

1 BEFORE THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2 IN THE MATTER OF: PROPOSED)
3 ISSUANCE OF A STATE CON-)
4 STRUCTION PERMIT FOR AMEREN)
5 ENERGY GENERATING COMPANY)

6 REPORT OF PROCEEDINGS taken at the
7 hearing of the above-entitled matter, held at
8 355 East Chicago Street, Elgin, Illinois,
9 before Hearing Officer Paul Jagiello, reported
10 by Janice H. Heinemann, CSR, RDR, CRR, a notary
11 public within and for the County of Du Page and
12 State of Illinois, on the 12th day of April, 2001,
13 commencing at the hour of 7:00 p.m.

14 APPEARANCES:

15 MR. PAUL JAGIELLO, IEPA Hearing Officer;
16 MR. CHRISTOPHER ROMAINE, BOA, Manager, Air Permit
17 Section;
18 MR. MANISH PATEL, BOA, Engineer, Permit Section;
19 MR. MARK GERBERDING, Community Relations.
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1 HEARING OFFICER JAGIELLO: Good evening,
2 ladies and gentlemen. We are going to start the
3 public hearing now. Welcome to this hearing.
4 My name is Paul Jagiello, and I will be the
5 hearing officer for this evening's hearing.

6 Let the record reflect that it is now
7 approximately 7 o'clock p.m., Thursday, April 12,
8 2001. This hearing is being held to provide an
9 opportunity for the public to understand and to
10 comment on a permit application for the
11 construction of an electrical generation facility
12 to be located at 1559 Gifford Road in Elgin,
13 Cook County, Illinois.

14 This hearing will be conducted in
15 accordance with the Illinois EPA's Procedures for
16 Permit and Closure Plan Hearings, which are
17 codified at 35 Illinois Administrative Code, part
18 166. This hearing is being held in order that the
19 public may be informed about the proposed permit
20 and to make comments to the Illinois EPA for its
21 consideration when reviewing the permit
22 application.

23 The conduct of tonight's hearing will
24 be as follows: First, oral statements will be made

1 by the Illinois EPA representatives. Next,
2 representatives from Ameren Energy Generating
3 Company can make statements if they wish. At the
4 conclusion of the statements there will be a period
5 during which relevant questions will be addressed
6 to any of the speakers. Questions asked of the
7 speakers must be framed as questions, relevant to
8 the subject presented, and not repetitious.
9 Arguing or dialogue with any of the speakers will
10 not be allowed.

11 After the question period, there will
12 be an opportunity to make statements. Anyone who
13 wishes to make an oral comment may do so so long as
14 the comments are relevant to the issues which are
15 addressed at this hearing. Please indicate that
16 you wish to make a comment on your registration
17 card. People will be called forward to make
18 comments in the order in which they have completed
19 their registration cards.

20 There are also public comment forms at
21 the registration table for your convenience if you
22 wish to use them. Otherwise comments written on
23 standard 8 1/2-by-11 paper will be acceptable.
24 When submitting photographs, data, plans or other

1 documents for the record, please put your name for
2 identification purposes.

3 Anyone asking questions or making
4 comments will first please state their name and, if
5 applicable, any governmental body, association, or
6 organization that they represent for the meeting
7 record. Also for court reporter purposes, would
8 you please spell your name, your full name. Well,
9 your first name and then spell your last name. If
10 you are representing yourself only, you can state
11 that you are an interested citizen or a resident of
12 whatever town that you are a resident of.

13 There are a number of people who may
14 want to make statements, and there will be a number
15 of people asking questions. To give everyone a
16 chance, I ask that we can limit our questions or
17 comments to five minutes per person. But looking
18 at the size of the crowd tonight, I don't think
19 that that's really going to be an issue.

20 Once the hearing is adjourned today,
21 the hearing record will remain open until midnight
22 May 12, 2001. During that time, all relevant
23 written comments, documents, or data will be
24 accepted and entered into the hearing record.

1 Please send all written comments to the Illinois
2 EPA in care of Brad Frost, Community Relations,
3 1021 North Grand Avenue East, Post Office Box
4 19276, Springfield, Illinois, 62794-9276.

5 I also want to state that everything
6 that is being said tonight will be transcribed
7 verbatim by the court reporter. For the court
8 reporter to do her job, it's important that only
9 one person speak at a time.

10 I realize that the subject of
11 tonight's hearing can be emotional and people may
12 have strong feelings. However, for this hearing to
13 work, it must remain civil and proceed in an
14 orderly matter, so I ask for everybody's
15 cooperation.

16 With that having been said, at the
17 present time I'm going to introduce the first
18 speaker. First speaker is Mr. Chris Romaine. And
19 Mr. Romaine is with the Illinois EPA, Bureau of
20 Air, permit section. Chris.

21 MR. ROMAINE: Thank you. Good evening. My
22 name is Chris Romaine. Thank you for coming
23 tonight. As you know, we are holding this hearing
24 on a draft permit. That means that we have

1 conducted our review of the application and believe
2 that it's entitled to an air construction permit.
3 However, for significant applications, like peaker
4 power plants, we do hold public comment periods
5 with hearings. This provides an opportunity for
6 the public to provide comments on our proposed
7 actions in case there are aspects of it that we
8 haven't adequately considered. So we are looking
9 forward to hearing your comments this evening.

10 I guess the next point is just a
11 clarification. Obviously, we are here from the
12 Illinois Environmental Protection Agency. This is
13 a construction permit application dealing with
14 emissions and air pollution control issues. The
15 Illinois EPA has a very specific role in the
16 approval process for power plants, and it is
17 limited to environmental matters like air pollution
18 which we are discussing tonight. There are
19 certainly other aspects of power plants that are
20 not within our jurisdiction such as the local
21 approval, building codes, other aspects of the
22 plant that would be under the approval of the local
23 community. We do not have a role in those types of
24 decisions. So what we are really interested in

1 hearing tonight is the specific comments focusing
2 on air pollution control and emissions issues.

3 My final point is that we will try to
4 do our best to answer your questions tonight.
5 However, if we can't, we will take the question
6 back with us to Springfield to consult with our
7 experts. At the end of this proceeding when we
8 decide what we are going to be doing we will
9 prepare a responsiveness summary that will address
10 the significant issues that have been raised, and
11 we will send it out to people that have completed
12 registration cards. That's why it's important that
13 even if you don't want to speak tonight that you
14 should still fill out a registration card.

15 Thank you again, and that completes my
16 remarks.

17 HEARING OFFICER JAGIELLO: At this time
18 Mr. Manish Patel is going to make his statement.

19 MR. PATEL: Thank you. My name is Manish
20 Patel, and I am a permit engineer in the Bureau of
21 Air. Good evening, everybody. I would like to
22 give you a brief description of the proposed
23 project. Ameren Energy Generating Company has
24 requested a construction permit for an electric

1 generation facility, Elgin Energy Center in Elgin.

2 The proposed facility is designed to
3 function as a peaking power station. Peaker plants
4 generate electricity in peak demand periods and at
5 other times when other power plants are not
6 available due to scheduled or unexpected outages.
7 In Illinois, peak power demand occurs during
8 daylight hours on hot summer weekdays due to the
9 power demand for air conditioning.

10 The facility would use four gas
11 turbines to generate up to 540 megawatts of
12 electricity. Electrical generators on the shaft of
13 the turbines would directly produce power. One of
14 the advantages of a turbine, unlike a steam power
15 plant, is that it can be quickly turned on or off
16 and respond in response to changing demand for
17 power.

18 The facility will only burn natural
19 gas, which is the cleanest commercially available
20 fuel. Natural gas does not contain significant
21 amounts of sulfur or ash as present in coal and
22 oil. The pollutant of interest for burning natural
23 gas is nitrogen oxides or NO_x. NO_x is formed when
24 nitrogen and oxygen in the atmosphere combine

1 during the high temperature of combustion. The NOx
2 emissions from the turbines would be effectively
3 controlled by low-NOx burners. The maximum NOx
4 emissions of the turbines are limited to no more
5 than 15 parts per million when operated at normal
6 rated capacity and 25 parts per million with wet
7 compression when power augmentation is needed.

8 The project is not considered a major
9 source because the permitted emissions of
10 pollutants from this facility would be less than
11 the major source threshold. For projects that are
12 not major, an air quality study is not required by
13 applicable rules. However, Ameren has performed an
14 air quality study to determine the air quality
15 impacts from the project for pollutants other than
16 ozone. The study indicates that air quality would
17 comply with ambient standards. With respect to
18 ozone, the facility should not have any effect on
19 local air quality, as ozone forms gradually as
20 precursor compounds react. This facility would be
21 addressed as part of Illinois' program to roll back
22 NOx emissions from electric utilities, as needed to
23 comply with the ozone standard in the Chicago area
24 and in areas downwind.

1 In summary, the Illinois EPA has
2 reviewed the materials submitted by the Ameren
3 Energy Generating Company and has determined that
4 the application for the project shows it will
5 comply with applicable state and federal standards.
6 We have prepared a draft of the construction permit
7 that sets out the conditions that we propose to
8 place on the facility to assure continuing
9 compliance.

10 In closing, we welcome any comments or
11 questions on our proposed action. Thank you.

12 HEARING OFFICER JAGIELLO: At the present
13 time Ameren has representatives present. I see
14 Mr. Rick Smith of Ameren Electric Generating
15 Company. Mr. Smith.

16 MR. SMITH: Thank you. My name is Rick
17 Smith. I'm manager of generation development for
18 Ameren, and I have with me tonight two colleagues
19 also from Ameren representing Ameren Energy
20 Generating Company. I would like to introduce
21 Mr. Steve Harvey, and Mr. Steve Whitworth of Ameren
22 Services Company in St. Louis, Missouri.

23 I have just a few brief remarks about
24 the project. We are proposing to construct four

1 simple cycle combustion turbines. These are
2 Siemens Westinghouse W501D5A machines. They will
3 fire only natural gas. We have selected a site in
4 Elgin in an existing industrial park, which is in
5 close proximity to existing transmission facilities
6 and future natural gas pipeline facilities.

7 This location was previously
8 identified by ComEd a few years ago as a good site
9 for serving northern Illinois electric customers.
10 We have no plans to expand the site beyond the four
11 D5A's proposed in the air permit. We still await
12 some approvals from the City of Elgin. The city
13 council needs to take action on zoning matters, a
14 development agreement, and enterprise loan
15 extension.

16 Ameren has held three public workshops
17 already to disseminate and provide information to
18 the public at large. We have worked extensively
19 with local media, newspapers, radio, so forth. The
20 timing of the project is we would expect to begin
21 construction at the site as soon as practical upon
22 receiving the air permit and city approvals.
23 Construction will require 12 to 18 months from
24 start to complete finish.

1 We still expect to be able to operate
2 these units for the summer of 2002. The need for
3 this plant is related to the load growth in
4 Illinois, in particular northern Illinois. And
5 it's our intent to serve the peak demand periods as
6 discussed earlier in this meeting.

7 I think that this project represents a
8 safe, clean, reliable project that will provide for
9 future electric needs of the state, in particular
10 northern Illinois, and appreciate this opportunity
11 to come before you tonight.

12 HEARING OFFICER JAGIELLO: Thank you. At
13 this time the speakers are all finished. So does
14 anybody have any questions?

15 (No response.)

16 HEARING OFFICER JAGIELLO: No questions?
17 Yes. We would appreciate -- Could you please
18 just --

19 MS. OWEN: Excuse me. I thought the
20 questions were asked by the people that signed up
21 by the cards. Is this something different?

22 HEARING OFFICER JAGIELLO: Well, there is a
23 question period and then the comments we were going
24 to go by what's -- by the people signed up by the

1 card.

2 MS. OWEN: There was no category where you
3 could say questions on the card. You are just
4 assuming anybody who signed up on the card is just
5 going to have comments?

6 HEARING OFFICER JAGIELLO: You kind of lose
7 me. Do you have a question?

8 MS. OWEN: Yes. Several. Thank you. It
9 used to be -- Well, we have different hearing
10 officers. My understanding always was that the
11 people that signed up to speak did not only sign up
12 to speak to comment but also to ask questions, and
13 the questions would be taken in order of the cards.
14 But you seem to --

15 HEARING OFFICER JAGIELLO: Yes, I'm going
16 to have a question period, get the questions done.
17 And if anybody wants to make a statement, they can
18 just come up and make their statement. That's the
19 way I would like to do this.

20 MS. OWEN: Good. I'm glad to clarify that
21 because then I need to raise my hand that I have a
22 question.

23 HEARING OFFICER JAGIELLO: And if you would
24 just stand up or --

1 MS. OWEN: But I would like to defer to the
2 local Elgin people first. That was my next
3 comment. I do have a question. But if somebody
4 here is from Elgin, I would think that this is an
5 air hearing in Elgin, they should come first.

6 HEARING OFFICER JAGIELLO: Okay. Thank
7 you.

8 The gentleman in the back. You have a
9 question?

10 MR. NOLAND: Thank you.

11 HEARING OFFICER JAGIELLO: If you could
12 please stand at least and spell your name for the
13 court reporter.

14 MR. NOLAND: My name is Michael Noland. I
15 would actually prefer to defer to this lady and to
16 anybody else who has questions before me.

17 HEARING OFFICER JAGIELLO: That's fine.

18 Ma'am, your name is --

19 MS. OWEN: My name is Verena Owen. I'm
20 from Winthrop Harbor, Illinois, in Lake County.
21 I'm a member of the Lake County Conservation
22 Alliance.

23 Would you like to stand up. I have to
24 shuffle paperwork, that's always hard.

1 Since we have a new hearing officer,
2 and I'm so used to having somebody else that maybe
3 we should talk with you about a few things. First
4 about your five minute time limit, is that also for
5 questions?

6 HEARING OFFICER JAGIELLO: At this point I
7 think with the number of people here in the crowd I
8 don't think the time limit is going to be a
9 problem. And I did state that I think at the time
10 I said that in my opening statement. So if you
11 want, just ask your questions.

12 MS. OWEN: Thank you. First of all, I
13 would like to make a question and a comment at the
14 same time. It is my understanding that these air
15 hearings are meant for meaningful participation of
16 the public. And I think the IEPA needs to be a
17 little more respectful of the public when it comes
18 to these hearings and not hold those hearings
19 during Holy Week and Maundy Thursday when people
20 are in church. I also find it interesting that
21 there used to be letters out there with a
22 letterhead where people can send their comments
23 instead of have to taking notes. I really don't
24 expect an answer.

1 I have several questions. I would
2 like to start with questions where I don't expect
3 an answer tonight, but I would like this to be on
4 public record, please. I requested through my FOIA
5 a full application, and I again for the third time
6 in a row did not receive the air modeling on the
7 cumulative effects. I called Mr. Romaine and he
8 contacted the modeling section, and I received a
9 letter by Mr. Kaleel. This letter is two pages and
10 it indicated if any further questions to contact a
11 Mr. Michael Reichel, which I did. Mr. Reichel was
12 very friendly on the phone for a while and then
13 decided that maybe he should not be talking to me
14 even though I pointed out to him that I was only
15 asking questions on public documents. He suggested
16 I ask these questions because he could not assure
17 me that he would give me any answers and, if he
18 did, in what form these answers would be given.
19 Therefore, I request that my questions be answered
20 in the responsiveness summary, please.

21 One of the questions I had on the air
22 modeling was that it was supposed to assume worst
23 case scenario. In the application, Ameren
24 identified three scenarios, 100 percent load at

1 59 degrees, 100 percent load at zero degrees, and
2 75 percent load at 59 degrees. So the worst case
3 scenario, 75 percent load at zero degrees, was not
4 addressed. I would like to know why this was not
5 done.

6 The second question I have --

7 MR. ROMAINE: I think I can answer that.
8 The scenario that was addressed, 75 percent load at
9 59 degrees, is a worse scenario than 75 percent
10 load at zero degrees.

11 MS. OWEN: The lower the temperature the
12 more NOx you have? That is no longer correct.

13 MR. ROMAINE: In fact, what we are modeling
14 when we are doing these worst case scenarios is
15 lower emission rates but also lower flow rates.
16 And because of the way the dispersion works
17 dispersion is an exponential function of the flow
18 rate. So that quite often one of the lower load
19 operations results in the higher concentrations.
20 So, for example, I guess this, you know, even
21 though the emissions might be 75 percent of the
22 maximum at reduced load operation the dispersion
23 characteristics would be 75 percent squared or
24 about half as good as at full load.

1 MS. OWEN: So if I understand your comment
2 right, the worst case scenario is 100 percent load
3 at zero degrees. Is that what you just told me?

4 MR. ROMAINE: No.

5 MS. OWEN: Then you have to repeat your
6 answer or give it to me.

7 MR. ROMAINE: The worst case scenario would
8 be a scenario of low flow rate.

9 MS. OWEN: You need to explain how I got
10 low flow rate into 75 or 100 percent load and what
11 it has to do with the temperature in order for me
12 to understand your answer.

13 MR. ROMAINE: Well, in terms of what's
14 going on in the turbine, the dispersion is caused
15 by a combination of the momentum and the buoyancy
16 of the exhaust gases. If there are, in fact, less
17 exhaust gases, then there is less buoyancy and less
18 momentum. So the lower the load, the lower amount
19 of gas going through the turbine, the potential is
20 there that, in fact, that would have the highest
21 ambient concentrations because the dispersion would
22 be the worst.

23 MS. OWEN: Good. Now, which ones of these
24 three scenarios that Ameren suggested for the air

1 modeling is the worst case scenario?

2 MR. ROMAINÉ: The 75 percent at 59 degrees.

3 MS. OWEN: Okay. Ameren did the air
4 modeling for the basic screening. And I'm reading
5 from a letter received December 26, 2000, it says
6 "If maximum combined impact on either CO or SO2
7 exceeds the significant impact level, then an
8 additional more realistic analysis needs to be
9 done," which is called an ISE3. Then when I called
10 Mr. Reichel, I asked him who did the more involved
11 air modeling; and he said that the Agency did. I
12 really have a problem with that. If this is part
13 of the application, there is no reason for the IEPA
14 to spend my tax dollars in doing air modeling for a
15 power company.

16 MR. ROMAINÉ: Okay. The modeling that
17 Ameren performed demonstrated that the facility
18 would not have significant impacts. If Ameren were
19 a major source, that would be all the modeling that
20 was required. This further modeling analysis that
21 was requested of Ameren to also address other
22 proposed sources in the area goes beyond the normal
23 requirements for modeling. It's true that we
24 normally require applicants to do it, that is

1 certainly our preferred approach. In this case for
2 some reason, I'm not sure if it was delay in
3 transmitting that information to Ameren or what,
4 the individual that was reviewing it, Michael
5 Reichel, decided it would simply be simpler to do
6 it himself.

7 In terms of our obligation to review
8 permit obligations, I can't say that it's
9 inappropriate for us to do an evaluation that is
10 specifically addressing concerns expressed by the
11 public as to what is the cumulative impact of
12 facilities. And in this case, it did go beyond
13 what would have been necessary as Ameren has
14 demonstrated that their facility by itself wouldn't
15 be significant.

16 MS. OWEN: There are other facilities that
17 were not significant that did their own air
18 modeling as you know.

19 MR. ROMAINE: That is our preferred
20 approach. I agree.

21 MS. OWEN: Thank you. And this is my last
22 air modeling question. I apologize that it takes
23 so long. My next concern was and, unfortunately,
24 he had the paperwork I'm reading from and you do

1 not. I should have maybe made a copy. But I had
2 concerns about the increase on PM10 on the combined
3 one, which increases by 10 percent from the simple
4 model, while everything else only increases by a
5 fraction of a percent. And I asked Mr. Reichel to
6 explain to me how a power plant that burns a low
7 ash fuel has such an impact on particulate.

8 (Discussion outside the record.)

9 MS. OWEN: So that was my other question.
10 He did not answer it. And I would like an answer,
11 an explanation.

12 I said that their more increased
13 modeling increased the particulate matter by
14 ten-fold from the simple one, while -- and this is
15 a low ash fuel -- while the CO and NOx, which I
16 expected to only increase by less than one percent,
17 instead of ten fold; and he wasn't able to answer
18 that question. So I'm asking that now, you have it
19 on the record, to get answered in the
20 responsiveness summary.

21 MR. ROMAINE: I think it, if I understand
22 what was done for the modeling, what it's showing
23 is that the combined impact of the other nearby
24 facility, ABB Grande Prairie, and this facility

1 are, in fact, much larger than this facility by
2 itself. Now, that's not to say that those impacts
3 are still not less than the USEPA significance
4 level. But given the very low impacts that Ameren
5 has by itself the impact of ABB is larger.

6 MS. OWEN: And the tons of NOx and CO that
7 ABB emits do not show up in the model then, just
8 PM10?

9 MR. ROMAINE: In terms of the different
10 contaminants, I would certainly show that it
11 confirms that. If you look at the -- We are
12 looking at a 24 hour average. And so what's
13 happened in terms of the other pollutants in terms
14 of the 24 hour average? If you look at the Ameren
15 facility by itself, its maximum 24 hour impact is
16 .04 micrograms per cubic meter. If you look at the
17 combined impact, the level jumps to 12. That would
18 not be unexpected if you realize that ABB is
19 nearby and has the potential to burn oil. But
20 maximum impact would be to address again a worst
21 case evaluation for those periods of time when ABB
22 was burning oil. So that behavior is very similar
23 to the behavior that we are seeing for PM10 on the
24 24 hour, where Ameren by itself is very small; but

1 when you look at the combined impact, it goes up to
2 2.2, which is still half of the significant impact
3 level of 5, but again is much larger than something
4 on the order of .2.

5 MS. OWEN: I will just take this as an
6 answer. It still doesn't make no sense to me,
7 but --

8 That's what I did. Let's see, yes.
9 The application received October 26, on page 2 of
10 2, which is page 3, No. 14, it says, "Does this
11 application request permission to operate an
12 emission unit during malfunction or breakdown?"

13 And it says, "Yes." In your permit,
14 do you allow them to run during malfunctions and
15 breakdowns?

16 MR. ROMAINE: No.

17 MS. OWEN: Upset conditions?

18 MR. PATEL: We did not specifically give
19 them permission to operate during malfunction and
20 breakdown.

21 MS. OWEN: But you do give them permission
22 to run during upset conditions. Would you explain
23 to me what the difference is between upset and
24 malfunctions?

1 MR. ROMAINE: Well, let me first interject
2 that the specific forms that are being addressed
3 here are going to a provision of Illinois' rules
4 that allow a person to continue operation during a
5 malfunction that results in emissions that exceed
6 an applicable emission limit if needed to protect
7 personnel, provide an essential service, or prevent
8 significant damage to equipment.

9 There are no regulations at the state
10 level which restrict this facility. In that sense,
11 this facility does not require malfunction
12 authorization in the sense that's being talked
13 about by this particular provision.

14 MS. OWEN: Is the answer still no to my
15 question? Are they allowed to run during upset or
16 malfunction conditions?

17 MR. ROMAINE: I guess in terms of the
18 permit that has been provided, let me just check,
19 no. It simply allows -- requires compliance with
20 the permit emission limits at all times except
21 startup and shutdown.

22 MS. OWEN: Good. If the answer is no, all
23 these questions in here are not valid. Good.
24 Saves time.

1 I'm sorry. I'm usually better
2 organized. I had a long day yesterday.

3 Ah, the permit. I'm afraid you will
4 have to explain the reduced load to me again. In
5 all other modes than power augmentation and start-
6 up there is no hourly multiplier. Therefore, I
7 assume that if they run at reduced load they will
8 have to still meet the limits of the permit?

9 MR. PATEL: I believe they are not allowed
10 to operate below 75 percent load.

11 MS. OWEN: That's not 100 percent load,
12 that's 75 percent load. So as far as your Agency
13 is concerned, they are not going to be emitting any
14 more at 75 percent load than there would be at base
15 load?

16 MR. PATEL: The emissions will represent
17 the worst case so they should meet at 75 percent.

18 MS. OWEN: And in this case, 75 percent is
19 worst case other than the air modeling question I
20 had; is that correct?

21 MR. ROMAINE: No.

22 MS. OWEN: No. I didn't think so.

23 MR. ROMAINE: It depends whether you are
24 talking about worst case for purposes of modeling

1 or worst case for the maximum amount of emissions.
2 Which context are we using the term worst case?

3 MS. OWEN: We are using the worst case in
4 this case, at 75 percent load will they emit more
5 or not than 100 percent for purposes of this
6 permit?

7 MR. ROMAINE: The limitations I believe
8 that are set in the permit reflect the maximum
9 emissions allowed under any mode of operation. My
10 belief, in fact, is that NOx emissions would
11 actually go up somewhat at reduced load but the
12 limit that has been selected, for example,
13 accommodates that as it is a maximum number for NOx
14 emissions.

15 MS. OWEN: And I think the same principles
16 apply for CO. You were looking at the data. I
17 don't think -- Is 100 percent the worst case for
18 CO, or is it 75 percent?

19 MR. PATEL: The CO limit 66 pounds per hour
20 is the worst case for in all cases. Between 75 to
21 100 percent, they should be meeting at any load.

22 MS. OWEN: Really. I think I will comment
23 on this in writing because this will take too long.
24 I'm looking at their estimated combustion turbine

1 performance sheet, and I totally disagree with what
2 you had just said; but I will comment on this in
3 writing.

4 MR. ROMAINE: Well, I guess there are
5 certainly conditions on this sheet that show
6 emissions higher than 66 pounds per hour; but those
7 are, in fact, operation at 50 percent load. As
8 Manish has indicated, the permit does not allow
9 operation at below 75 percent load; and it
10 certainly doesn't allow emissions to go above
11 66 pounds per hour.

12 MS. OWEN: As I said, I will comment on
13 this in writing.

14 What is a quick start? That's on
15 page 4.

16 MR. PATEL: Whenever a facility gets a
17 request to immediately deliver power, they have to
18 start quicker than normally what they would take.

19 MS. OWEN: What would you expect the
20 effects of a quick start to be?

21 MR. PATEL: They should be meeting the
22 factor given in the condition 5 -- I'm sorry,
23 not 5 -- condition 3e, "ii," B, to have start-up
24 emission factors for NOx, CO and VOM.

1 MS. OWEN: Stay on that page.

2 MR. ROMAINE: I think the general -- Our
3 understanding or concern is that due to a quick
4 start, in fact, there could be higher emissions in
5 actuality but those emissions should still be
6 within the factors that have been established for
7 startup given the conservatism that was used in
8 establishing those factors. It's sort of a
9 practice that can be imposed to minimize emissions
10 from startup. Certainly our understanding is that
11 turbines have the ability to start up quickly in
12 emergencies, just like cars have the ability to
13 accelerate quickly. It's better on the car, it's
14 better on the emissions characteristics if it's a
15 more ordinary startup. And we are simply saying
16 except in emergency circumstances, as would occur
17 if there is a loss of power unexpectedly, Ameren
18 shall use the normal mode of startup.

19 I guess the other comment I would make
20 is that turbines are a little bit more regulated
21 than automobiles. The manufacturers of turbines
22 watch their machines carefully. I know General
23 Electric does. And if there are quick starts, they
24 do require more frequent maintenance to account for

1 those starts. So a quick start is not something
2 that a facility wants to do routinely because it
3 does increase the amount of maintenance they are
4 going to have to put on the machine.

5 I guess I would ask since we are
6 accommodating an interest Ameren has expressed do
7 you want to add anything to that on the issue of a
8 quick start?

9 MR. HARVEY: No. I mean that basically
10 covered it. I mean you have got a normal start-up
11 cycle that you try to go through to maintain
12 operation of the equipment properly according to
13 manufacturer's specifications. And there are
14 abilities on some machines to go through quicker
15 starts knocking off a few minutes. In this case,
16 you are only talking a 20-minute start-up cycle in
17 the first place. So there is not a lot of time you
18 are going to shave off of that for any kind of
19 quick start per se. It's not going to be like a
20 minute or two. That's really all there is to it.

21 MS. OWEN: So your 20-minute startup would
22 be reduced to 18 would you say if you only shave
23 off a minute or two?

24 MR. HARVEY: If you can shave off a minute

1 or two depending on the operational features of the
2 equipment. You know, comparing a hot start to a
3 cold start. But if you had a cold start, went
4 through it on a 20-minute cycle and the unit was
5 off for some period of time where you could keep
6 something warm, there is a possibility you could
7 reduce a few minutes off of that startup.

8 MS. OWEN: Let me ask a real simple
9 question. How quick is a quick start? Normal is
10 20 minutes. How quick is a quick start, plus/minus
11 a minute?

12 MR. SMITH: On these machines we really
13 can't answer that question. Because it's a matter
14 of how well the machine starts when you start it,
15 how well it behaves in getting equipment operating
16 properly. In this context of this permit language,
17 if ComEd were to call us and say, "We need an
18 engine on just as soon as possible because we lost
19 a transformer at a substation," we will do
20 everything we can to get that engine on as soon as
21 possible to support them. We are required to do
22 that under the Open Access Transmission Act, and
23 that's really the context here. And on these
24 particular machines, we do not have special ability

1 to go to 10 minutes or 15 minutes. It's a matter
2 of shaving seconds and half minute increments off
3 of the start-up time at best.

4 MS. OWEN: You are shaving seconds off but
5 you are increasing pollution, but the EPA still
6 thinks you are going to meet the hourly
7 restriction?

8 MR. SMITH: I didn't say we are increasing
9 pollution. I'm just trying to say there are
10 operational things.

11 MS. OWEN: I'm saying are you increasing
12 pollution? If I quick start my car, you can see
13 blue smoke out of my tailpipe. Now, if you quick
14 start your turbines, will you increase NOx, CO and
15 VOM?

16 MR. SMITH: The start-up sequence isn't
17 terribly different whether you are pushing it or
18 not.

19 MS. OWEN: So the answer is no.

20 MR. SMITH: The answer is you are going to
21 get under the start-up procedure that you have from
22 the manufacturer?

23 MS. OWEN: If this is so benign and nothing
24 happens, why is it in the permit?

1 MR. ROMAINE: Because our belief it is
2 something that can be done to minimize emissions.
3 In this case maybe it is benign, maybe it's
4 excessively burdensome on this facility given the
5 nature of these machines.

6 MS. OWEN: Okay. Yes. We do need to talk
7 about 2, 3, whatever that -- Can't you number your
8 permits 1, 2, 3, 4, instead of all these letters
9 and numbers? The one Manish mentioned before,
10 page 3 of 12, the start-up factors.

11 Got it? I understand the thinking
12 about the hours being for startup instead of
13 counting as one to count as 1.2. If I look for the
14 NOx number, which is 120 percent during an hour,
15 that includes startup. I don't understand why it
16 is not 12 hours. Because if I look at VOM, it's
17 1200 percent and 700 for CO. If you -- As a basis
18 for your hourly multiplying factor, why did you
19 pick NOx?

20 MR. PATEL: Because NOx is governing and
21 it's the highest number if you add NOx from
22 turbines and from the heaters.

23 MS. OWEN: I did some really easy math,
24 quite simple. I assumed turbines would run, what,

1 12 and a half hours a day. Is that somewhat
2 average?

3 Well, you don't have to answer that.
4 So that would give us about 460 start-ups a year,
5 which comes down to about 127 tons of CO. If you
6 run the remaining roughly 5200 hours on 66 pounds
7 an hour of CO, you add another 171 tons, which
8 brings it to 298 tons of CO. In my eyes, this
9 permit does not ensure that this is, indeed, a
10 synthetic minor because you don't know how many
11 times they will start up. And your funky start-up
12 multiplier of 1.2 does not address the CO
13 emissions.

14 MR. PATEL: The start-up numbers were --
15 minimum start-ups were taken at 240 start-ups total
16 of combined four turbines, and the permit limit --

17 MS. OWEN: It's no limit on start-ups in
18 the permit, though. You assume a certain number of
19 start-ups, so did I. Now whose assumption is
20 right? There is no limit on the number of
21 start-ups in the permit. They can turn these
22 things on and off every two hours and you don't
23 address this in your permit. You assume 240.
24 Let's take my number of 460 because we get to

1 almost 300 tons of CO. Why do you assume 240
2 start-ups, based on what? I base my start-ups on
3 the running hour of 12 and a half hours a day.
4 Somebody have a calculator? What is 5,744 divided
5 by 16? You are still over the 250 ton limit.

6 MR. PATEL: Well, they have NOx, CM, and
7 they will approach NOx limit first.

8 MS. OWEN: I'm talking about CO. I know
9 they have NOx CEMs, that I understand. And that's
10 why you picked this. I am worried that since they
11 do not have CO monitors and the CO of 700 percent
12 is only the 1.2 hours instead of the 7 hours it
13 needs for startup will be over the synthetic minor
14 and you wouldn't know it. And this permit the way
15 it is written does not ensure the public that this
16 is not a PSD proposal.

17 MR. PATEL: Let's say if we go and
18 calculate based on your number they will approach
19 NOx limit first, then CO. So they cannot operate
20 more than what is allowed and they have NOx CEMs.
21 Nox CEM is required.

22 MS. ZINGLE: Their number is higher. But
23 the CO number is higher.

24 MS. OWEN: It's higher.

1 MS. ZINGLE: For each proportion of NOx,
2 they do a little bit more CO.

3 MR. PATEL: Right. But based on the NOx
4 number, NOx normal pounds per hour number, and the
5 start-up factor, they will reach NOx number at
6 235.5 before.

7 MS. OWEN: It's 240 start-ups you just told
8 me. I am not assuming 240 start-ups. I have my
9 calculator. I will sit down and do the numbers.
10 I'm assuming 460 start-ups. Either way the
11 start-ups are not limited in the permit.

12 MR. PATEL: But at 240 they will reach this
13 number. And at 240 start-ups CO will be maximum
14 237 ton.

15 MR. ROMAINE: And I certainly want to
16 confirm that. One of the things that isn't
17 immediately apparent in these permits is just how
18 emission calculations are done. These permits are
19 based on the maximum permitted emissions of the
20 facility. You know, these emissions are, in fact,
21 the maximum they are allowed. They reflect the
22 guarantees by the manufacturer, the numbers that
23 they are standing behind the turbines saying that
24 those machines will not emit those more than that

1 amount.

2 The number that is of greatest concern
3 here is the nitrogen oxide emission number. That
4 is the emission limit where, in fact, testing comes
5 out closest to the number. So Manish's statements
6 that NOx is going to trigger it is certainly
7 accurate. When you look at how this unit is
8 tested, the comparable turbine at Rocky Road, for
9 example, tested out with CO emissions on the order
10 of 2.5 pounds per hour. So to provide for the
11 necessary technical margin of safety on CO, which
12 is related to NOx, there is a substantial margin of
13 safety in the permitted numbers for CO.

14 MS. OWEN: You just said 2.5?

15 MR. ROMAINE: Yes.

16 MS. OWEN: I say as to 66, interesting.
17 However, your comment on the turbines, I have to
18 say since you mentioned the manufacturer's
19 guarantee, those manufacturer's guarantees are only
20 for new and clean turbines. And I'm sure you are
21 aware of that.

22 MR. ROMAINE: And it's our belief that
23 those numbers can, in fact, be continued to be
24 achieved with proper maintenance of a turbine.

1 MS. OWEN: Thank you. I just have one
2 quick question for Ameren. Can you sell the
3 electricity to local customers that your power
4 plant will produce?

5 MR. SMITH: I missed that. Can you sell to
6 whom?

7 MS. OWEN: To local, to residential
8 customers, to local customers, to people in Elgin?

9 MR. SMITH: We are not a retail company.

10 MS. OWEN: However, some parts of Ameren
11 are.

12 MR. SMITH: That is correct.

13 MS. OWEN: So the people here do not get
14 the benefit that other people get that deal with
15 whatever branch of Ameren is a retailer to at least
16 get some of the electricity for the pollution they
17 are getting in their town. I don't think that's
18 fair.

19 HEARING OFFICER JAGIELLO: Anybody else
20 with a question?

21 MS. ZINGLE: My name is Susan Zingle. I'm
22 executive director of the Lake County Conservation
23 Alliance. I guess I have some questions for
24 Ameren. Do you already have the turbines at least

1 contracted for?

2 MR. SMITH: Do you want us to respond to
3 direct questions? This is your hearing.

4 HEARING OFFICER JAGIELLO: Yes. No, that's
5 fine.

6 MR. SMITH: Yes. We own the turbines.

7 MS. ZINGLE: And do you currently have
8 contracts for the electricity that you will
9 generate?

10 MR. SMITH: No.

11 MS. ZINGLE: Do you expect to be able to --
12 You talked a lot about need in the area and serving
13 northern Illinois, which means you must be doing
14 business with ComEd, but you have no contract with
15 ComEd yet?

16 MR. SMITH: I really prefer not to get into
17 our commercial business and discuss contracts and
18 who our potentials are of that nature.

19 MS. ZINGLE: For benefit of the people
20 here, I will say that I'm going to get confused on
21 the date but Representative Novak, who is chair of
22 the house deregulation committee, held hearings I
23 guess about two weeks ago on the situation of need
24 for electricity in Illinois. ComEd was one of the

1 companies that testified at that hearing. And they
2 stated that they have enough contracts to carry
3 their electrical needs through the year I believe
4 2004. Most of that testimony was repeated and
5 reported in the papers in front of the City of
6 Chicago at hearings they had last week also.

7 So I ask again, how are you going to
8 sell power to northern Illinois customers unless
9 you contract with ComEd, who has stated that they
10 have all the power they need through 2004?

11 MR. SMITH: Once again, I am not going to
12 get into our commercial competitive business
13 information.

14 MS. ZINGLE: Well, it goes to the sales
15 effort that's made to the city. They have only
16 dealt with one peaker plant. We have been
17 following this around forever.

18 When you go before a city board or you
19 have open houses and you tell people you are going
20 to serve their needs, I think you need to be ready
21 to stand up and prove how you are going to do that.
22 In fact, your power could be sold to Ohio, Indiana,
23 Pennsylvania, New York, anyplace. And I don't
24 necessarily -- I don't object to that. But I do

1 object to the marketing technique that makes people
2 believe that you are protecting them from blackouts
3 and your power is going to be used here when you
4 don't have those contracts in place yet. And I
5 want to make sure the city understands that
6 before -- It may not change their minds, but they
7 need to make a decision based on accurate
8 information.

9 MR. SMITH: We have not given out
10 inaccurate information, and we have not given
11 information here that we are here to save them from
12 blackouts.

13 MS. ZINGLE: Throughout the permit there is
14 a couple of places, again back to the quick starts
15 and to the ever popular reference to the 160 tons
16 that talks about emergency need or when, you
17 know -- to determine power demand. Actually,
18 Chris, I guess this is for the EPA. To work on
19 some method of, in fact, limiting those emergencies
20 to Illinois' situations. If, in fact, they need
21 quick start because the power line has gone down
22 here and they generally are serving local
23 customers, then I'm more willing to accept the
24 extra pollution. If, in fact, New York City

1 doesn't get their ten turbines deployed and calls
2 on them for power, I don't care so much, or
3 California or Wisconsin. If, in fact, we are going
4 to have extra pollution here, let it be in response
5 to an emergency here. And I don't know if it's
6 possible for you in these permits to word that that
7 way, that Illinois needs come first and they better
8 be clean when they are selling for everybody else.

9 MR. ROMAINE: I'm not sure it's possible
10 for us to do that. I'm also not sure we want to
11 get into that business because the consequence of
12 that would be that peaker plants in Indiana and
13 Wisconsin that could supply power to Illinois
14 wouldn't supply to Illinois in an emergency. We
15 are all in the power system together, and I think
16 the more I hear about it the stronger the
17 transmission grid is going to become and, you are
18 right, I think power is going to go further and
19 further distances and making a distinction between
20 this geographic line between Illinois and Indiana
21 is going to become increasingly difficult.

22 MS. ZINGLE: I don't disagree except that
23 on data that's published by the USEPA Illinois now
24 leads any state in the number of these permits that

1 it has pending. And I think Texas is next with --
2 and don't quote me on the numbers -- but 40 some
3 and California is all the way down in the 20s
4 despite the urgency of their situation. Indiana
5 got to the point where they had ten permits pending
6 and they have just passed siting standards through
7 their house, I don't know if it will make the
8 senate or what they have to do to enact it, because
9 they are concerned about this great influx of all
10 these power plants at 10, and we are at 60. So
11 most of the power is going to -- We are becoming
12 the electrical generating capital. I may not care,
13 but I do care from a pollution standpoint. And
14 they have to -- By 2004 they will have to go get
15 credits and they have the trading program. And I
16 can understand it will guarantee that the region
17 improves. It doesn't do anything for us here.

18 MR. ROMAINE: I guess I'm going to --
19 Totally off the subject. I think the fact those
20 concerns exist it probably is better directed at
21 what the role of Illinois is in terms of the coal-
22 fired power plants.

23 MS. ZINGLE: Oh, I agree. I agree. And
24 again off the subject, but at yesterday's hearing I

1 picked up a copy of the policy, the draft policy
2 paper, and we are going to pursue policy issues.
3 But policy is reflected in these permits. You are
4 making policy. And the fact that Illinois doesn't
5 have a power policy shows up. You are making it by
6 default, which is not a criticism, but we need to
7 start to think about it.

8 MR. ROMAINE: Okay. I agree. Thank you.

9 MS. ZINGLE: Okay. On the very first page,
10 paragraph 1b, 40 CFR 60.332 is ice fog. Are you
11 really going to be running in December and
12 January if you are a peaker that runs on hot summer
13 weekdays, and can we simply delete that reference?

14 MR. ROMAINE: We caught it. It's not in
15 there.

16 MR. PATEL: It's not in there.

17 MS. ZINGLE: It's not in there?

18 MR. ROMAINE: We did it right this time.

19 MS. OWEN: What is the letter between?

20 MR. PATEL: A1, which is --

21 MR. ROMAINE: We did it right this time.

22 MS. ZINGLE: Good. I'm sorry. Thank you.
23 Excuse me while I go through my notes. On page 4,
24 of 12, again back to my questions about quick

1 starts and emergencies, are those required to be
2 reported separately also? And if they are not,
3 could they be so we can track Illinois need versus
4 out of state need and see what we are supplying
5 people?

6 MR. ROMAINÉ: We can consider that.

7 MS. ZINGLE: Okay. Thank you.

8 MR. ROMAINÉ: However, based on the
9 comments and what I have heard this evening, I'm
10 wondering if we have made it too complicated in
11 regard to these particular turbines.

12 MS. ZINGLE: I can't answer that. On
13 page 4, paragraph D, this one seems kind of
14 circular. "The permittee shall maintain the
15 turbines in accordance with written procedures
16 developed and maintained by them." So I assume
17 they are a reputable company and that the standards
18 will be high; but in fact, shouldn't there be some
19 reference to the manufacturer's standards there so,
20 in fact, they get cleaned more frequently after
21 quick starts or all the rest of the standards we
22 talked about?

23 You let them make the rules and then
24 say they have to follow their own rules.

1 MR. ROMAINE: That's correct.

2 MS. ZINGLE: As a teenager, I loved that.

3 MR. ROMAINE: Our concern is that if
4 something, in fact, goes wrong that we can
5 determine whether, in fact, it's a consequence of
6 poor maintenance. We are not in a position, we
7 don't have the expertise, to determine whether
8 turbines are maintained properly. Certainly I
9 would expect that the manufacturer would be a large
10 source of information for this, and we can
11 certainly make a reference to the manufacturer.
12 But our primary goal is to hold them to a written
13 procedure so they can't come back to us later and
14 say, "Oh, we didn't change the bearing, we didn't
15 replace the oil." If there is written procedures,
16 as there is for an automobile that says every
17 30,000 miles you replace XYZ, if you don't replace
18 XYZ, it's very clear that you didn't do the
19 required maintenance.

20 MS. ZINGLE: But since you don't have the
21 expertise and neither do I to judge the adequacy of
22 the rules they set up, shouldn't we let the
23 manufacturer do that for us and then have them
24 submit it in writing? And Rick is shaking his

1 head.

2 MR. ROMAINE: It's something where, in
3 fact, the manufacturer may have some ideas. In
4 fact, Ameren may want to go beyond that. We don't
5 want to prevent them from going beyond if they
6 think that's appropriate.

7 MS. ZINGLE: Nor would I, but there is a
8 circular element to that.

9 MR. ROMAINE: But you pointed out it's
10 circular.

11 MS. ZINGLE: I'm sure they are reputable,
12 but that's fairly standard actually and not every
13 company that comes here is that reliable.

14 On page 5, paragraph 8C, there is just
15 a line here that I don't understand that I would
16 like to have explained. What is the minimum or
17 avoided cost of a purchaser?

18 MR. ROMAINE: When somebody is generating
19 electricity, I believe there still is provision at
20 the federal level that says the local utility has
21 to accept that power. So if you have a windmill or
22 a water turbine and you are connected to the grid
23 and you can put power onto the grid and you are
24 generating power, they have to accept it because

1 it, in fact, displaces power they would otherwise
2 produce. However, they don't have to pay you any
3 more than what it would have cost them to replace
4 that power; and that's their minimum cost. They
5 don't have to pay you any negotiated price, any top
6 dollar price. They can say at that particular hour
7 we were generating power with our base load units,
8 the cost of producing the least expensive power was
9 two cents per megawatt, we are going to pay you 2
10 cents per megawatt.

11 That arrangement flips when this
12 facility is able to say it's ready to meet its
13 contractual obligations. At that point it is
14 selling power, somebody comes to it who needs power
15 in the Chicago area, presumably ComEd is the most
16 likely person, and says, "I need power today, what
17 can you provide it to me for," and they can
18 negotiate the price and say "We are only prepared
19 to put power at certain price. It's going to cost
20 so much for natural gas. It's going to cost so
21 much to operate the turbine. Today the cost for us
22 to provide power is going to be 10 cents per
23 megawatt unless you have had some long-term
24 contract. Do you want to pay 10 cents per

1 megawatt?"

2 So at that point it becomes a profit-
3 making facility that is serving the market rather
4 than simply a facility that has surplus power that
5 has to dispose of it in some manner. This is
6 important because when you test a turbine you have
7 to have a way to get rid of the power, you are
8 generating power. That's part of the normal
9 operation. So for the shakedown period, you have
10 to be connected to the grid, that power has to go
11 onto the grid to demonstrate you can do it; but at
12 that point you are still not reliable so they are
13 not going to pay you top dollar, and that's when
14 you really get the avoided cost.

15 MS. ZINGLE: Thank you. I'm glad that you
16 decided to do the CEMs for NOx. I don't know what
17 triggered that. We ask to see it regularly, we
18 were glad to see it right up front without having
19 to complain. And then -- I think that's it.
20 Thank you.

21 HEARING OFFICER JAGIELLO: Is there anybody
22 else with questions?

23 MR. KOZIOL: George Koziol. I'm a resident
24 of Bartlett. And we recently inherited the ABA

1 plant. And they are going to be generating power
2 full time, and they are selling it up to the grid
3 and we are not getting any windfall profits. I
4 mean our citizens aren't benefitting from the power
5 that's being generated. What makes this peaker
6 plant think that it's going to be able to go on
7 line and be profitable? And I'm really concerned
8 also as to where they are going to sell this power
9 to. If there is no interest in selling to local
10 communities, how can you build a plant and be
11 profitable?

12 HEARING OFFICER JAGIELLO: At this point I
13 don't even know if that's relevant to the issues.
14 I mean we are dealing with the draft permit for the
15 facility, correct? I don't know what
16 profitability, if that's even relevant.

17 MR. ROMAINE: It certainly is not relevant
18 to our permitting. This is no different than a
19 manufacturing facility that proposes to build a
20 site with emissions, and we review the application
21 to see whether it complies with applicable
22 regulations. If it does, it gets a permit, can
23 proceed. We don't know whether, in fact, that
24 business is going to proceed or it goes bankrupt.

1 MS. OWEN: Excuse me. I really need to say
2 something. Verena Owen. You guys have been to so
3 many hearings, you know there are issues out here.
4 And it doesn't help that the Agency sticks the head
5 in the sand and pretend they do not exist. You
6 give speeches about the need of electricity in
7 Illinois. There is need addressed in the permit.
8 This gentleman asked a question, and you pretend
9 this has nothing to do with the air hearing. I
10 really object to that. I mean I won't even get
11 into noise because in this particular case it's not
12 an issue. But you know there are issues out there,
13 and this is the only time local residents have a
14 chance to address a government body in asking for
15 help. And I don't like what you are doing here.

16 MR. ROMAINE: Well, I guess if you want me
17 to give a personal opinion, the fact that 60 plants
18 have been proposed for Illinois speaks for itself.
19 Corporations are careful with their money. They
20 would not be proceeding with these projects
21 considering investing in Illinois unless they
22 thought they could make a profit. We are not in a
23 position to say whether or not, in fact, there is
24 that need, whether there is a market for that

1 commodity, that isn't our job. And I guess I will
2 let you -- And we are certainly not in a position
3 to tell you that it needs to be in this location
4 versus that location. We are not in a position to
5 address what has been done in the Village of
6 Bartlett versus the Village of Elgin. All we are
7 doing is saying that they have submitted an air
8 pollution control application to us, they have
9 demonstrated they comply with the applicable
10 requirements with regard to emissions. They are
11 entitled to approval to proceed in terms of the
12 emissions issues.

13 MR. KOZIOL: Thank you.

14 HEARING OFFICER JAGIELLO: Yes, sir.

15 MR. BRAUN: Hi. My name is John Braun.

16 And I'm with Field System Machining. I hear a lot
17 of people talk about benefit in the Elgin area. We
18 are an on-site machine repair company, and we do
19 specialize in turbine repair. We are on Ameren
20 UE's approved vendor list. We have done numerous
21 projects with them before. We are located in south
22 Elgin. And we provide employment for -- you know,
23 at peak times anywhere between 50 and 60 employees.
24 And they are all in the local area. We also do

1 business with 30 companies in the Elgin area.
2 And annually per year we do anywhere between 5 to
3 10 million in business. So there is an indirect
4 economic impact.

5 HEARING OFFICER JAGIELLO: Anybody else
6 with a question?

7 Yes, sir.

8 MR. NESVIG: My name is Bud Nesvig. I
9 would like to ask really two questions. One, I
10 have heard this before at other hearings; but
11 basically the IEPA, if I'm not mistaken, is saying
12 that what they are doing at the present time is
13 just determining whether or not the operation will
14 be such that it will not pollute beyond certain
15 levels. But I believe that whoever you are
16 permitting has some responsibility greater than
17 that.

18 This gentleman over here I believe
19 answered Ms. Zingle on the basis that this
20 information as to where he's going to sell the
21 power is none of our damn business. I believe it
22 is our business. You will be tending to help
23 pollute the area in Illinois. And I totally
24 disagree that you are going to cause or be

1 partially responsible for causing my grandchildren
2 to get certain diseases, and I would like to know
3 who do I have to contact that does have some
4 authority as to assuring us that the power is
5 going -- that needs to be produced is going to stay
6 in the State of Illinois.

7 MR. ROMAINE: I'm lost. I don't care if
8 that power is going -- where it's going. If it's
9 causing problems for your grandchildren, we are not
10 going to cause -- issue a permit even if it is
11 benefiting Illinois.

12 MR. NESVIG: I understand that, but you can
13 at least tell us who I can contact that would be
14 concerned.

15 MR. ROMAINE: At this point my
16 understanding with deregulation of electricity, the
17 concern appears to be whether the transition to
18 deregulation is functioning, whether the transition
19 to market is working properly. So it would
20 presumably be individuals that are overseeing that
21 transition. I think there are a number of
22 individuals doing that, certainly the legislature
23 is interested. I think the power companies are
24 interested. There are public interest groups that

1 are looking at that. I don't know how many
2 different groups are tracking transition. At this
3 point given the problems in California certainly
4 the federal government is very interested in that
5 issue.

6 MR. NESVIG: Well, let me read a statement
7 just to make sure we have it on the record, which
8 follows into this same area. That within my vision
9 of what is practical and reasonable we do and will
10 need additional electrical power than can be
11 available from the present coal and nuclear power
12 plants in Illinois. Regardless of how often the
13 Illinois Environmental Protection Agency and
14 Illinois Pollution Control Board tell us that
15 natural gas-fired electric power plants pollute
16 less than coal plants, they do pollute. We must
17 keep the pollution to a minimum to not harm our
18 fellow residents in Illinois any more than
19 necessary.

20 I believe that we should require that
21 Illinois coal-fueled electric power plants must be
22 updated to include the most current pollution
23 reduction technology. This may require the State
24 of Illinois to share, if not completely pay for,

1 that cost. It is a fairness issue. The State of
2 Illinois agreed to grandfather the plants at the
3 then pollution creation level. It was a mistake.

4 The State of Illinois also allowed
5 ComEd to sell their coal-fired plants, which they
6 did, to Midwest Generation, EME, LLC. The latter
7 is a subsidiary of Edison International, which also
8 owns Southern California Edison. Southern
9 California Edison is threatening bankruptcy and
10 doesn't seem to recognize that their parent
11 organization paid \$4.8 billion for the ComEd
12 coal-fired plants in Illinois. I believe that the
13 \$4.8 billion originally came from Southern
14 California Edison rate payers. Selling the
15 coal-fired plants would soften Southern California
16 Edison's idea of bankruptcy.

17 On the basis of improving the health
18 or at least not causing any more deterioration of
19 our health than is necessary in Illinois, the
20 governor should rule that no electric power
21 produced in Illinois can be conducted outside the
22 State of Illinois for any reason. This includes
23 the output of any nuclear power plants. The output
24 of the nuclear power plants would reduce the need

1 for electric power produced by using fossil fuels.

2 Therefore, there would be less
3 pollution in Illinois. As ComEd and others
4 producing electric power within Illinois have
5 contracts to provide electric power to users
6 outside of the State of Illinois, they may be
7 allowed 90 days to cancel the contracts. If this
8 is a financial burden on those with these
9 contracts, ComEd would be required to compensate
10 them by using the funds from stranded costs as
11 necessary.

12 Now that ComEd is able to extend the
13 life of its nuclear power plants and increase their
14 output, the State of Illinois must recover the
15 stranded costs that are now not due ComEd as well
16 as from other nuclear power plant owners in
17 Illinois. If additional electric power is needed
18 for the use in Illinois, I suggest that we
19 negotiate with Canada and invest in some of their
20 hydroelectric power to be delivered to Illinois.
21 Thank you.

22 MR. ROMAINE: I think I need to respond to
23 one of the general themes in that comment. We have
24 progressed beyond the stage where we are dealing

1 with local air quality problems. And looking at
2 things -- Well, the local problems have been
3 solved for the most part. I'm not saying
4 completely, but -- So what we are focusing now on
5 air pollution control is regional problems. The
6 issue for the Great Lakes is not the impact of
7 Illinois. It's the impact of Illinois, Indiana,
8 Michigan, Wisconsin, and Canada. We have
9 international agreements with Canada.

10 Part of the problem in California is
11 the distribution of power there. They have relied
12 upon power from Washington in the northwest with
13 hydropower during the time when they have a
14 surplus. When California has a surplus, it has
15 traded its power back and forth. The problem is
16 that the arrangements aren't functioning properly.
17 And certainly simply to draw up stakes and start
18 building walls isn't going to solve problems when
19 what we really need is reductions in overall
20 emissions.

21 The NOx SIP call, which is one of the
22 important initiatives that's going on now, realized
23 I think what everybody knew from common sense,
24 though, that the emissions in Indiana circulate

1 through Illinois, the emissions from Illinois
2 affect Michigan. Michigan affects Pennsylvania.
3 Pennsylvania affects New York. New York affects
4 Maine. You can't simply draw a line. And
5 certainly in terms of the health studies that are
6 done on coal-fired power plants, the concern is not
7 the power plant next door. The concern is that you
8 live in a country that depends on coal-fired power
9 plants. And it doesn't really matter if you are
10 within five miles of the coal-fired power plant or
11 25 miles of a coal-fired power plant because you
12 are still living within 200 miles of 25 coal-fired
13 power plants. It's not a big impact, but it's one
14 of those factors that's affecting you.

15 So I can't responsibly suggest that we
16 simply look at Illinois boundaries. And certainly
17 in terms of that issue, people downstate Illinois
18 supply power to Chicago. Should we shut down the
19 power plants south of Springfield 200 miles away
20 from Chicago and stop shipping up power to Chicago?
21 No. We are in this together. We benefit from
22 Chicago. You benefit from our power. So the
23 question is how do we work together to achieve the
24 environmental goals of reducing emissions as well

1 as providing a reliable power supply. That's
2 nothing to do with this hearing. It's nothing to
3 justify this particular project. Just don't focus
4 on that if you are solving the power problems. If
5 you want to worry about a particular power plant in
6 your back yard, though, go right ahead, that's fine
7 with me.

8 MS. ZINGLE: You opened the door. You will
9 be sorry. You touched on something near and dear
10 to my heart. Each one of these is small. And so
11 you are living right next to it, you are not going
12 to die from it, it doesn't -- You know, each
13 individual plant isn't the question. The question
14 is the cumulative effects of all these plants. And
15 when is the IEPA going to start to look at that?
16 We have been asking for that since we had
17 Mr. Williams in McHenry County two years ago. When
18 are you going to respond? I take that back,
19 that's not you personally. Take that back.

20 MR. ROMAINE: That's a good concern. And
21 all I can tell you is that as you are aware I think
22 the legislature is looking very seriously at those
23 issues during this session.

24 MS. ZINGLE: Not really.

1 MR. ROMAINE: I think our Agency is looking
2 for leadership from the legislature in this regard.

3 MR. NESVIG: I would like to make one
4 comment. You indicated something about producing
5 power in southern Illinois and bringing it up to
6 Chicago. Nothing in my statement would stop that
7 from happening. All I would like to do --

8 MR. ROMAINE: I'm suggesting if you don't
9 want -- Why should I suffer pollution for Chicago?
10 I live 200 miles away. I enjoy Chicago, but there
11 is no difference between people living ten miles
12 over the line in Indiana. We are all in this urban
13 area together.

14 MR. NESVIG: Well, basically in my view at
15 least, you can rationalize this many which ways,
16 but the basic -- The amount of power that at least
17 has been permitted, not necessarily in operation
18 yet but permitted, is way more than the State of
19 Illinois for its own use will need. And I'm also
20 well aware that ComEd does sell power at the
21 present time outside of the state. I can prove
22 that.

23 MR. ROMAINE: Thank you.

24 MS. OWEN: May I?

1 HEARING OFFICER JAGIELLO: Is there anybody
2 else that has a question besides Ms. Owen? We can
3 get to her, but anybody else?

4 MS. BUTTSTADT: I'm sure I will have more
5 questions after I hear more. I'm learning a lot
6 every day. My name is Sheri Buttstadt. I'm a
7 resident of Elgin. Even though I do serve on the
8 city's planning and development commission, I am
9 here as a resident, not with that hat on. I don't
10 want there to be any mistake if any city officials
11 read this. This is me as a resident commenting.

12 I appreciate all the information
13 that's been available on your Web site, and the
14 Illinois Pollution Control Board's Web site. I
15 only wish that during our public hearings here in
16 Elgin that more of the commissioners and myself had
17 been aware of some of the information. I'm not
18 sure the best way to do this. I have questions --
19 I may start with the permit first. And then I'm
20 sorry if some of this is disjointed. Unlike these
21 knowledgeable ladies, this is my first time.

22 MS. ZINGLE: Not your last.

23 MS. BUTTSTADT: Let me see if I can back up
24 here a second. In the first page of stuff that I

1 downloaded from the EPA site and that's the project
2 summary, it's on page 1 of that, it talked about
3 the facility being designed to function during peak
4 times. And it said that it may occur throughout
5 the year although the facility is expected to run
6 primarily in the summer months. I am confused by
7 that because of information I got at our public
8 hearing here in Elgin when it came time for the
9 zoning of this facility. We needed to change the
10 zoning from what it was to a community facility.

11 And in that information on several
12 pages, it repeated it. It was under the data and
13 information sheets. And these were documents that
14 were submitted to the State of Illinois EPA. It
15 said that the percent of annual throughput,
16 53 percent of it was going to be between
17 December and February. And when I read -- where
18 does it say -- primarily in the summer months and I
19 see 53 percent during the winter, I'm confused.
20 And I would ask the EPA to look at that. My
21 understanding is during the cold seasons from what
22 I have been trying to read, when this stuff hits
23 the air during winter months, the NOx levels will
24 be higher.

1 When I discussed this with the
2 officials at one of their -- at their last open
3 house, since that was the only one as a resident I
4 was aware of, and they have held three but they
5 were not in any newspaper articles that I could
6 find -- they explained that they had figured that
7 in their calculations, and I would ask that the EPA
8 relook at that and make sure that those
9 calculations take that into effect. I don't know
10 if that has been --

11 MR. ROMAINE: I think we are getting
12 erroneous data on that particular data. It is not
13 something that's relevant to the issuance of the
14 permit. It's something that's been requested for
15 planning purposes. I think we will formally
16 request at this point that Ameren clarify that
17 piece of information that they have submitted on
18 the form.

19 MS. BUTTSTADT: That was in a packet they
20 gave us that showed it had been submitted to you.

21 MR. ROMAINE: It was. And what it -- Yes.

22 MS. BUTTSTADT: Does that 53 percent mean
23 that they will be running then primarily during
24 December and February?

1 MR. ROMAINÉ: That's what they have said,
2 yes. I think that it's worthy of clarification
3 because certainly at this point it appears that
4 there is normally adequate supplies of power from
5 nuclear, coal-fired plants in Illinois most times
6 during the winter. I think there are some times
7 when there may be a little bit of shortage, but
8 it's nowhere like the summer where you have that
9 very large increase in demands due to air
10 conditioning. And our experience has been that
11 peaking plants, these natural gas-fired turbines,
12 can only afford to operate when they are a very
13 high demand which occurs mainly in the summer.

14 MS. BUTTSTADT: Even though it shows that
15 53 percent of their time --

16 MR. ROMAINÉ: That's why I think that they
17 didn't think about what they put down there.

18 MS. BUTTSTADT: They put it down on four
19 different sections.

20 MR. ROMAINÉ: Well, do you want to explain
21 it, Steve?

22 MR. SMITH: I'll respond by saying we will
23 clarify in writing, send you something that you can
24 help clarify it; but what I'm really saying is that

1 the estimates were done based on some rational
2 bases at the time they were submitted to you, and
3 we will go back and review those assumptions we
4 have made and update that for you.

5 MR. ROMAINE: Thank you.

6 MS. BUTTSTADT: Well, this packet was only
7 a couple days different from when their permit was
8 dated in your files. I will be happy, if you need,
9 to give you copies of what we have and what I was
10 given as a commissioner and is on public record as
11 part of our community's public hearing if that
12 would help.

13 HEARING OFFICER JAGIELLO: If you want to
14 make that a public hearing exhibit, we would be
15 happy to accept it and make it part of the record.
16 It's up to you.

17 MS. BUTTSTADT: I can submit that any time
18 before --

19 HEARING OFFICER JAGIELLO: You can submit
20 it tonight if you want or --

21 MS. BUTTSTADT: I don't have extra copies.
22 This is the only copy.

23 HEARING OFFICER JAGIELLO: Then what I
24 suggest is you can make a copy and send it down to

1 Brad Frost down in Springfield.

2 MS. BUTTSTADT: Before May 12?

3 HEARING OFFICER JAGIELLO: Yes.

4 MS. BUTTSTADT: Thank you. In the permit
5 on page 2 of your summary -- and I had this
6 question later on -- it addressed VOM emissions of
7 being 11.7, but I thought I had read, and I could
8 go through all this and find the page of
9 information that said that they would be limited to
10 ten. And then later on in their application I find
11 that as I went through it they mention the amount
12 of VOM that would be generated by the ancillary
13 heaters. I believe they are used to heat the
14 water. And that they would -- That's referred to
15 on page 4 of the actual permit. The VOM from the
16 two indirect heaters won't exceed 11.9. So on site
17 for this facility we'll have the heaters emitting
18 11.9 plus the generators emitting 11.7. Do I
19 understand that correctly, or is that not right?

20 MR. PATEL: Did you say VOM 11.9?

21 MS. BUTTSTADT: On page 4 of the permit it
22 speaks to emissions from the two indirect heaters.
23 And if I'm understanding correctly, are the
24 indirect heaters used to heat -- when we went to

1 their open houses, I thought I understood that
2 indirect heaters are what are used to heat the
3 water before it's used for wet compression
4 generation or --

5 MR. SMITH: The indirect heaters are used
6 for heating the natural gas --

7 MS. BUTTSTADT: So are those emissions for
8 the indirect heaters, is that added to or is that
9 already included with the VOM emission limits?

10 MR. PATEL: Well, let me clarify. That
11 11.9 tons from the heater is the NOx emissions, not
12 VOM. The VOM is 1.4 ton per year.

13 MS. BUTTSTADT: I'm sorry. I have it here
14 in my notes the correct way. So would that 1.4
15 then be added to the 11.7 giving us 13.1, which, if
16 my math is right, is 3.1 over the 10 limit?

17 MR. PATEL: Right. VOM from the turbines
18 are 11.7 tons per year.

19 MS. BUTTSTADT: And aren't they limited to
20 10 to be considered a --

21 MR. PATEL: I don't understand the 10.
22 Where is that coming from?

23 MS. BUTTSTADT: Let me see.

24 MR. ROMAINE: Yes. For purposes of --

1 MS. BUTTSTADT: On page 3 of your summary,
2 it says that this is because emissions of the
3 facility is not being considered to be a new
4 participating source under Illinois Emission
5 Reduction Market Systems. This is because
6 emissions of VOM are expected to be below ten tons
7 per season, May through September. And we have
8 already established that the bulk of -- I mean
9 there is not clarity there and that these figures
10 already show that they are going to be over that
11 ten tons. That's conflicting information that I'm
12 confused.

13 MR. ROMAINE: Again, it's the difference
14 between actual and permitted emissions. VOM is a
15 pollutant where, in fact, we expect the actual
16 emissions to be lower than we have permitted them.
17 Based on the Dynergy -- I mean Rocky Road turbine,
18 that test showed .7 pounds per hour of VOM. The
19 actual VOM emissions as tested from this turbine at
20 Rocky Road was about a quarter of what has been
21 permitted here.

22 MS. BUTTSTADT: So they will be permitted
23 ten, is that correct?

24 MR. ROMAINE: They have a permit that

1 allows them to go over ten. If they do go over
2 ten, they will have to comply with the provisions
3 of the Emission Reduction Market System. Our
4 expectation, however, is that their emissions will,
5 in fact, be below ten so that they do not have to
6 participate in the Emission Reduction Market
7 System.

8 MS. BUTTSTADT: And if this is being
9 compared to the Rocky Road or Big Road, whatever,
10 it was --

11 MR. ROMAINE: Yes.

12 MS. BUTTSTADT: Are they the same
13 manufacturer?

14 MR. ROMAINE: Actually three are the same
15 manufacturer. The fourth one, if I understand
16 correctly, is the same model. It's the newest
17 version of the Siemens Westinghouse or newer but
18 that's the same generation.

19 MS. BUTTSTADT: When you say three of
20 their -- Is it three of Ameren's are the same?

21 MR. ROMAINE: Rocky Road has four turbines.

22 MS. BUTTSTADT: Okay.

23 MR. ROMAINE: The first, second, and fourth
24 turbines are Siemens Westinghouse 501Ds. However,

1 when you get to the last letter, that deals with
2 the model. The newest one at Rocky Road is the
3 fourth one, and that's the one I use for comparison
4 to Ameren's, which are also new Siemens
5 Westinghouse units.

6 MS. BUTTSTADT: So you are comparing apples
7 to apples.

8 MR. ROMAINE: The older Siemens
9 Westinghouse do not perform as well.

10 MS. BUTTSTADT: That just seemed
11 conflicting, and I just wanted that answered. I
12 appreciate you clearing that up.

13 On page 2 of the summary still the
14 application indicates that NOx emissions typically
15 would be -- this is in section 4, last sentence --
16 no more than 15 parts per million and 25 ppm with
17 wet compression.

18 And again I'm confused by the
19 discrepancy in -- And I will try and locate it.
20 Is that being used as an average when in parts of
21 this application it talks about that the ppm for
22 NOx will be 26.2 and in that it exceeds the 25. So
23 is there -- They are allowed -- I mean even
24 during startup, it looks like they go up to 70 ppm.

1 And if there is no restrictions on startup, how
2 does that allow -- I mean they don't seem to be
3 falling into that range.

4 MR. PATEL: Well, the word "typically" is
5 important here. On a normal routine operation,
6 they are expected to meet these numbers.

7 MS. BUTTSTADT: Okay. And that does not
8 take into account during wet compression or during
9 startup or if it's on a day before they start to
10 clean and it's dirty?

11 MR. PATEL: They have even higher pounds
12 per hour number during startup.

13 MS. BUTTSTADT: So you take -- The
14 emissions are looked at on an annual basis and not,
15 say, it's a 100-degree day and ComEd says, "Flip
16 the switch, we need power" and we have an ozone
17 alert day and they are pumping out 70 ppm on one of
18 those days and that means that amount which would
19 normally be spread out over a long period of time
20 is just going to hang. And whoever is within 2 or
21 500 miles would be exposed to that level of
22 emissions? Am I understanding how it works?

23 MR. ROMAINE: No.

24 MS. BUTTSTADT: Okay.

1 MS. OWEN: Yes.

2 MR. ROMAINE: There are annual emission
3 limitations. When we talk about tons per year,
4 that is annual. That's adding up each hour, every
5 single hour they have to stay below the tons per
6 year numbers. In addition, the facility is subject
7 to pound per hour numbers. We have set the pounds
8 per hour numbers for periods other than startup and
9 shutdown, those are also specific numbers that need
10 to be met when it's operating other than startup
11 and shutdown.

12 Finally, there is a new source
13 performance standard, the federal new source
14 performance standard limits the emissions again on
15 a short term hourly basis to 75 ppm. So there is a
16 combination of both short-term limits and annual
17 limits.

18 MS. BUTTSTADT: And so I get this clear,
19 are start -- Where in permitting and siting
20 levels of standards are the start-up emissions
21 taken into consideration?

22 MR. ROMAINE: The start-up emissions are
23 addressed by the work practices that require
24 Ameren to take measures to minimize emissions

1 during startup. Given the difficulty with
2 determining emissions of startup, there is a great
3 deal of uncertainty about them. We have a fairly
4 good idea, but the most they could be we have
5 required Ameren to, in fact, take a very
6 conservative assumption and presume that emissions
7 during startup are at that level.

8 So those contribute at a high level
9 toward the annual emissions. But because startup
10 is a fairly short period of time, we do not expect
11 there to be any effect on ambient air quality. And
12 in fact, when you look at nitrogen oxides, the air
13 quality standard is on an annual basis.

14 And as we said, in terms of ozone, the
15 problem in the Chicago area dealing with ozone is
16 the fact that we have millions of cars, hundreds of
17 businesses, coal-fired power plants.

18 MS. BUTTSTADT: I understand.

19 MR. ROMAINE: We are dealing with 1,000
20 tons per day of NOx, a thousand tons per day of
21 VOM. And this is a small piece of it in terms of
22 the overall picture.

23 MS. BUTTSTADT: And I think that's what
24 concerns a lot of people is that all those small

1 bits add up to tons of bits.

2 MR. ROMAINE: And in terms of what's being
3 done for those, that's where the NOx SIP call that
4 I mentioned is important. There is a program in
5 place that is designed to substantially reduce
6 emissions overall from coal-fired power plants.
7 These peakers would also be part of that program.
8 And that program, in fact, does not just limit
9 itself to Illinois, it addresses 22 states, 28
10 states.

11 MS. OWEN: 29.

12 MR. ROMAINE: It is an eastern United --
13 northeastern, Midwest, northeastern program, just
14 to reduce overall and get the benefits as it
15 improves ozone everywhere and also as it reduces
16 other pollutants that are caused by nitrogen
17 oxides.

18 MS. BUTTSTADT: I have, you know, I think
19 we are all -- We are all here because we are
20 concerned about the air. One thing I did learn
21 during the open house with Ameren, and I'm glad
22 that they are converting a coal plant into, you
23 know, deconverting it from coal and turning it over
24 to a cleaner source, part of my concerns and

1 questions, it goes back to need. And I know that
2 that doesn't -- If you let me go through this, it
3 does come back to the emissions.

4 During our commission hearings, part
5 of it was a demonstrated need. And I voted no on
6 that, and I think a lot of people are questioning
7 the need. And when you look at a map that's
8 available at the IPC site as part of their
9 informational order to the Governor that was done
10 in December, it showed 67 permits in Illinois. And
11 it showed the amount of wattage that we currently
12 are capable of producing. And then you go to
13 ComEd's site and you look at the total amount of
14 wattage that they needed during their record peak
15 time, and that was somewhere approximately
16 21,000 megawatts. Currently the peaks, that was
17 as of October, had the ability to produce 27,000
18 megawatts. So we already just in peaker plants
19 have more than enough in Illinois to produce the
20 power that we would need in Illinois alone just
21 using peaker plants, which is not an efficient way
22 and we don't want to see that happen.

23 My concern links to some testimony
24 that was given by Dr. Overbye during the Illinois

1 Pollution Control Board hearing in Joliet. And he
2 pointed to the fact that by not looking at where we
3 are siting these facilities and perhaps overloading
4 our transmission systems that building more peaker
5 plants could, in fact, lead to brownouts.

6 My concern related to emissions -- I
7 told you I would get back to emissions -- is that
8 if we have all of these plants and we keep adding
9 just another one and another one because they are
10 just a little, they are under that 250 threshold,
11 is that they're generating power outside of
12 Illinois. During testimony, sworn testimony at the
13 planning commission, a public meeting, they
14 answered a question, that, yes, they could sell
15 power and they do plan on selling power to other
16 states. That could cause Illinois to have to draw
17 on our coal plants even more than maybe necessary
18 and that concerns me for people's health and
19 safety.

20 And I'm not so much concerned with the
21 bottom line of the company, they are making good
22 business decisions; but I'm concerned that adding
23 more peaker plants will ultimately negatively
24 impact the health of residents and people who work

1 in Illinois. I think that by adding more and
2 permitting more is a grievous error on our part.

3 I will go back to my questions.

4 Sorry. Give me a podium, and I get dangerous.

5 I wanted to clarify the total amount
6 in the permit is 235.5 tons per NOx if I understand
7 this version of the permit correctly?

8 MR. PATEL: From the turbines, yes.

9 MS. BUTTSTADT: From the turbines. What
10 happens if they have miscalculated or what happens
11 if there is a lot more start-ups anticipated, a lot
12 more wet compressions than anticipated? To hit
13 that 250 threshold they only need a 6 percent error
14 to push them up to that amount. What kind of --
15 What's to prevent them from getting over that
16 amount?

17 MR. ROMAINE: The technical answer is that
18 there would be continuous emission monitoring to
19 measure -- very accurately measure the emissions.
20 But the other point again is potential emissions.
21 This is the most they would be permitted for. This
22 would represent, as I see it, that period of time
23 when it's extraordinarily hot, where the other
24 plants are not in commission, where Midwest

1 Generation for some reason isn't able to provide
2 coal-fired power plants. Peaker plants are
3 insurance policies in that regard. They want to be
4 permitted to operate as much as possible. But if
5 you look at the way they have actually operated,
6 they have operated much less.

7 If you look at Rocky Road, for
8 example, again that's close by, that's permitted
9 again for something on the order of 240 tons per
10 year of NOx. Based on the data that was reported
11 to the USEPA under the Acid Rain Program still
12 preliminary they only emitted about 40 tons last
13 year. So the fact that people are permitted for
14 that doesn't mean they actually emit at that level.

15 MS. BUTTSTADT: That was last year and that
16 was a very low draw.

17 MR. ROMAINE: Right. So it varies
18 depending on what the need is.

19 MS. BUTTSTADT: Okay.

20 MR. ROMAINE: And the number we have in the
21 permit, hopefully, has been developed. And I
22 assume that they have developed it to represent the
23 most they believe that plant would ever be called
24 upon to operate.

1 MS. BUTTSTADT: I believe it was Mr. Harvey
2 explained some of that to me during the open house
3 I was able to attend. But my question still is if
4 we have another horrendously hot summer. And all
5 these things fall in, worst case scenarios, and,
6 yes, they are monitoring at -- Say they get up to
7 that 250, are they shut down? Do those monitors
8 kick in and turn things off, or do they keep
9 functioning and then some type of penalty comes in
10 for them going over the limit? What?

11 MR. ROMAINE: Last case.

12 MS. BUTTSTADT: What happens?

13 MR. ROMAINE: If they shut down, that's
14 their choice. But we would not shut them down. We
15 shut things down when there is a threat to health.
16 We lock down buildings when people don't dispose of
17 asbestos properly because there is a clear threat
18 to health. This facility is being permitted at
19 levels that it does not pose a threat to health
20 even if it operated for more than 250 tons per
21 year. So we would take the appropriate enforcement
22 action to deal with the fact that they operate as a
23 major source.

24 And when people operate as a major

1 source that didn't have the appropriate permits for
2 major sources, the administrative consequence is
3 you have to go through permitting as a major
4 source. You have to do the full scale modeling.
5 You have to do the analysis of other impacts. You
6 do have to show the best available control
7 technology. So that is sort of the administrative
8 consequence.

9 The other consequence of our penalty
10 policy is that you should not profit from your
11 noncompliance. So we would go through a
12 calculation to try to determine how much Ameren
13 profited by improperly operating and extract that
14 from them. What that means is there is no
15 financial incentive -- There should be no
16 financial incentive for them to operate out of
17 compliance.

18 MS. BUTTSTADT: Is there a penalty on top
19 of that?

20 MR. ROMAINE: Then there can be a penalty
21 on top of that.

22 MS. BUTTSTADT: There could be?

23 MR. ROMAINE: Certainly.

24 MS. BUTTSTADT: What type of penalty?

1 MR. ROMAINE: That depends again on
2 enforcement discretion, on the gravity, what the
3 circumstances were, why it happened. When we get
4 to the stages of penalty, we work through our
5 attorney, who is the Attorney General for the State
6 of Illinois, and between us we agree as to what is
7 our penalty request and it gets negotiated out
8 through the enforcement action.

9 MS. BUTTSTADT: Okay. Some of the things
10 that I have marked as questions have already been
11 answered, so I appreciate your patience as I try to
12 go through these quickly. On page -- it starts on
13 page 7 and goes to page 8. It talks about specific
14 determinations of emissions. The part that I had a
15 question on goes over onto page 8. "As part of
16 this plan, the Permittee may set forth a strategy
17 for performing emission testing of selected
18 turbines provided that all turbines are fitted for
19 testing;..." Why doesn't the EPA set the strategy
20 and pick the turbine?

21 I know when we do code enforcement
22 here in our community we don't leave it up to the
23 landlords to tell our code enforcement officials
24 what apartment they can come inspect or what, you

1 know, part of the house that's been reported as
2 being noncompliant. The city sets the policy, and
3 the city tells them when and where they will
4 inspect. They try to work with them in scheduling,
5 but why wouldn't the EPA set that strategy?

6 MR. ROMAINE: I think I would say we do.
7 But we would again like to start with a proposal
8 for them. The purpose of the test plan -- We
9 will make it clear that we do have the ability to
10 approve or disapprove that strategy. Obviously,
11 the goal here is --

12 MS. BUTTSTADT: Kind of like my kid saying,
13 "Gee, mom, I'm going to set the -- You can come
14 look in my room only when I'm going to let you do
15 that." But no, it's -- I make the rules. It's
16 kind of like the fox watching the hen house.

17 MR. ROMAINE: It may not be clear.

18 MS. BUTTSTADT: On page 9, it says that The
19 permittee shall maintain records related to the
20 startup of the turbines. And item "c," part "ii,"
21 "Whether operating personnel for the turbines or
22 air environmental staff are on site," does this --
23 This leads me to believe, and maybe you can answer
24 or maybe somebody from Ameren, is there not going

1 to be somebody on site 24 hours a day? Or are
2 personnel viewing this from off site?

3 MR. SMITH: Our plan is to have people on
4 site, operational people on site whenever we are
5 operating any or all of the units.

6 MR. ROMAINE: I guess I need to comment
7 that there are peaking facilities, in fact, that do
8 have the ability to remote start that can start
9 equipment without having personnel on site.

10 MS. BUTTSTADT: That's why I asked. At the
11 open house they showed us some of the -- discussed
12 some of the security and that some sites had that
13 ability, and I wasn't sure what was going to happen
14 at the one in our community.

15 MR. SMITH: And point of clarification,
16 Ameren does own peaker sites that do not have staff
17 on site.

18 MS. BUTTSTADT: Right. That's from what I
19 had heard, your comments at the meeting, I wanted
20 to see what was going to be happening in our
21 community. On page 9, item "e," section "v," it
22 talks about "Seasonal emissions of VOM (May through
23 September) from the facility." Does that mean that
24 the rest of the time is not counted or --

1 MR. ROMAINE: No. This is an additional
2 requirement. The Emission Reduction Trading System
3 is focusing in on emissions during the five warmer
4 months of the year, which is when Illinois suffers
5 an ozone problem, generally really in June, July
6 and August. So this is specifically addressing
7 that issue to -- They have to provide data to us
8 to confirm that the actual emissions of VOM for
9 those five months were less than ten tons. If they
10 come back and tell us they were ten tons per year
11 or per season or more, then they will trigger the
12 requirements of the Emission Reduction Market
13 System, and they will have to become a
14 participating source.

15 MS. BUTTSTADT: Okay. I'm still confused
16 why it's again they are only required to report --
17 This is under "e," it says, "The Permittee shall
18 maintain the following records:" Shouldn't records
19 be maintained on a year-round basis and not just
20 seasonal emissions for VOM, May through September?

21 MR. ROMAINE: Yes. And if you look at "e,"
22 iii, that addresses records for the annual
23 emissions. This is an additional requirement
24 saying not only do you have to keep annual records

1 for everything, we want the special records because
2 we specifically need this data to address
3 applicability of the Emission Reduction Market
4 System.

5 MS. BUTTSTADT: So you want it separated
6 out?

7 MR. ROMAINE: Yes.

8 MS. BUTTSTADT: So separate, okay. On item
9 14a, it says, "The Permittee shall notify the EPA
10 within 10 days if the total NOx or CO emissions
11 from the plant go above 160 tons." Does it take
12 ten days to figure that out? Is that standard?

13 MR. ROMAINE: That's pretty standard.

14 MS. BUTTSTADT: Is it?

15 MR. ROMAINE: I don't think it takes ten
16 days to figure it out, but it probably takes ten
17 days to get it to the right person to sign and get
18 the copies. And if you work for the Zoning
19 Commission, you understand how paper takes a while
20 to filter through.

21 MS. BUTTSTADT: I was a census taker. I
22 worked for the federal government. It's taken me
23 three months to get paperwork for treatment for a
24 back injury. I understand paperwork.

1 In that packet that went to the EPA
2 with the different calculations, there was a sheet
3 that is start-up calculations. And it was showing
4 for the 20-minute cycle some of the emissions. And
5 when the unit -- Maybe I need to get this
6 clarified. Earlier you had said that they -- Do I
7 understand correctly that they would not be allowed
8 to function during malfunctions, that that would
9 not be permitted?

10 MS. OWEN: Yes.

11 MR. ROMAINE: Yes. Yes. That's right.

12 MS. BUTTSTADT: From earlier questions.

13 So if it's malfunctioning in any way or for
14 whatever --

15 MR. ROMAINE: Well, we define malfunction
16 in terms of excess emissions. That's what is of
17 concern to us. There may be other aspects of
18 malfunction where they would turn off the equipment
19 because it's not working right. But our only
20 concern is if they keep operating equipment when
21 the emissions are above acceptable levels. That
22 isn't permitted.

23 MS. BUTTSTADT: Okay. I scribbled and I
24 was trying to write it very quickly here. Now I

1 have got to try to read my own writing of things I
2 hadn't thought of asking before.

3 In Ameren's comments about why they
4 are needed, they talked about the load growth in
5 Illinois. And does the IEPA take into
6 consideration the information from the IPC
7 informational order from December, or is that cross
8 Agency? And what they put out in their
9 informational order, does that apply at all to your
10 decisions?

11 MR. ROMAINE: When we are involved in
12 permitting, we have to look at the regulations and
13 laws that are adopted. What the IPCB was
14 addressing was whether, in fact, there should be
15 additional regulations on peaker plants. And they
16 suggested that there be further investigation to
17 see whether there should be --

18 MS. ZINGLE: They did not.

19 MS. OWEN: No, they did not. They made a
20 specific recommendation.

21 MS. ZINGLE: I'm sorry.

22 HEARING OFFICER JAGIELLO: Ms. Owen -- If
23 you could just answer, please. I mean you had an
24 opportunity once. We can give you another

1 opportunity. But if you just let Mr. Romaine
2 answer the question, we would appreciate it.

3 MS. BUTTSTADT: Fortunately, I kind of
4 agree with them because I spent a lot of time
5 reading their document. And I'm just -- The word
6 "need" keeps being mentioned, and I'm just very
7 concerned of that. And my question to the EPA, and
8 it doesn't have to be answered here tonight, but
9 whoever reviews these and comes up with the answers
10 and makes the decision ultimately, please,
11 hopefully, the need issue will be addressed.

12 In part of the documentation that
13 calculated their emissions, it mentioned some of
14 the things didn't need to be calculated if the
15 emissions are exhausted through air pollution
16 control devices. Are those being utilized with
17 these type of turbines?

18 MR. PATEL: No. Can you repeat your
19 question?

20 MS. BUTTSTADT: Okay. In the documents
21 that were turned over to the EPA, and I think the
22 cover letter to that was dated October 23 -- and I
23 will get copies of this, although it should be on
24 file with your Agency -- I'm trying to find the

1 page where I read it from. Yes. It was submitted
2 to your department by a Michael Menne on
3 December 23. They were asking to be able to
4 operate during malfunctions or breakdowns.

5 I'm trying to see if there is a page
6 number on any of this. It's on page 3 of 3 under
7 emission information. And items 52 through 63 need
8 not be completed if emissions are exhausted through
9 air pollution control equipment.

10 MR. PATEL: Right. What -- I think I
11 understand what you are asking now.

12 MS. BUTTSTADT: Okay.

13 MR. PATEL: What it is saying is if they
14 have any add-on control equipment then these items
15 need to be addressed in the IPC 260 form, which is
16 the control equipment form, separate. Which they
17 do not have any add-on control. So Ameren's
18 information is present in this form itself.

19 MS. BUTTSTADT: Would those additional
20 controls, is that what the IPC is talking about
21 when they talk about B-A-C-T, BACT?

22 MR. ROMAINE: That is certainly one of the
23 things they are considering, yes.

24 MS. BUTTSTADT: Is that something Ameren

1 can do?

2 MR. SMITH: Our view is that combustion
3 control, low-NOx burners, is BACT for these
4 machines.

5 MS. BUTTSTADT: That's the best that you
6 can do for those machines?

7 MR. SMITH: As defined under the way the
8 rules work, BACT for these machines will be low NOx
9 burners.

10 MS. BUTTSTADT: Okay. That's kind of like
11 Mr. Clinton defining what "it" is.

12 MR. ROMAINE: Let me just jump in.

13 MS. BUTTSTADT: When you say the way the
14 rules are now, we know -- We I think all in this
15 room are dancing around. We know the rules aren't
16 what they should be. It's a new industry and your
17 business is making a wise business choice to take
18 it, you know, be in an advantageous position to,
19 bottom line, make more money, which is a lot of all
20 business goals.

21 My question, though, is like when I
22 ask my kids "Is it clean," is it the cleanest it
23 can be, meaning their room. In your case, I'm
24 asking are these turbines functioning the best that

1 they can. Is it the best air pollution control
2 devices available? Not under what the current
3 rules say but what is available on the market. It
4 might not be the most cost effective for you; but
5 as a resident, that's not my concern.

6 MR. ROMAINÉ: Well, unfortunately, the
7 regulatory definition that we are dealing with
8 includes cost effectiveness in determining what's
9 best. And what the Board specifically said was
10 that the rule-making proceeding would provide the
11 opportunity to further assess whether BACT should
12 apply in these instances including whether imposing
13 it would be economically reasonable and technically
14 feasible.

15 So certainly there are other turbines
16 out there. General Electric has a larger turbine
17 that does achieve 9 ppm with combustion
18 modifications. At this point in time we are not in
19 a position to address those questions because there
20 is not a rule that requires best available control
21 technology --

22 MS. BUTTSTADT: Right.

23 MR. ROMAINÉ: -- to require applicants to
24 demonstrate that this General Electric turbine

1 wouldn't fit in this circumstance. In that regard,
2 we have not evaluated best available control
3 technology. And obviously, they are entitled to
4 their opinion at this point because we haven't made
5 that determination.

6 MS. BUTTSTADT: Okay. When you consider --
7 When you say cost effective or, you know, when you
8 are looking at the financial end of it, is it the
9 financial constraints on the corporation that's
10 applying? Or are the health costs to the residents
11 and workers in Illinois part of those financial
12 considerations? The amount that it costs --

13 MR. ROMAINE: Actually neither.

14 MS. BUTTSTADT: Neither.

15 MR. ROMAINE: When we get to the point of
16 determining cost effectiveness, it's simply
17 comparing the amount of pollutant that is reduced
18 and the amount that it costs and then evaluating
19 whether that's in the range that is typically
20 expended for this type of control.

21 MS. BUTTSTADT: When you say the amount of
22 pollution that is reduced and the amount that it
23 costs --

24 MR. ROMAINE: Right.

1 MS. BUTTSTADT: -- what "it" are you
2 referring to, the machinery or the pollution?

3 MR. ROMAINE: Well, the amount that would
4 be reduced. What would be the difference from
5 going to 15 ppm to 9 ppm if you got, let's say, a
6 General Electric turbine. And then how much more
7 it would cost to get the General Electric turbine,
8 would there be other costs for this project. And
9 you would be comparing that to say what is -- It's
10 a cost effectiveness, so many dollars to reduce a
11 ton of emissions.

12 MS. BUTTSTADT: Okay.

13 MR. ROMAINE: And I think that's what the
14 Board, as I read the order -- Obviously, the order
15 comes out of different -- At some point it says
16 BACT, at other points it says the rule-making would
17 assess. So it's not the clearest opinion in the
18 world.

19 MS. BUTTSTADT: That's why we need the
20 Governor, and I hope he reads this.

21 MR. ROMAINE: And in fact, this was an
22 inquiry hearing that was requested by the Governor.

23 MS. BUTTSTADT: Oh, I understand. I
24 understand politics very well. You can ask for

1 something, but then you can leave it sitting on the
2 kitchen counter till after you are reelected.

3 HEARING OFFICER JAGIELLO: Ms. Buttstadt,
4 can I just ask you, please, Ms. Buttstadt, can you
5 give us an idea how much longer you have, very many
6 more questions? I'm sure the people here have no
7 problem, and we would be happy to listen to your
8 questions and answer them if we can. I would just
9 like to find out if there is anybody else out there
10 with questions. And then we have people here, a
11 list of people who would like to make comments. A
12 lot of people have already made comments when they
13 are asking the questions, so maybe this isn't a
14 concern; but I would just like to make sure
15 everybody gets up and gets a chance to say what
16 they want here.

17 MS. BUTTSTADT: Okay. I just have a couple
18 more here. Let me find my place here.

19 How many permits are currently -- How
20 many peaker plants are currently permitted in the
21 State of Illinois? I know in your EPA Web site it
22 says that there were 67 but that was as of October
23 of last year. And a bunch of these are --

24 MR. ROMAINE: I have not added it up. I

1 have a current version I could add up at the break,
2 which I assume is coming soon.

3 MS. BUTTSTADT: Is there any
4 possibility -- Is that document available on your
5 Web site?

6 MR. ROMAINE: No.

7 MS. BUTTSTADT: Is it possible along with
8 the copy of this for that to be sent to me at a
9 later date?

10 MR. ROMAINE: No.

11 MS. BUTTSTADT: No?

12 MR. ROMAINE: There it is.

13 MS. BUTTSTADT: Oh, thank you. You guys
14 are very accommodating. Thank you very much.

15 When you were doing the modeling, we
16 have talked about considering the facility in
17 Bartlett. But as we are sitting here in Elgin, we
18 not only have Bartlett's to contend with but we
19 have one in East Dundee. There is one in Aurora.
20 There is one being proposed in Big Rock. Is that
21 considered in the cumulative effect when we are
22 looking at how these are permitted, all of those in
23 the area?

24 Because like you said earlier, you

1 know, the people right -- You know, I'm not
2 fighting necessarily on an issue that's a
3 not-in-my-back-yard thing, we are a global
4 community. We are not -- It's not just us. It's
5 the cumulative effect of all these plants, 67
6 permitted. They only consider within how many --
7 How is that figured out? Why is that?

8 MR. ROMAINE: Simply judgment by the
9 modeling group, and they did not select to model
10 the Big Rock facility. Standard Energy Ventures as
11 they proceed will have to do their own modeling to
12 address the other facilities that are already in
13 front of it.

14 MS. BUTTSTADT: Who are they that does this
15 determining?

16 MR. ROMAINE: The air quality planning
17 group within the Illinois EPA.

18 MS. BUTTSTADT: The air quality planning
19 group?

20 MR. ROMAINE: Right.

21 MS. BUTTSTADT: Well, then hopefully --

22 MR. ROMAINE: However, I guess the other
23 point is that the cumulative modeling given the
24 levels of impacts from these peaker plants and

1 given the background levels and what we are showing
2 by modeling, the cumulative impacts are not showing
3 anything of particular concern. You are modeling
4 very small things together. And the real concern
5 in Illinois is the existing levels of air quality,
6 too many cars or too many cars without adequate
7 emissions controls, concern over, obviously, power
8 plants has been expressed. There are just a lot of
9 people in an urban area.

10 MS. BUTTSTADT: In relation to BACT, do you
11 know if in a community that's a home rule
12 community, do they have the authority to ask for
13 stricter standards than what the EPA does going
14 more along the lines of what the IPC is
15 recommending? As a home rule community, do we have
16 that ability?

17 MR. ROMAINE: I'm not familiar with what
18 the specific authorizations of a home rule
19 community are.

20 MS. BUTTSTADT: Okay. I just -- That's a
21 question.

22 MR. ROMAINE: I don't know that they are
23 prohibited. I don't know that they are allowed. I
24 just don't know the legal issue.

1 MS. BUTTSTADT: And one last thing, in some
2 of the information that Ameren distributed in their
3 packets at the various places I was at when we
4 collected stuff, We went to the Gibson site, there
5 was an article in there that had the headline about
6 "Are we ready for blackouts" or something. And it
7 was addressing brownouts and blackouts and kind of
8 insinuating that peaker plants by it being placed
9 in this packet would help prevent those.

10 In that it talked -- on the second
11 page of it it talked about that since 1995
12 70 percent of conservation measures have been
13 terminated. And that's a large part of the problem
14 is we are not conserving. We are just building
15 more plants and playing solitaire on computers and
16 running more power instead of conserving. Does the
17 IEPA ever get involved in conservation measures, or
18 are you simply regulatory?

19 MR. ROMAINE: We do get involved in
20 conservation measures. It's not one of the things
21 that I think we take the lead on. The Department
22 of Commerce, Community Affairs, I think has a
23 stronger role in conservation.

24 MS. BUTTSTADT: The which?

1 MR. ROMAINE: Department of Commerce and
2 Community Affairs takes a stronger role in
3 conservation measures as part of our pollution
4 prevention efforts. So we do extend our view to
5 look at energy conservation as well.

6 MS. BUTTSTADT: I would encourage you to do
7 more. And I will come back and I know that's a
8 funding issue, and that is totally out of all of
9 our hands. So that does it for now. I appreciate
10 your patience. Thanks.

11 HEARING OFFICER JAGIELLO: I just want to
12 find out where we are at. I have six cards here
13 for people who want to make statements, and I want
14 to see what these people plan on doing.

15 Ms. Zingle, are you going to make a
16 statement?

17 MS. ZINGLE: Not so much a statement but a
18 couple other things came out that I would like to
19 tie some loose ends together with three or four
20 more questions.

21 HEARING OFFICER JAGIELLO: Ms. Owen, are
22 you going to make any comment?

23 MS. OWEN: No.

24 HEARING OFFICER JAGIELLO: Mr. Nesvig, are

1 you going to make any comments, quick comments?

2 MR. NESVIG: No.

3 HEARING OFFICER JAGIELLO: Ms. Buttstadt,
4 you are finished?

5 MS. BUTTSTADT: I will have one comment.

6 HEARING OFFICER JAGIELLO: Okay. Sandy
7 Justis, do you have any comments?

8 MS. JUSTIS: Yes.

9 HEARING OFFICER JAGIELLO: You do. Okay.
10 And Michael Noland. Mr. Noland?

11 MR. NOLAND: No. That's me. I just wish
12 to ask a few questions.

13 MS. OWEN: For creature comfort, could we
14 maybe have a five minute break?

15 (Whereupon a recess was had.)

16 HEARING OFFICER JAGIELLO: Mr. Noland, you
17 had a couple questions.

18 MR. NOLAND: Thank you. My name is Michael
19 Noland. I live here in Elgin. And I think most of
20 my questions have been answered. And the one that
21 I'm going to ask you now I think has been answered
22 at least three or four times. And every time I
23 have heard it, I have to tell you, and I know I
24 have read this before, I'm sure that I have read

1 this before, but participating in this process for
2 the first time, I want to hear it for myself
3 because I'm feeling like a prize fighter that's
4 been knocked down about three or four times and
5 wants to get up but probably shouldn't. But I'm
6 going to anyway.

7 Do you mean to tell me that the EPA,
8 the Illinois Environmental Protection Agency, is
9 not going to be the entity that monitors emissions
10 from this site but that the proprietor is, that
11 Ameren in this case is going to be the one
12 reporting to you what their emissions are?

13 MR. ROMAINE: That's correct.

14 MR. NOLAND: I'm down.

15 MR. ROMAINE: We oversee their reporting.
16 They are subject to the Acid Rain Program. The
17 USEPA oversees the monitoring program, we assist in
18 that effort. But in terms of the day-to-day work,
19 we are, in fact, relying upon sources to carry it
20 out. If they fail to carry it out properly, we
21 then institute enforcement action for them to
22 correct it. There are penalties involved,
23 potentially criminal penalties if it was
24 intentional faulty reporting. So it's a serious

1 violation. But in terms of the way the program is
2 set up for environmental issues, the first step is
3 that people are supposed to be responsible and tell
4 what they are doing. Our job is to make sure they
5 are doing it properly. And if they don't, then we
6 step in.

7 MR. NOLAND: How do you determine --

8 MR. ROMAINE: In terms of emission testing,
9 I would also comment that in terms of emission
10 testing, that is done by an independent consultant.
11 It is neither us nor them, they pay the tab. The
12 benefit of that, obviously, is you don't pay. And
13 on the other hand, they can't object to the results
14 because it's their consultant. They don't come
15 back to us and say "But you didn't do the test
16 method properly." They paid for it. They better
17 have gotten the test method right and live with the
18 results.

19 MR. NOLAND: Who selects that independent
20 contractor to do the monitoring?

21 MR. ROMAINE: For the testing?

22 MR. NOLAND: For the testing.

23 MR. ROMAINE: We review the credentials to
24 make sure they have the right experience,

1 equipment.

2 MR. NOLAND: Okay. And it's based on their
3 reporting that you determine whether or not they
4 are failing with respect to the permit?

5 MR. ROMAINE: Yes. And you know, we can go
6 in. We do have inspectors. We can audit their
7 records. We can check hour by hour, select
8 particular hours, review the data. We can sit
9 periodically for an hour and oversee the
10 instruments. But ultimately given the nature of
11 these facilities, we could not, you will not pay us
12 to have an inspector at every polluting facility
13 24 hours a day to watch over them.

14 MR. NOLAND: Nor would I expect you to. As
15 a taxpayer, I wouldn't stand for that long.

16 But let me ask you what criteria
17 determines whether or not they are failing and what
18 causes you to embark upon an audit?

19 MR. ROMAINE: I'm not involved in that
20 directly. My suspicion is that we review the
21 completeness of data. We look for gaps in
22 information. We look for missing records.

23 MR. NOLAND: But what causes you to look
24 for those missing records?

1 MR. ROMAINE: That's part of the routine
2 inspection.

3 MR. NOLAND: When do those occur?

4 MR. ROMAINE: A facility of this sort would
5 be inspected at least once per year. If we see
6 problems, which we would set up a more frequent
7 inspection --

8 MR. NOLAND: Do you give them advance
9 notice that you are coming for an inspection?

10 MR. ROMAINE: Usually for the annual
11 inspection we do to make sure the appropriate
12 people are in sight to explain the records to us.
13 If we have further problems, we can, of course,
14 have unannounced inspections as well.

15 MR. NOLAND: Say that again. You would
16 have an --

17 MR. ROMAINE: We can certainly have
18 unannounced inspections as well.

19 MR. NOLAND: And what would cause you to do
20 that?

21 MR. ROMAINE: If we believe, in fact, that
22 we are not seeing the correct information, that it
23 always seems that things are very squeaky clean
24 when we go there.

1 MR. NOLAND: They do normally, they seem
2 like they are squeaky clean?

3 MR. ROMAINE: Right.

4 MR. NOLAND: When is the last time you ran
5 into a problem?

6 MR. ROMAINE: I don't know.

7 MR. NOLAND: You can't remember ever
8 having --

9 MR. ROMAINE: Again, in the permit section,
10 we are not in the field section, we don't go out
11 and visit plants. So I would have to again take
12 that back to Springfield and ask the field people
13 what type of experiences they have had at this type
14 of facility. I would comment, though, that the
15 federal acid rain program is well established. I
16 believe that we are getting very good data out of
17 it, that it, in fact, is a very effective and
18 reliably implemented program.

19 MR. NOLAND: What makes you believe that?

20 MR. ROMAINE: I think part of it is just
21 where the USEPA is doing their inspections, what
22 they are looking for, which does include a lot of
23 routine inspections of these type of facilities.
24 And it also deals with the nature of these types of

1 systems, that these monitoring systems generate so
2 much data that it's difficult to come up with false
3 data.

4 MR. NOLAND: You had mentioned earlier that
5 the 53 percent I think operating time during the
6 winter stated by the applicant was not relevant to
7 the permit? What am I not -- I don't think I
8 really understand.

9 MR. ROMAINE: That's what you heard.

10 MR. NOLAND: Why is that not relevant?

11 MR. ROMAINE: The permitting process has
12 several functions. One function is to, in fact,
13 determine whether a person is entitled to a permit;
14 that is, whether they comply with the applicable
15 regulations, the applicable laws or not. The other
16 function is to gather information about proposed
17 sources, about sources in general, to keep track of
18 where they are located, what they are doing, what
19 their processes are, what types of emissions they
20 are generating, the likely amounts of emissions,
21 what types of controls they use. It's sort of a
22 way to gather information.

23 One of the pieces of information that
24 we do request in permit applications is the

1 distribution of operation according to the year.
2 That information has not been particularly useful
3 to our planning group. And in fact, I'm not sure
4 if they use it at present. What they have now
5 requested and what we do get as annual emission
6 reports is information for operation during the
7 five summer months for the pollutants for which
8 it's important, NOx and volatile organic material.
9 So we get the information that's more useful to us
10 as part of our annual emission reports. But we
11 still have questions that ask for this
12 distributional issue in our permit application
13 forms.

14 MR. NOLAND: If Ameren were to operate --
15 And if I understand correctly, they are through
16 this permit essentially asking to be able to
17 operate year-round; is that correct?

18 MR. ROMAINE: That's correct.

19 MR. NOLAND: Are they limited to a certain
20 number of hours that they are allowed to operate?

21 MR. PATEL: Yes. Both operating hours and
22 fuel use is limited there in the permit in the
23 draft permit.

24 MR. NOLAND: What would those be?

1 MR. PATEL: They have 8,220 million
2 standard cubic feet of natural gas usage per year
3 for combined total of four turbines and 5,744 hours
4 per year total.

5 MR. NOLAND: So it's kind of like 60,000
6 miles or five years, whichever comes first; is that
7 right?

8 MR. PATEL: Correct.

9 MR. NOLAND: If they use all of the
10 materials, the fuel source, then they cannot
11 operate more. But if they don't use all of those
12 materials or all that fuel within the 5,000 or so
13 hours, and they expend all those hours, then they
14 cannot operate any more although they may have all
15 this material left over?

16 MR. PATEL: That's an additional operating
17 limitation on top of their emission limits.

18 MR. NOLAND: I'm sorry?

19 MR. PATEL: On top of their emission tons
20 per year limit they have to indirectly verify
21 whether they are meeting that tons per year.

22 MR. NOLAND: One of the questions I have
23 regarding that: Why is it that when we are
24 measuring their emissions we measure not in output

1 or not in the amount of fuel that they use but in
2 the amount of hours that they are running? Can you
3 explain that? Do I understand the permit
4 correctly? And what are the advantages of one
5 measurement versus the other? And how is that a
6 benefit from the environmental standpoint or a
7 detriment?

8 MR. PATEL: Well, the fuel limit and
9 operating hour limits correlate with each other.

10 MR. NOLAND: Correlate with each other?

11 MR. PATEL: Right.

12 MR. NOLAND: Well, which standard do we use
13 to measure, is it hours or is it by the amount of
14 fuel? It's my understanding that, let's see, the
15 EPA has stated that they prefer to have permit
16 applications for peaker plants based on the
17 estimated amount of natural gas that will be used
18 during operation because it is a more accurate
19 method of calculating the amount of anticipated
20 emissions. This isn't the way it's done. It's
21 done by hours, right? Not by the amount of fuel
22 that's used. So what do you mean by they correlate
23 or they strictly correlate?

24 MR. ROMAINE: This permit has both forms of

1 limitations.

2 MR. NOLAND: Okay.

3 MR. ROMAINE: Both limitations apply. You
4 could be constrained by the number of operating
5 hours. You could be constrained by the fuel usage,
6 whichever comes first.

7 MR. NOLAND: Okay. And you will be
8 monitoring both?

9 MR. ROMAINE: Yes.

10 MR. NOLAND: How do you do that?

11 MR. ROMAINE: Fuel use is readily monitored
12 by just looking at fuel meters. You pay for
13 natural gas, and there are people are very
14 concerned about how much natural gas is being used.
15 In terms of operating hours, these equipment --
16 You are equipped with instrumentation that does
17 allow to be tracked how many hours it's been turned
18 on or not, but it's not as straightforward as just
19 going to a meter somewhere that says it used to say
20 3,000 and now it says, you know, 3,003,000.

21 MR. NOLAND: I'm not sure I'm really clear.
22 Even though I'm directing my questions to the board
23 here, I certainly would welcome a response from
24 Ameren, too, if they would be willing to join in

1 in responding. You know, I guess my question
2 really is how are you going to monitor the amount
3 of fuel that passes through that facility.

4 MR. ROMAINÉ: Fuel meters.

5 MR. NOLAND: You will go on site to --

6 MR. ROMAINÉ: We can check the meters if we
7 want to. We would normally rely on their reading
8 the meters. The data is going to be there. The
9 bills are going to be there. So if we want to
10 check it, we would find it out.

11 MR. NOLAND: You would just pick up the
12 phone and ask them for it?

13 MR. ROMAINÉ: They keep the records. We
14 check the records. And if we want, we can verify
15 the supporting information.

16 MR. NOLAND: Okay. But you don't do it as
17 a routine, as part of the permit, or as part of --

18 MR. ROMAINÉ: I don't believe that we
19 routinely check people's statements of fuel usage.
20 Maybe we do but I think we have better things to be
21 doing.

22 MR. NOLAND: Okay. And the amount of
23 hours, how are you going to keep track of that?

24 MR. ROMAINÉ: Again, they keep operating

1 records.

2 MR. NOLAND: Their records, okay.

3 MR. ROMAINE: They keep operating --

4 MR. NOLAND: Yeah, did I hear you correctly
5 before when you said that the issuing of the permit
6 was also based on a cost effectiveness study?

7 MR. ROMAINE: No.

8 MR. NOLAND: You don't do a cost benefit
9 analysis?

10 MR. ROMAINE: We do not.

11 MR. NOLAND: Do you remember that part of
12 your testimony before?

13 MR. ROMAINE: The discussion was with
14 regard to what is involved in making a
15 determination of best available control technology.

16 MR. NOLAND: Right.

17 MR. ROMAINE: And I made the comment that
18 that is not a cost benefit analysis in terms of
19 putting quantitative value on health benefits or
20 environmental benefits. It's simply a cost of
21 control compared to the number of tons of emissions
22 eliminated.

23 MR. NOLAND: And that's certainly not
24 something that is incorporated in the permitting

1 process?

2 MR. ROMAINE: No.

3 MR. NOLAND: Okay.

4 MR. ROMAINE: If this were a major facility
5 and subject to best available control technology,
6 that analysis would be performed.

7 MR. NOLAND: Okay. I understand. Did you
8 communicate with the City of Elgin at all in the
9 permitting process? Are you required to
10 collaborate with city staff?

11 MR. ROMAINE: No. We have not. We have
12 sent copies of our draft permit to them to allow
13 them to participate in this proceeding as well.

14 MR. NOLAND: Is there any requirement that
15 they participate?

16 MR. ROMAINE: No.

17 MR. NOLAND: You don't consider them a
18 necessary party as far as gathering information?
19 They don't submit any analysis or report to you
20 that is incorporated into the permit process?

21 MR. ROMAINE: There is no requirement for
22 that.

23 MR. NOLAND: And I take it that you didn't
24 do any study or the Illinois EPA didn't do any

1 studies regarding local impact in relationship
2 to -- well, ongoing development here in our
3 community?

4 MR. ROMAINE: No.

5 MR. NOLAND: I guess one of the problems
6 that I have regarding the fact that there hasn't
7 been any city involvement or that it's not part of
8 the permitting process, I have lived here for about
9 the last 20, 25 years and, of course, I have seen a
10 lot of development, and I know that with reduced
11 tree canopy that heat levels raise or rise. And I
12 know that, of course, the city is responsible for
13 that. That's not something that you are
14 responsible for.

15 But in the issuing of permits for
16 plants like this, it would seem to me that there is
17 some sort of synergy between development in the
18 community, that is the reduction of the tree
19 canopy, and the increase of emissions due to these
20 plants; and that there is not some type of
21 interface in analysis so to speak. And I hope I'm
22 making sense.

23 In other words, you don't take into
24 consideration the local strains with respect to

1 development here in our community when you issue
2 the permit. And I guess that's more of a comment
3 than a question. But can you answer why is that?

4 MR. ROMAINE: Because there are certain
5 issues with regard to projects that are under
6 consideration of local jurisdiction, some that are
7 addressed at the state level. We don't address
8 whether a community authorizes a new shopping
9 center to be put in, whether they are authorized to
10 pave areas, what their standards are for parking
11 lots, how many trees they have to have, how it's
12 landscaped.

13 MR. NOLAND: Well, no.

14 MR. ROMAINE: There are many actions that
15 local communities take that are under local
16 control. We simply look at air pollution control
17 projects to see whether the emissions comply with
18 the applicable regulations and standards, whether,
19 in fact, the project will pose a threat to ambient
20 air quality or the environment.

21 MR. NOLAND: Is that without respect to
22 local conditions?

23 MR. ROMAINE: The ambient air quality
24 standards are set assuming that there is a person

1 that, you know, it's set for the most stringent
2 conditions, that there are people living at the
3 potential receptors from the project. So we are
4 not taking a less stringent position saying, well,
5 because this is in an industrialized area, it's
6 entitled to emit more. It's the same air quality
7 standards as if this was next -- right next to a
8 home.

9 MR. NOLAND: I guess what I'm getting at --
10 Let me see if I can phrase this in a better way.
11 In an ideal world, I probably would like to know
12 that last year between June and July or maybe for
13 the last ten years. You have gone out to Route 20
14 and Shales Parkway, for example, which is pretty
15 close to where this facility will be located, and
16 you took ambient air samples from that
17 intersection, and you would have known what the
18 ozone quality or levels were at that site, and that
19 you would have taken that into consideration when
20 you would have issued this permit. But I guess
21 that didn't happen, right, or anything like that
22 didn't happen?

23 MR. ROMAINE: It inherently happens and it
24 happens so early in the process that it isn't

1 something that's really thought about. We have
2 ambient monitoring stations throughout the state.
3 Those ambient monitoring stations are put at points
4 of maximum impacts. We have sited our monitoring
5 stations at the busiest intersections to see what
6 the air quality is around the busiest
7 intersections. If we can show compliance at the
8 busiest intersections, then we are confident that
9 we are not having trouble at other locations. We
10 have air quality monitors near Mannheim Road or
11 Schiller Park to some location that is
12 extraordinarily congested by the airport. So if we
13 meet the air quality standard that's appropriate
14 for traffic at that location, it should be fine.
15 We have a monitor at the base of the Sears Tower,
16 urban canyon. So by checking the worst spots --
17 We do not go out and monitor every single location
18 throughout the state. We rely on the information
19 that we do have for the quality of the air.

20 We have a network of ozone monitoring
21 stations that are designed to measure where the
22 exceedances of the ozone air quality standard would
23 be occurring to see how far they extend, to see
24 whether our efforts to reduce emissions are, in

1 fact, reducing the level or the geographic scope of
2 ozone exceedances. In fact, the western suburbs at
3 this point are not a place that are experiencing
4 exceedances of the one-hour ozone standard. It
5 continues to be a difficult problem solving it
6 along the lake front. It's gradually moving closer
7 in close to the lake. But still if you live along
8 the lake, you can end up with high ozone levels and
9 certainly those high ozone levels continue up
10 through Wisconsin.

11 MR. NOLAND: Well, with respect to this
12 permit --

13 HEARING OFFICER JAGIELLO: Mr. Noland, I
14 guess I'm going to ask you if you can ask one more
15 question or make one more comment, we can wrap it
16 up. There are four more people that want to make
17 statements or ask questions and it's now quarter to
18 10:00.

19 MR. NOLAND: Sure. How long have I been
20 going? I'm sorry. I didn't realize I had taken
21 that long.

22 HEARING OFFICER JAGIELLO: If you can just
23 ask another question.

24 MR. NOLAND: Sure. I really only have two

1 more questions. And the first one is in
2 relationship to what you just told us about the
3 ambient monitoring stations. Which ambient
4 monitoring station did you take samples from in
5 determining whether or not to issue this permit
6 for this facility?

7 MR. ROMAINE: Because the modeled impacts
8 of this facility weren't significant, we wouldn't
9 have to actually look at ambient monitoring.
10 Because it's not significant, it means the air
11 quality isn't going to change in any particular
12 manner. In terms of what was looked at when we did
13 the cumulative risk evaluation, we used a value
14 from NOx in Braidwood. We used a value of
15 particulate matter from actually Hoffman Estates.
16 And then we used values for SO2 from Lisle.

17 MR. NOLAND: You had said that we should
18 look to the legislature for developing legislation
19 with respect to the cumulative effects when we
20 responded to the earlier discussion. Do you
21 remember that?

22 MR. ROMAINE: Yes.

23 MR. NOLAND: What bills are before -- You
24 said that the legislature was taking a proactive

1 approach this session, I think that's -- or words
2 to that effect. And I don't mean to put words in
3 your mouth. But what bills? Do you know of the
4 bills in particular? Do you know, can you give
5 us --

6 MR. ROMAINE: I cannot keep track of bills
7 by name or number.

8 MR. NOLAND: Right.

9 MR. ROMAINE: I am aware of at least one
10 proposal that would require evaluation of further
11 reductions in emissions from coal-fired power
12 plants. Susan certainly has the details on it.
13 She commented during the break that she is not very
14 optimistic that it will be succeeding.

15 MS. ZINGLE: And there is nothing specific
16 to peakers.

17 MR. NOLAND: I think I have your business
18 card. I can refer to her. Thank you for your
19 time.

20 HEARING OFFICER JAGIELLO: Thanks.

21 MR. NOLAND: I have one other question.
22 One last thing if I may. Some other people had the
23 opportunity to address Ameren. May I? May I
24 address you?

1 MR. SMITH: Sure.

2 MR. NOLAND: I would like to ask one
3 question and maybe a follow-up question.

4 HEARING OFFICER JAGIELLO: How about one?
5 One question, and then we are going to wrap up. We
6 have other people.

7 MR. NOLAND: What did you do in the way of
8 outreach to the community? What have you done in
9 the way of outreach to the community to let us know
10 about your plans here?

11 MR. SMITH: We have held three public
12 information workshops held in Elgin.

13 MR. NOLAND: When were those?

14 MR. SMITH: They were in October. One was
15 in March.

16 MR. NOLAND: What time of the day?

17 MR. SMITH: In the evening.

18 MR. NOLAND: All of them?

19 MR. SMITH: Yes. And they were publicized.
20 We sent out individualized invitations for the
21 first two, and the last one that we just did was
22 publicized widely on the radio and the newspapers
23 and with some letters to local officials. I have
24 met personally with certain neighborhood groups

1 that have asked me to come. And we have given
2 numerous interviews to newspaper reporters and
3 radio reporters. We have met with city staff, city
4 council. We have been before the Planning and
5 Development Commission and received approval for
6 the zoning change request that we made. I would
7 characterize their effort as being extensive in
8 communicating with the public.

9 MR. NOLAND: The notice in the newspaper,
10 do you recall how much advance notice the public
11 had?

12 MR. SMITH: Two weeks.

13 MR. NOLAND: I can tell you. Three days.

14 MR. SMITH: We ran it multiple times.
15 There were multiple ads and over a period of a week
16 or two. And we hit weekend -- You know, there is
17 always a decision as to what papers and what issue
18 of the paper should we use, what people read. We
19 don't really know that so we guess at it. But we
20 did take some dailies, and we took out some
21 weekends. And some of those ads ran two to three
22 days prior to the workshop, that is correct. Some
23 of them ran a longer time period before that
24 workshop.

1 MR. NOLAND: Okay. Thank you very much.

2 HEARING OFFICER JAGIELLO: Thank you,
3 Mr. Noland.

4 Sandy Justis.

5 MS. JUSTIS: I'm Sandy Justis, and I
6 represent the Interfaith Council on Climate Change.
7 And we meet monthly here in Elgin, but it's
8 primarily a working group that works throughout the
9 Fox Valley area.

10 I have a few concerns, just mostly
11 some comments. One of the first things that was
12 stated -- I have forgotten your name. Patel or --

13 MR. PATEL: Manish. Manish Patel.

14 MS. JUSTIS: Thank you. You introduced
15 this by explaining that this is the cleanest
16 commercially produced electricity that we have
17 available to us. Now, is that availability based
18 on the -- what do you call it -- the deregulation
19 situation that we have in Illinois right now about?

20 MR. PATEL: I believe I said cleanest
21 commercially available fuel.

22 MS. JUSTIS: I'm sorry. There is that
23 noise, and I have a bit of a hearing loss. Excuse
24 me. Say that again.

1 MR. PATEL: I believe I said the cleanest
2 commercially available fuel is proposed to be used
3 in this facility.

4 MS. JUSTIS: The commercially, most
5 commercially available? Or did you say --

6 MR. PATEL: Cleanest.

7 MS. JUSTIS: Okay. Cleanest. You said
8 cleanest. I thought so. So you are saying that --
9 But I think that's based on the deregulation
10 situation that we are in right now in Illinois,
11 isn't it?

12 MR. ROMAINE: No.

13 MS. JUSTIS: No?

14 MR. ROMAINE: It's simply saying that
15 natural gas is the cleanest commercially available
16 fuel at this time.

17 MS. JUSTIS: Here in Illinois?

18 MR. ROMAINE: I think anywhere.

19 MS. JUSTIS: Oh.

20 MR. ROMAINE: I'm not aware of large
21 supplies of hydrogen.

22 MS. JUSTIS: I'm sorry. I'm sorry, but we
23 do have a global warming scenario here in the globe
24 and locally. It affects everybody in this creation

1 that we have. And I believe there is a fuel oil
2 company, fossil fuel oil company in Europe and in
3 England, that just decided to put a billion dollars
4 into research and development of solar and wind.
5 And to me that's a commercially available fuel.

6 MR. ROMAINE: I would disagree.

7 MS. JUSTIS: Disagree?

8 MR. ROMAINE: I wouldn't disagree that it's
9 certainly an available source of energy. But
10 clearly, this is a combustion process. It does
11 rely on fossil fuel. If you have concerns about
12 global warming and fossil fuels, this continues
13 burning fossil fuels. There is no question about
14 it.

15 MS. JUSTIS: Okay. I wanted to make sure
16 that was clear because it just seemed as though the
17 first statement was like the cleanest commercially
18 produced electricity is what I heard and I wrote it
19 word for word.

20 MR. ROMAINE: I wouldn't say that either.
21 Obviously, if you are using --

22 MS. JUSTIS: But my second question that
23 led me to that is that based on the deregulation
24 situation that we are in right now in Illinois.

1 When is Illinois, the date that the market is going
2 to be open for green power? Do you have that
3 available? Could you share that? In terms of the
4 green -- deregulation situation that we are in
5 right now.

6 MR. ROMAINE: I don't have the details on
7 the deregulation.

8 MS. JUSTIS: They could send that
9 information to me by May 12? I mean that is part
10 of the issue.

11 MR. ROMAINE: That's not part of our
12 expertise in terms of the dereg bill. I would
13 pursue it with the Illinois Commerce Commission.

14 MS. JUSTIS: Okay. That's an Illinois
15 Commerce Commission. That's separate?

16 MR. ROMAINE: Yes.

17 MS. JUSTIS: That's separate. I wanted to
18 ask, do you guys, Ameren, these particular
19 turbines, are they one-cycle turbines?

20 MR. SMITH: The term of art would be simple
21 cycle.

22 MS. JUSTIS: Simple cycle. And then there
23 is two a two-cycle turbine?

24 MR. SMITH: There is another configuration

1 that employs combustion turbines that is called
2 combined cycle.

3 MS. JUSTIS: Combined. And my
4 understanding -- and correct me if I'm wrong -- I
5 might not have this right. But 18 -- The single
6 cycle that what you call it, your --

7 MR. SMITH: Simple cycle.

8 MS. JUSTIS: -- simple cycle, that is about
9 18 percent efficient at startup approximately?

10 MR. SMITH: I don't understand what the
11 question is.

12 MS. JUSTIS: Okay. Every time you start
13 it, it creates -- it takes in more fuel to start it
14 than to run it and it emits more emissions; right?
15 So the efficiency of startup at a simple cycle
16 process versus a more complex process is less
17 efficient, right?

18 MR. SMITH: I wouldn't agree with that
19 necessarily. I really don't understand what you
20 are asking.

21 MS. JUSTIS: Well, I understood that the
22 more complex systems that you could have in a
23 turbine with fossil fuels and at the startup, at
24 the moment of startup, that the two-cycle turbines

1 are about 36 percent efficient versus 18 --

2 MR. SMITH: Well, the way thermodynamic
3 efficiency is designed is energy in is a factor and
4 energy out is a factor.

5 MS. JUSTIS: Okay.

6 MR. SMITH: The heat rate -- We talk in
7 terms of heat rate, which gives you the indicator
8 of the energy used itself for the process. These
9 machines, the heat rate is approximately at full
10 load in the summertime conditions about 11,500
11 Btu's per kilowatt hour.

12 MS. JUSTIS: Versus the more complex, more
13 efficient systems, which are at what?

14 MR. SMITH: A typical combined cycle plant
15 would have a heat rate at full load in the
16 summertime in the 7 to 8,000 Btu's per kilowatt
17 hour range.

18 MS. JUSTIS: Compared to -- What was the
19 first number?

20 MR. SMITH: 11,500.

21 MS. JUSTIS: So about a third better
22 efficiency. I'm just estimating in my head
23 approximately. What part of the emissions could be
24 improved if they -- if we got the best wish on the

1 list as far as scrubbers, etcetera, whatever is
2 available at the top?

3 MR. SMITH: Scrubbers --

4 MS. JUSTIS: Well, I don't know if that's
5 the right term. I don't know the technology, but
6 I'm talking about the efficiency of the emissions
7 to control the emissions, the NOx--

8 HEARING OFFICER JAGIELLO: Ms. Justis, I
9 think that has been answered already. They had a
10 discussion on BACT. I can't remember how many
11 questions or people that was ago.

12 MS. JUSTIS: No. It was delayed. And it
13 was -- To me, it sounded like it wasn't going to
14 be talked about because it was a cost
15 effectiveness. The idea of cost effectiveness came
16 into the answer. And so, therefore, we didn't have
17 to talk about it.

18 MR. ROMAINE: I don't follow that. I
19 guess --

20 MS. JUSTIS: That's what I recall.

21 MR. ROMAINE: Clearly there is no question
22 combined-cycle turbines are more efficient than
23 simple-cycle turbines.

24 MS. JUSTIS: Okay.

1 MR. ROMAINÉ: And I think we also said
2 there are other turbines out there like General
3 Electric that, in fact, do have lower emissions of
4 NOx. But this project isn't using General Electric
5 turbines. General Electric turbines also rely on
6 combustion controls for controlling NOx, and these
7 turbines also rely on combustion controls for
8 controlling NOx.

9 MS. JUSTIS: I think the only other just
10 clarification is, or maybe just comment possibly,
11 is that I wanted to find out if the Illinois EPA
12 would also consider, as other people brought up --
13 it's really a concern of mine -- is the combined
14 effect of all of these and all of what we are doing
15 here in terms of emissions. We are only looking at
16 this one plant today. But nobody is really
17 watching how many. We have got 60 and maybe 57
18 more proposed right here for Illinois right now,
19 and we don't know what the aggregate of that would
20 be because nobody is looking at that and counting
21 that.

22 MR. ROMAINÉ: Well, I guess that is
23 something that we don't look necessarily at in the
24 permit by permit context. We do have an air

1 quality planning group. They do run analyses. We
2 have put together an attainment demonstration to
3 comply with the ozone air quality standard. For
4 purposes of that attainment demonstration, we did
5 include emissions from 50 or so peaker plants that
6 were in existence in Illinois. We did factor in
7 the NOx reductions that would occur from the NOx
8 SIP call. So we --

9 Things are going on outside of the
10 permit context that do address that. Obviously, we
11 have an ambient air quality monitoring network that
12 keeps track of what the air quality is. It is
13 designed to track how we are doing on meeting the
14 ozone air quality standard. Permitting is only one
15 piece of what goes on at the Agency.

16 MS. JUSTIS: Okay. Well, thank you very
17 much. I appreciate your time.

18 HEARING OFFICER JAGIELLO: Thank you,
19 Ms. Justis.

20 Bridget Trimble.

21 MS. TRIMBLE: Hello. My name is Bridget
22 Trimble. I probably live closer to this proposed
23 plant than I would guess everybody here in this
24 room. I live on the southeast side.

1 I guess the thing that I guess
2 frightens me I guess the most is when Ameren came,
3 and they came and they spoke to a small group of
4 people at my house, the things that were being --
5 that we would ask and then we would get the answers
6 for, and I guess the question is are we asking the
7 right questions and were we asking the right
8 questions, do we know enough about it to ask the
9 right questions. Because we were told at that time
10 that the turbines that were going in here were the
11 best of the best, this is the cleanest, this is the
12 best. And now I sit here tonight and hear that --
13 Well, actually there are cleaner turbines, they are
14 just not being used. So I guess the comment I
15 would like to make is I don't know if we are asking
16 what we should be asking. And I'm hoping that you
17 people are. Thank you.

18 HEARING OFFICER JAGIELLO: Thank you.
19 Ms. Zingle.

20 MS. ZINGLE: Yes. I will be real quick. I
21 have had the benefit of looking at a lot of the
22 permits and to the idea of how clean and how
23 efficient they are. Chris, you mentioned that, in
24 fact, the GE turbines regularly get down to 9 parts

1 per million, which I have seen some of the
2 communities even objected to that. You have issued
3 a permit to one company that is using SCR
4 scrubbers and, in fact, can get a peaker down to
5 3.5 parts per million. To be fair, on the other
6 hand, you have also permitted peakers over 55 parts
7 per million over some fairly intense protest. So
8 is this the dirtiest peaker in Illinois, no, it is
9 not. Is it the cleanest of the clean, not by a
10 long shot.

11 To the cumulative effects, again, as
12 part of the attainment modeling, your modeling
13 people did add up the NOx emissions from I believe
14 it was 30 or 33 plants. And they found that it
15 moved the state total between 1 to 2 parts per
16 billion depending on which ozone day you looked at.
17 To my knowledge, no one has yet added up the
18 effects of all 60 of them. So I guess we will wait
19 for a good hot day next summer and see what
20 happens. Thank you.

21 HEARING OFFICER JAGIELLO: Thank you,
22 Ms. Zingle.

23 And Ms. Buttstadt.

24 MS. BUTTSTADT: I need to go back to an

1 issue. Ameren touched on this when they gave their
2 presentation earlier tonight, and Mr. Noland
3 touched on it briefly. When you were discussing
4 Ameren's outreach into the community and their
5 effort to work with the community, being somebody
6 that's pretty active in the community and serve on
7 boards and on the commission, I was very acutely
8 aware of outreach, looking for opportunities to go.
9 The first workshop I became aware of I went to, and
10 I'm on the commission. And we had been to Gibson,
11 and I knew they were coming. And they had said we
12 are going to hold workshops, and we are going to
13 outreach to the community. And I took them at
14 their word.

15 So whoever reads these transcripts,
16 yes, they may have held three workshops. The first
17 time anything was in the paper was for the one that
18 was on March 26 before the event. The other two
19 were mentioned in articles afterwards. There was
20 nothing other than the public notice that was
21 published in the Courier on February 3 regarding
22 the planning commission public hearing. News
23 articles that mention this facility only mentioned
24 it coupled with the plant in Bartlett. That is not

1 totally Ameren's doing.

2 I just don't want whoever reads these
3 transcripts to take the lack of public
4 participation in this hearing as the public
5 condoning this facility. The attitude of a lot of
6 people that have found out about it is this is a
7 colossal waste of our time to sit here and go
8 through this process because they view the EPA as
9 handing out permits like it's Pez candy, that it
10 is -- what's the point, they are going -- they are
11 dispensing it like Pez. They have read about what
12 happened in other communities when people work and
13 try to do something about this to no avail. People
14 will spend their own money hiring attorneys, and it
15 still gets approved. So people are pretty much why
16 bother. They are upset, but they don't know where
17 to go. We have learned tonight, and I appreciate
18 you informing us of where we should go.

19 When a company says that they are
20 going to do community outreach and when you do only
21 send out letters to a select few, that's not
22 reaching out to the community. I talked to city
23 staff when they held one of their workshops
24 apparently at city hall, they had asked them if

1 they needed help publicizing it, and the city staff
2 said they were told no, that they can do it
3 themselves. There are a lot of people to blame for
4 the lack of public knowing that this was going on.

5 In fact, before these hearings tonight
6 very little was in the newspaper about it. And I
7 fault the media for that because this is to me not
8 a waste of time. I have learned a lot, and I
9 appreciate your help on this. I just hope whoever
10 reads this, hopefully, some of our legislators take
11 the time to read this, but saying they haven't
12 taken the time to come tonight -- or I don't have a
13 lot of confidence in that, but I have to do my
14 best. Thank you for your time.

15 HEARING OFFICER JAGIELLO: Thank you,
16 Ms. Buttstadt.

17 Yes.

18 MS. JUSTIS: I just wanted make one other
19 comment about the timing of tonight's meeting
20 being a representative of an Interfaith Council.
21 Tonight happens to be Maundy Thursday and not a lot
22 of people go out to come to a hearing like this on
23 a church night. It was sort of an odd thing. My
24 minister said, "Yeah, wasn't that the night of

1 betrayal?" That's kind of a -- I'm sorry. He's
2 just a joker. It's ironic so -- But he couldn't
3 come, too bad.

4 HEARING OFFICER JAGIELLO: If there is
5 nothing else, may the record reflect that there
6 were no exhibits submitted at this public hearing.
7 And it's now 10:10 p.m., and this hearing is
8 adjourned.

9 * * *

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11 (Which were all the proceedings
12 had in the above-entitled
13 cause.)

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