grew up it was Maldocron (spelled
10 phonetically) when I grew up in St. Louis,
11 Monsanto and so you go now vomit for no reason,
12 intestines, kids come in with congenital anomalies
13 that they otherwise would not have. Asthma,
14 allergies, routine things, but we're talking about
15 cancer, lymphomas, hemocoagulant blood diseases
16 kids get and so a lot of the public is not aware
17 and so I'm just kind of talking to the area, I'm
18 sure Solutia is concerned but they're not
19 concerned to the point they're going to mention
20 benzenes and hydrocarbons and other pollutants are
21 going to bring about these, I just wanted to make
22 mention of that and also give the audience a
23 chance to hear the medical aspect of this
24 dysfunctional situation, thank you.

1 HEARING OFFICER MATOESIAN: Thank you,
2 Dr. Blount.

3 MS. LOGAN SMITH: I'm Kathleen Logan
4 Smith, I'm with Health and Environmental Justice
5 of St. Louis, I work with Dr. Blount. We are the
6 organization ending medical waste incineration in
7 St. Louis because it poisoned our children, we are
8 very concerned about air quality, we are very
9 concerned about health and we are very concerned
10 about safety.

11 We appreciate this opportunity to
12 comment on this long awaited Title V permit. On
13 behalf of our members with children who struggle
14 to breathe, the parents who rush them to the
15 emergency rooms, those who suffer illnesses
16 attributable to the injustice of living in an
17 excessively polluted environment and those who
18 work and hope for their children to live in a
19 cleaner, safer, healthier world, we present the
20 following concerns and questions: I'm going to
21 submit a lot of these in writing because they're
22 substantial in length. One of my big questions
23 though that came out of the comments that sort of
24 was sprung on us tonight is that the

1 monochlorobenzene and dichlorobenzene units are
2 being shut down which is good news from a health
3 perspective. The question that I have is if we
4 are going to shut down this operation that
5 contributed significantly to HAPS, hazardous air
6 pollutants, and it shuts down this 400,000 gallon
7 storage tank of this potentially explosive
8 material, what impact is that going to have on the
9 emission limits, are we going to leave the
10 emission limits the same because if we're deleting
11 that much production capacity of these toxic
12 chemicals, there should be a corresponding
13 reduction in the emissions and we would look to
14 see that and that is not in this permit so we look
15 to see that in the next version of it.

16 Will the responsiveness summary be
17 available before the close of the comment period
18 so that people who ask questions tonight will have
19 definitions and explanations of things that they
20 don't understand so they can comment in a
21 meaningful way next or will that next comment
22 period be on the proposed permit? That's actually
23 a question for an answer.

24 MR. SPERRY: Generally the

1 responsiveness summary is not prepared before the
2 close of the comment period. Brad, do you have
3 something to add?

4 MR. FROST: I'm Brad Frost, I'm in the
5 office of human relation, the responsiveness
6 summary actually responds to all comments both the
7 oral comments and the ones in writing so we can't
8 prepare it before the end of the comment period
9 because we don't have all the comments. Certainly
10 if you have questions or you need clarification,
11 approach us tonight or call me on the phone before
12 the end of the comment period, I'm more than happy
13 to talk to any of you about the questions you have
14 or if you need an explanation about anything. We
15 do have -- can we use the 800 number? We do have
16 an 800 number if you want to use that, is it
17 EPA-1994?

18 MR. PAGE: 96.

19 MR. FROST: 1-800 --

20 MR. PAGE: It's 888.

21 MR. FROST: It's 1-888-EPA-1996, and
22 there's not always of course a staff person there,
23 we do have a staff person that does answer it.
24 There's an answering machine, leave your name,

1 phone number and I'll call you back and
2 specifically reference that it's about Solutia,
3 the Solutia CAAPP permit.

4 MS. LOGAN SMITH: Thank you. This may
5 be the best permit IEPA has ever written but we
6 don't know it. Unfortunately we have no way of
7 knowing because critical parts of the application
8 were blacked out. If I was Solutia I'd be angry.
9 IEPA has deprived Solutia of the opportunity to
10 demonstrate transparency and accountability. This
11 from a company with a tragic history of polluting
12 minority communities, it is after all the company,
13 despite the name change, that dumped PCBs from a
14 community in Aniston, Alabama for decades and for
15 decades tried to cover it up. If any company ever
16 owes a minority community true accountability and
17 transparency it's this one. This company should
18 be treated with Ronald Reagan's tenant, trust but
19 verify. This is not Mrs. Field's Cookies, this is
20 a company that deals with serious environmental
21 toxins, some of these are biocumulative, they
22 build up in the food chain, some of these are
23 serious neurotoxins, carcinogens, these are
24 chemicals that impact people's lives, in a

1 situation where people are dealing with life and
2 death situations every day and having a chemical
3 burden on top of everything else people have to
4 deal with, living this close to the poverty level,
5 the numbers that Kathy gave you on poverty level,
6 a third of the folks within a mile of the plant,
7 that's the federal poverty level and you and I all
8 know that there's a lot of people that ain't
9 making ends meet that don't meet that standard but
10 the federal poverty level is set very, very low.

11 I think I agree with folks who indicated
12 that IEPA shows Solutia way too much deference in
13 this permit. From the community perspective, the
14 P in IEPA should not mean protection for whites
15 and pollution for blacks and that's the
16 fundamental here, people do not feel like you've
17 done your job protecting them from pollution.
18 They have reasons to believe that, those reasons
19 come in the forms of diagnosis of diseases and
20 health problems that they never expected to have.
21 They are carrying a extra burden health wise in
22 this community because they live here. They're
23 not living in a mansion in Madison County because
24 racism and economic racism in housing and

1 everything else that we carry is a legacy in this
2 country of racism has isolated their opportunities
3 and limited their opportunities.

4 IEPA has responsibility to protect the
5 vulnerable people, these are people without ready
6 access to health care, they can't call their
7 physician because they don't know who it's going
8 to be this day when they go to the federal health
9 clinic. They don't get to develop a relationship
10 with a specialist, it's not in the budget, it's
11 your job to do what you can to protect them. Some
12 of the questions I have, why isn't there an
13 emergency response plan to protect people in the
14 community? How many resources are available on
15 site and in the community to deal with the special
16 hazards in case of an accident? I'm loving the
17 fact that the chlorobenzene units are getting shut
18 down, having explosive chemicals on site makes me
19 nervous. How many resource Conservation Recovery
20 Act violations does Solutia have? What is the
21 nature of those violations?

22 Since we don't have the list of
23 chemicals being emitted from this facility, let's
24 put it in categories that people can understand.

1 How many tons of carcinogens will be emitted under
2 this permit? How many tons of neurotoxins that
3 will poison children and developing babies? How
4 many tons of reproductive toxins which will affect
5 people's ability to have their own offspring? How
6 many tons of persistent biocumulative toxins which
7 will impact the environment for decades to come?
8 How many tons of respiratory irritants that are
9 going to put more children in the hospital? How
10 many tons of fine particulate matter that's going
11 to get in people's bloodstreams because they did
12 something as radical as inhale? How many heart
13 attacks are we going to have because people
14 breathe air that is so toxic that breathing is a
15 risky act? How do all these chemicals interact
16 with each other and what is their effect on people
17 who are exposed to them and how were these
18 considerations looked at when they modeled the
19 emission limits for this permit?

20 How are the special health concerns in
21 children and the elderly and those with
22 compromised immune systems considered, were those
23 included in modeling? How will problems be
24 reported? To what extent is IEPA relying on

1 Solutia to self report problems and violations
2 because we all know how many of us turn ourselves
3 in when we speed and when we break a little rule
4 here and there. So how much are we relying on
5 Solutia to do that when they're dealing with
6 chemicals that are deadly? How many off site
7 ambient air monitors are within one mile of the
8 plant, within three miles of the plant? How many
9 air monitors are in adjacent neighborhoods and how
10 often do they sample and who maintains them and
11 who calibrates them, how often?

12 Why did IEPA sit on this permit for nine
13 years? If I waited nine years from today to do
14 anything in my life, my daughter would be in
15 junior high school, she's three. There's a whole
16 generation of kids that's grown up while you sat
17 on this permit. They went through their critical
18 years up to age six when their brains were still
19 developing, at least 153 children we know about,
20 probably a lot more than that because it's been
21 nine years after all.

22 A question that was answered, the
23 monochlorobenzene units going to be taken down and
24 that would nice but we need a little more

1 clarification on how that's going to reduce the
2 emissions from this facility because the last
3 thing we want to see is a potential opportunity
4 for reductions that don't actually manifest in
5 reductions, so let's make that very clear because
6 it's definitely not very clear now in the
7 paperwork. Thank you for the opportunity to make
8 these comments, we hope you come back with a
9 stronger permit. We hope you work with Solutia to
10 give them an opportunity to practice being
11 transparent and accountable to the people who are
12 bearing the risk of their operations because we
13 know that the folks who run the plant and who make
14 the money from the plant and the folks, the
15 shareholders and the board members of Solutia
16 don't live within one mile of this plant and your
17 accountability to them is no less than your
18 accountability to the people who do, thank you.

19 HEARING OFFICER MATOESIAN: I will enter
20 this in as Exhibit No. 1. Thank you, Ms. Logan
21 Smith. Anyone else now who would like to make a
22 comment or question?

23 MS. TOMPKINS: This is just a specific
24 question, my name is Rachel Tompkins, I live in

1 Madison County ironically and I had a question
2 just referring -- it's really just a specific
3 question, it was covered by the last speaker but
4 the gentleman who made the original report from
5 EPA said there are monthly recordkeeping of
6 emissions made by Solutia, they said that could be
7 checked by field inspectors so I'm more addressing
8 the way this is all enforced once a permit is
9 granted. How frequently are those records checked
10 by field inspectors?

11 MR. SPERRY: I looked through the
12 inspection reports and it appeared that the
13 inspectors visited the facility on the average of
14 twice a year.

15 MS. TOMPKINS: So then is the compliance
16 of the facility -- is Solutia's own report of its
17 compliance accepted with the exception of those
18 times when it's checked?

19 MR. SPERRY: When the inspectors check
20 the facility they will be checking for the entire
21 period since the last inspection.

22 MS. TOMPKINS: I guess she had asked is
23 there an independent way to verify those records?

24 MR. SPERRY: I'm not sure, I'll have to

1 look into that.

2 HEARING OFFICER MATOESIAN: Thank you,
3 Ms. Tompkins. Who would like to make the next
4 comment?

5 MS. ANDRIA: I'm very thankful that
6 Ms. Tompkins came all the way from Edwardsville
7 and she asked an important question and now my
8 question in follow up from her is when the
9 inspectors go out do they announce their visit
10 beforehand?

11 MR. SPERRY: They will need to
12 coordinate with the company so that the
13 appropriate personnel are at the site when the
14 inspector visits.

15 MS. ANDRIA: How much notice do they
16 give them?

17 MR. SPERRY: I don't know.

18 MS. ANDRIA: That's a big thing too,
19 I've seen companies where you say you're coming
20 next week, I know when I'm getting company my
21 house is real clean if I know about it ahead of
22 time. I have some specific questions that I
23 really -- it's unfortunate that I don't think you
24 brought all the proper personnel to answer our

1 questions but I'm going to ask them and ask
2 whoever is able to answer them answer them and
3 this one I think Mr. Sperry could answer, how much
4 of the permit is based on blacked out material?

5 MR. SPERRY: This is one thing I wanted
6 to talk about, just to make it clear, there's no
7 blacked out material in the permit. The
8 application for the permit does contain some trade
9 secret information which the company has claimed
10 as confidential. Our rules allow confidential
11 information to be blacked out as long as it's not
12 emissions related data. So if you have looked at
13 part of the application that appears to be
14 emissions related data and it's blacked out that
15 would seem to be something that's adversely
16 affected you can petition the board to get that
17 rectified.

18 MS. ANDRIA: Well, most of the pieces of
19 equipment are called something like tank, it
20 doesn't say a tank that holds X chemical, it's
21 tank separator something or other, a little
22 generic but they have a number, I imagine the
23 number is on the tank and then the person whose
24 inspecting one of these two times a year, goes out

1 and looks at all the numbers to see that that's
2 appropriate?

3 MR. SPERRY: Yes, the company declared
4 some specific information regarding the emission
5 unit names was trade secret and that's one of the
6 things that delayed the preparation of the draft
7 permit.

8 MS. ANDRIA: Is dichlorobenzene a trade
9 secret, isn't that kind of a chemical --

10 MR. SPERRY: The name dichlorobenzene is
11 in the permit on the dichlorobenzene units.

12 MS. ANDRIA: If there is something that
13 holds that or something that holds chlorine or
14 something that holds something else, why do those
15 things not get named as to what their function is?

16 MR. SPERRY: Again the company has
17 stated that certain names of equipment is
18 confidential and requested that the names be
19 generic within the permit.

20 MS. ANDRIA: Who reviews those claims of
21 confidentiality to see that they really are trade
22 secrets and not just dirty chemistry?

23 MR. SPERRY: We have a lawyer with the
24 agency, his name is Rob Lehman, he was involved in

1 the discussions on the confidential information.

2 MS. ANDRIA: What can citizens do to
3 appeal that decision?

4 MR. SPERRY: You can petition the board,
5 we have rules regarding this in Section 130 of the
6 Illinois Administrative Code.

7 MS. ANDRIA: And has the time passed for
8 that or is that still an appropriate appeal?

9 MR. SPERRY: I'm not sure what the time
10 limitations are on that.

11 MS. ANDRIA: How are citizens informed
12 of their right to appeal trade secrets?

13 MR. SPERRY: You would be informed of
14 your right if you made a request to view documents
15 and that request was denied in part.

16 MS. ANDRIA: For the record, we did
17 review documents and we also requested documents
18 back in February and I think -- is it 21 days we
19 are supposed to be given, we went to the agency
20 and we weren't even allowed on the floor, it was a
21 very interesting time, I've never been denied
22 access to a public building before. It is six
23 months later for the Freedom of Information
24 request and we still have not received that

1 information. I wonder how the agency -- because
2 I'm told by other states, I've attended Title V
3 workshops and hearings that USEPA has had and I've
4 been told by people on the task force who worked
5 for agencies like Illinois EPA that that's illegal
6 to have that information not available to the
7 public for Title V. Title V permits were created
8 by Congress so they could be enforceable by the
9 public. If the public doesn't know what's in
10 them, we can't do that. Is there a list of
11 chemicals that are stored in Solutia in this
12 permit?

13 MR. SPERRY: In the application there is
14 a list.

15 MS. ANDRIA: All chemicals?

16 MR. SPERRY: I believe so.

17 MS. ANDRIA: I missed that.

18 MR. SPERRY: Again that may be part of
19 the confidential information that would not be
20 available to the public.

21 MS. ANDRIA: Is there something that the
22 local police department, for instance, do they
23 know what's stored there, do they have a list?

24 MR. SPERRY: I'm not aware what the

1 police department knows.

2 MS. ANDRIA: Is there an emergency
3 response plan, I saw Mr. Faust making notes when
4 Ms. Logan Smith referred to it, maybe he has that
5 answer.

6 MR. SPERRY: There is an accident
7 prevention plan, that's a federal plan that the
8 company is supposed to file with the USEPA.

9 MS. ANDRIA: Have they done so?

10 MR. SPERRY: I believe so.

11 MS. ANDRIA: Is there a copy with the
12 permit?

13 MR. SPERRY: No, there's not.

14 MS. ANDRIA: Is that a trade secret?

15 MR. SPERRY: I'm not sure if it is or
16 not.

17 MR. FAUST: No.

18 MR. SPERRY: It's not.

19 MS. ANDRIA: Would Solutia care to share
20 that with the public?

21 MR. FAUST: The emergency response plan
22 and emergency procedures for the plant, we have
23 those, we have filed those with the proper
24 agencies. We do internal drills at the plant and

1 we've done submitted those with the Village of
2 Sauget which is the nearest fire district but I
3 think at the last CAAPP meeting, Kathy, that was
4 discussed with East St. Louis Fire and Jerry's
5 working with East St. Louis to come up with a
6 drill for this fall, that's all public available
7 information.

8 HEARING OFFICER MATOESIAN: Sir, could
9 you state your name for the record?

10 MR. FAUST: Allen Faust with Solutia.

11 MS. ANDRIA: Does the company provide
12 money for the fire department, training for the
13 fire department to know what to do, how to handle
14 these things or is it supposed to come out of the
15 public budget?

16 MR. SPERRY: I don't know.

17 MS. ANDRIA: Those are questions we'd
18 like looked into. There have been a number of
19 things with the terrorism referring to chemical
20 factories, chemical plants and the vulnerability
21 of a community and vulnerability of a plant to
22 these, is there a vulnerability study that's been
23 done that anyone knows about?

24 MR. FAUST: No.

1 MS. ANDRIA: In 5.1.2 for purposes of
2 the CAAPP's Solutia WG Krummwich plant is
3 considered a single source with Gateway Energy WGK
4 project and this was about boilers, the other
5 boilers that were a construction permit that was a
6 few months back, your comment there says the
7 source has elected to obtain separate CAAPP
8 permits for those locations. I don't understand,
9 I thought if it's a single source everything is
10 covered within one permit, one Title V permit.

11 MR. SPERRY: Well, the single source can
12 have multiple Title V permits. In this case there
13 are multiple owners of the single source and
14 actually the boilers you are referring to are the
15 coal -- not the coal fired burners, the natural
16 gas and fuel oil fired boilers that were
17 constructed in 1999, they were replacements for
18 the coal fired boilers that Solutia or actually
19 Monsanto operated.

20 MS. ANDRIA: Now, when they got their
21 construction permit, we commented on those -- on
22 that at that time because Solutia was saying well,
23 it's not really their plant but it's on their
24 premises, they got the power permit, they get

1 money if they sell power to somebody else, they
2 set it up, we sent a letter with a lot of
3 information with our comment, I mean it's their
4 plant.

5 MR. SPERRY: Are you talking about the
6 2004?

7 MS. ANDRIA: I'm talking about Gateway
8 WGK Willam G. Krummrich like Monsanto and Solutia,
9 I mean it's not a separate plant, they might like
10 to think so, I'm sure there's some reasons to do
11 so, one of which I'm sure is that they were in
12 noncompliance for what, ten or something --
13 significant amount of noncompliance for ten
14 straight quarters?

15 MR. SPERRY: I don't know but the permit
16 does recognize that they are part of the same
17 source for Title V purposes.

18 MS. ANDRIA: Are they getting a separate
19 Title V now?

20 MR. SPERRY: Gateway already has a
21 separate Title V permit, it was issued in 2002.

22 MS. ANDRIA: Who is the owner and
23 operator of that?

24 MR. SPERRY: I would say I think

1 Gateway.

2 MR. LEBOLD: My name is Jerry LeBold
3 again, the owner operator of that Gateway Services
4 is not Solutia. Gateway is owned by EMC Company.

5 MS. ANDRIA: Do you still get the money
6 from -- is it still located on your grounds?

7 MR. LEBOLD: It's the same facility,
8 Kathy, as you are aware of, you have seen, we
9 receive steam pressed air from that facility.

10 MS. ANDRIA: I think that's really part
11 of the thing that's going on that we object to
12 that Ms. Logan Smith said, we need some
13 transparency, I think that's something that should
14 be clarified. The IEPA instructions for CAAPP
15 permits require a plot map, the application does
16 not contain a plot map showing the facility lay
17 out or any process diagrams to show how the units
18 are related, is there a reason there's not a plot
19 map, is that trade secret?

20 MR. SPERRY: Yes.

21 MS. ANDRIA: What is the justification,
22 I mean how does a plot map be a trade secret?

23 MR. SPERRY: I was referring to the flow
24 diagrams that you mentioned, those are trade

1 secrets.

2 MS. ANDRIA: The description of
3 insignificant activities doesn't explain how they
4 are to be determined insignificant like cooling
5 towers are listed as insignificant but then you
6 don't explain why, is there a reason, is that just
7 totally insignificant, Section 3.

8 MR. SPERRY: The cooling towers are
9 insignificant activities based on the level of
10 emissions, if the emissions are below a certain
11 level, then they are considered to be
12 insignificant based on the rules for Title V
13 program.

14 MS. ANDRIA: I didn't see this in here
15 and it probably is but it's just my --

16 MR. SPERRY: It says these are
17 insignificant activities pursuant to a certain
18 regulation and that regulation specifies emission
19 levels that are an insignificant level.

20 MS. ANDRIA: Do you have anywhere listed
21 the number, total number, of emission sources for
22 the plant in this?

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

24 MS. ANDRIA: Is there somewhere we can

1 get that?

2 MR. SPERRY: You mean just a count of
3 all the emission sources?

4 MS. ANDRIA: Like listed or you have to
5 go through --

6 MR. SPERRY: You would just have to go
7 through the permit and count.

8 MS. ANDRIA: Also there's several places
9 that refer to the Illinois Administrative Code but
10 we need to have more information so that we can
11 review and submit that in writing. I'm curious
12 about -- and I missed, my mind wandered when you
13 were talking about something in 2007, is that a PM
14 2.5?

15 MR. SPERRY: No, you may be referring to
16 a rule that the company will have to comply with
17 in November 2006.

18 MS. ANDRIA: What was that?

19 MR. SPERRY: That's the miscellaneous
20 organic NESHAP.

21 MS. ANDRIA: Why is there no listing of
22 how much PM 2.5 emissions there are?

23 MR. SPERRY: We don't have that
24 information at this time. PM 2.5 is a destination

1 of a pollutant that is fairly new to the agency.
2 We don't have any rules yet for the PM 2.5
3 emissions. We don't have any information yet on
4 levels of PM 2.5 particular emission units.

5 MS. ANDRIA: Tiny particulates are very
6 serious contributors to asthma and to deaths,
7 heart disease and our area here especially East
8 St. Louis is nonattainment for fine particulates
9 so we would appreciate you putting it a priority
10 on getting that information. I'm also curious,
11 the process owner is different than the process
12 operator, how does that track with the bankruptcy
13 and maybe the bankruptcy is over.

14 MR. FAUST: No, we are still in
15 bankruptcy.

16 MS. ANDRIA: I read in the paper that it
17 might be resolved?

18 MR. FAUST: We are hoping to resolve
19 that before the end of the year.

20 MS. ANDRIA: Presumably it would be
21 resolved after the permit is finished?

22 MR. FAUST: There's no tie to the
23 permit.

24 MR. SPERRY: Actually the timing on the

1 permit may be -- the permit may be finished after
2 the bankruptcy is resolved based on the
3 information I have here and the timing of all the
4 comment periods will have to take place after
5 tonight.

6 MS. ANDRIA: The chlorobenzenes, all the
7 chlorobenzenes are going to be taken out of this?

8 MR. SPERRY: That is correct.

9 MS. ANDRIA: Nitroanalenes (spelled
10 phonetically)?

11 MR. LEBOLD: Jerry LeBold, yes, Kathy,
12 all the chlorobenzenes operations are currently
13 shut down, monochlorobenzene, dichlorobenzene,
14 myriadic acid, HCL, nitrochlorobenzenes and
15 nitroanalenes, all those processes are currently
16 shut down and all those assets are set to be
17 demolished by the year 2006.

18 MR. SPERRY: For the record some of
19 those units were already taken out and are not
20 even in the draft permit that was up for review
21 tonight.

22 MS. ANDRIA: And I didn't hear your
23 answer to Ms. Smith's question about has the
24 emissions been adjusted to reflect the absence of

1 those units?

2 MR. SPERRY: They will be reduced.

3 MS. ANDRIA: Will we know before the end
4 of the comment period what the new emissions will
5 be?

6 MR. SPERRY: You can call me and I can
7 give you that information. I don't have it with
8 me tonight.

9 MS. ANDRIA: Is Solutia required to have
10 an episode action plan, is that the emergency plan
11 or is that a separate plan?

12 MR. SPERRY: That's a separate plan, I
13 believe they are required to have it, it's
14 basically a plan that the company will follow if
15 the State of Illinois designates an air pollution
16 episode.

17 MS. ANDRIA: Is that part of the Title V
18 permit?

19 MR. SPERRY: Yes. The plant would be
20 incorporated by referencing to the permit.

21 MS. ANDRIA: But we don't have it to
22 review now?

23 MR. SPERRY: It is available in the ID
24 file at the IEPA headquarters.

1 MS. ANDRIA: And that is?

2 MR. SPERRY: That's a file that we keep
3 at our office.

4 MS. ANDRIA: I can add that to my list
5 of materials that I haven't seen. Solutia is
6 required to have a compliance assurance monitoring
7 plan, where is that?

8 MR. SPERRY: That plan is required when
9 the company has to renew this Title V permit so
10 the plan will not be required for about five
11 years.

12 MS. ANDRIA: I didn't understand about
13 the source wide emission limits for HAPS, they're
14 not set, I just don't understand that statement.

15 MR. SPERRY: It just means it's a major
16 source of hazardous air pollutants.

17 MS. ANDRIA: But there's no limit?

18 MR. SPERRY: There's no limit on the
19 total amount. The hazardous air pollutants are
20 certainly limited with respect to the national
21 standards, the NESHAPs.

22 MS. ANDRIA: So they will be able to
23 emit more with taking the chlorobenzene off -- all
24 the benzenes lines out?

1 MR. SPERRY: I don't think so.

2 MS. ANDRIA: Are there continuous
3 emission monitoring systems installed?

4 MR. SPERRY: No.

5 MS. ANDRIA: Is there a reason?

6 MR. SPERRY: There's no requirement for
7 such systems.

8 MS. ANDRIA: Is there ambient air
9 monitors on the perimeter anywhere or in the
10 neighborhood?

11 MR. SPERRY: There are no ambient
12 monitors on the perimeter of the site, we will get
13 back to you on where the ambient air monitors are
14 in the area of East St. Louis.

15 MS. ANDRIA: We know where the one on
16 Tudor is but I'd like to know that there are any
17 that are closer to the plant.

18 MR. SPERRY: We'll look into that.

19 MS. ANDRIA: Their requirements in the
20 permit for reporting leaks, they do that now I
21 suppose?

22 MR. SPERRY: Yes.

23 MS. ANDRIA: How many leaks have they
24 had over the past couple years, do you have that

1 information?

2 MR. SPERRY: I don't have that
3 information.

4 MS. ANDRIA: Do you know what chemicals
5 leaked?

6 MR. SPERRY: I don't have that
7 information.

8 MS. ANDRIA: Would Mr. Faust care to
9 answer or Mr. LeBold?

10 MR. FAUST: Allen Faust with Solutia,
11 there are requirements to report quantities of any
12 chemicals that are released, any quantities that
13 fall below that we have routine logs we keep,
14 there is no requirement for us to report those,
15 those leaks become a part of our key RI reporting
16 on an annual basis.

17 MS. ANDRIA: One of the quotes in the
18 paper this morning in the Post Dispatch article,
19 following Ms. Logan Smith's quotes Mr. Faust said
20 we have had a community advisory panel for 14
21 years at the plant and none of these concerns have
22 come up before, I'd like to call his attention to
23 our comments which said many of our complaints for
24 October 2004 and about a month or maybe three

1 weeks later and I did send Mr. Faust a copy of
2 them so now I know he doesn't read my e-mails.

3 MR. FAUST: To clarify, I do read your
4 e-mails and I did read that, we did read that
5 letter addressed to Illinois EPA. I guess my
6 comment was more in reference to on the scheduling
7 community advisory panel meetings we have, we
8 talked about the Title V for a number of meetings
9 in the last year and a half. They were never
10 raised there, maybe a lot of that has to do with
11 scheduling and you are not being able to attend,
12 but we have had that community advisory panel, we
13 were just looking through some files at the plant,
14 it's been over 16 years so we're looking for
15 suggestions to improve that, if that's not a good
16 vehicle but that has been one vehicle, one
17 opportunity we have had for community involvement.

18 MS. ANDRIA: I think perhaps it's a nice
19 idea and it's a very community friendly idea but
20 it's not -- most of the people there are not there
21 to learn the kinds of things, the questions that
22 I'm asking and there's usually a program set so
23 maybe we can find some other way of meeting that
24 we address technical questions, technical issues.

1 I very much appreciate that Solutia does want to
2 involve the public and I appreciate that they do
3 things for the different organizations in the
4 area, taking -- send kids to camp and that but the
5 things I'm concerned about is the pollution and
6 what happens to the children when they breathe so
7 I really would like to suggest that we have a
8 separate, technical, although I'm not a technical
9 person, but something that addresses serious
10 issues and still have the nice meetings that we
11 have, they always provide fried chicken or some
12 very nice thing for the people who are members and
13 we appreciate that and we appreciate the things
14 they do for the schools.

15 I think I wanted to make sure that the
16 people knew that there were materials available
17 about the chemicals that are at the plant and they
18 have maps, one mile, three miles, ten mile radius
19 of each of the plants and I do want to say the
20 thing that concerns me Solutia is just one plant
21 in Sauget, there's a hazardous waste incinerator
22 onyx, (spelled phonetically) there's Big Rivers,
23 Inc. which puts out huge amounts of pollution,
24 Ethel puts out a lot of pollution so when we bring

1 our attention to one permit, we're not picking on
2 one company, we are trying to get the agency to
3 take seriously the incredible stresses,
4 environmental stresses, the health impacts to the
5 people in the community and to do more to involve
6 the members of the community and inform them. We
7 have asked USEPA to do an environmental risk
8 analysis, to do a health analysis, to do a
9 cumulative impact study and everybody seems to say
10 well, yeah, it's an environmental justice issue
11 but nothing goes anywhere and this is just so
12 important, it just breaks my heart to go -- I been
13 working with students from University of Illinois
14 and we've gone into the communitites and Rush City
15 which is a southern neighborhood of East St. Louis
16 and almost everyone there has some cancer in their
17 family. Many of the people in the south end,
18 there's so many health impacts, it breaks my heart
19 to see that, that's why we ask you to look beyond
20 what's required and what your agency is supposed
21 to do because you're really not doing that but you
22 really must treat these people with the kind of
23 respect that they deserve and you must take our
24 complaints seriously and you must hold the

1 company's feet to the fire. We don't want any of
2 these companies to go out of business, well,
3 that's not quite true, there are a few we wouldn't
4 mind but people we know and our families work at
5 these plants and they have concerns too, not all
6 of them can address you because people worry about
7 making complaints so they go to people like my
8 organization and they ask us to speak for them so
9 we just want you to do your job, we want you to do
10 what you need to do to make sure that the Title V
11 program is working which it is not now with your
12 agency and we want you to respond to our comments
13 in full and we appreciate your offer to answer
14 questions before the end of the public comment
15 period but most importantly I ask you rewrite this
16 permit so we know what it is before the end of the
17 public comment period. You said that a timeline
18 is not a hurry, we want the permit but we want a
19 Title V permit so we can hold them accountable but
20 we want a decent one that we can comment on with
21 all of the information there and thank you very
22 much for coming down from Springfield and thank
23 you to the people from Solutia for responding to
24 our questions.

1 HEARING OFFICER MATOESIAN: Thank you,
2 Ms. Andria, would anyone else like to comment or
3 ask a question? All right then I'll adjourn this
4 hearing. Once again thank you all for coming and
5 please remember submit written comments so long as
6 they are postmarked by Thursday, August 18, 2005.
7 They need not be notarized but must be postmarked
8 by midnight, thank you all, have a good night.

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1 STATE OF ILLINOIS)
2) SS.
3 COUNTY OF CLINTON)

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6

7 I, Kimberly Gammon, do hereby certify on
8 oath that the above and foregoing transcript is a
9 true and correct transcript of the proceedings had
10 in the above-entitled cause on the date set forth
11 herein.

12

13 Dated this _____ day of _____ 20__.

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Kimberly Gammon, CSR 084-3586

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