



1 ILLINOIS ENVIRONMENTAL PROTECTION AGENCY HEARING

2 MAY 8, 2001

3 BENTON, ILLINOIS

4

5 IN THE MATTER OF: PROPOSED ISSUANCE OF A FEDERAL

6 PREVENTION OF SIGNIFICANT DETERIORATION PERMIT TO

7 ENVIROPOWER OF ILLINOIS, LLC.

8

9 The following is a transcript of a  
10 hearing held in the above-entitled matter at the  
11 Kiwanis Hall, 414 West Hudelson, Benton, Illinois,  
12 on the 8th day of May, 2001, commencing at the hour  
13 of 7:00 p.m.

14

15 BEFORE:

16 Brad Frost

17 Office of Community Relations

18

19

20 REPORTED BY:

21 Mitchell & McNeil Reporting

22 Kimberly Gammon, CSR, RPR

23 License No. 084-003586

24 Carlyle, IL 62231



1                   MR. FROST: Good evening, ladies and  
2 gentlemen, my name is Brad Frost, I am in the  
3 office of Community Relations at the Illinois  
4 Environmental Protection Agency, I will be acting  
5 hearing officer tonight. I want to thank everyone  
6 for coming. We are here for a hearing in the  
7 matter of the issuance of Federal Prevention of  
8 Significant Deterioration permit to Enviropower of  
9 Illinois and federal prevention of significant  
10 deterioration permit addresses air emissions so  
11 that is our main focus tonight will be on air  
12 emissions.

13                   Our agenda tonight, I am going to  
14 introduce the agency staff, introduce -- the  
15 company officials are going to introduce  
16 themselves. We'll have an agency presentation.  
17 The company will make a short brief presentation  
18 and then we will open the floor to questions and  
19 comments from the public and we'll go as long as we  
20 need to to address all the questions and comments.  
21 At this time I guess I'd like to ask anyone who did  
22 not fill out a comment form at the registration  
23 table to fill one out, we use that to put together  
24 a mailing list so that at the end of all these



1 proceedings, at the end of the comment period when  
2 we make a decision on the permit, we mail a written  
3 response to all the comments and questions that we  
4 receive during the proceeding.

5 I guess first of all I'd like to have the  
6 agency staff introduce themselves.

7 MR. ROMAINE: My name is Christopher  
8 Romaine, I am manager of the utility unit in the  
9 air permit section.

10 MR. FROST: Once again, I am Brad Frost,  
11 I'm in a dual mode, I am acting hearing officer  
12 tonight and I'm also in the office of Community  
13 Relations.

14 MR. SHAH: My name is Shashi Shah and I'm  
15 permit engineer in air, bureau of air.

16 MR. FROST: If the representatives from  
17 the company would like to make themselves known or  
18 at least the ones that will be answering questions  
19 tonight.

20 MR. DARGUZAS: I am Joe Darguzas with  
21 Enviropower. Larry Harp is here, Dan Goodwin,  
22 Charlie Gjersvik and Mike Ohm. Larry of course is  
23 our local representative here in Benton and the  
24 other guys are consults, we are using the air



1 /PWAOEGB (inaudible) in the Benton hearing.

2 MR. FROST: Can everyone hear me in the  
3 back? I'd also like to recognize that we have  
4 representatives from Senator Larry Woolard's  
5 office, representative Gary Forbes office and  
6 representative Jim Fowler's office and we also have  
7 the president of the county board here, Harry  
8 Stewart and I guess we have someone from --  
9 representative from the Village of West City, Allen  
10 Thomas and also representatives from the City of  
11 Benton, Ronald Griffin and Barry Vaughn. I guess  
12 now we'll go to the agency's presentation.

13 MR. SHAH: Good evening ladies and  
14 gentlemen, my name is Shashi Shah. I'm a permit  
15 engineer in the bureau of air. I would like to  
16 give you a brief description of the project.  
17 Enviropower of Illinois LLC in Benton has requested  
18 a permit from Illinois EPA to construct two boilers  
19 at the site of the former Old Ben 24 coal mine site  
20 in Benton. The new boilers will be designed to  
21 burn coal and coal waste and would produce steam to  
22 serve the new steam turbine with a nominal  
23 generating capacity of 500 megawatts.

24 The Illinois EPA has determined that the



1 facility would use best available control  
2 technology as required by federal prevention of  
3 significant deterioration abbreviated as what we  
4 call PSD rules. The boilers would be of fluidized  
5 bed design. Fluidized bed boilers inherently have  
6 low emissions of oxides of nitrogen, carbon  
7 monoxide and volatile organic materials. Emissions  
8 would be further controlled by add on selective  
9 noncatalytic reduction for nitrogen oxides,  
10 limestone injection for sulfur dioxide and filter  
11 system for particulate matter.

12           Enviropower has stated that the proposed  
13 project is important to efficiently meet the  
14 growing demand and reliability for power. The  
15 project is considered a major source because of the  
16 permitted emissions of pollutants from this  
17 facility would be greater than major source  
18 thresholds. During the agency review of the permit  
19 application, the Illinois EPA has determined that  
20 the project will utilize best available control  
21 technology on emissions of nitrogen oxide, sulfur  
22 dioxide, particulate matter, carbon monoxide and  
23 volatile organic materials.

24           This analysis consisted of comparing the



1 most recent projects across the country with the  
2 proposed project. For pollutants that are  
3 considered major under the PSD rules, an air  
4 quality study is required by applicable rules.  
5 Enviropower has performed an air quality study to  
6 determine the air quality impacted from the project  
7 which are subject to PSD rules. Results of air  
8 quality impact review from this project indicates  
9 that air quality would readily comply with national  
10 ambient air quality standards.

11 In summary, the Illinois EPA has reviewed  
12 the application submitted by the Enviropower and  
13 has determined that it will comply with applicable  
14 state and federal standards. The agency has  
15 prepared a draft of construction permit that sets  
16 out the conditions that we propose to place on the  
17 project to assure continuous compliance. In  
18 particular, compliance with sulfur dioxide,  
19 nitrogen and opacity emission limit would be  
20 verified by continuous emission monitors to be  
21 installed in the stack of the boilers. As a power  
22 plant, these monitors must be operated in  
23 accordance with the protocols of the federal acid  
24 rain program.



1                   In closing the agency is proposing to  
2 grant the construction permit and we welcome any  
3 comments from the public. We have people here from  
4 Enviropower to address further in detail.

5                   MR. ROMAINE: I'd like just to make a  
6 very brief remark, thank you for coming tonight. I  
7 want to highlight one issue that is posed by this  
8 application, this is whether a formal determination  
9 of the appropriate control measures is needed for  
10 hazardous air pollutants pursuant to section 112G  
11 of the clean air act and section 112G of the clear  
12 air act addresses issue of hazardous air pollutants  
13 much like the federal PSD program addresses  
14 emission of criteria pollutants.

15                   As explained in finding 4 of the draft  
16 permit, the permit takes the position that  
17 appropriate control measures are being used but  
18 also indicates that the actual applicability of  
19 section 112G of the clean air act is unclear given  
20 pending litigation with regard to emissions of  
21 hazardous air pollutants from utilities, and  
22 certainly I welcome any comments tonight on the  
23 issue of whether section 112G does apply as well as  
24 control measures that are proposed for hazardous



1 air pollutants.

2 MR. FROST: Thanks, Chris, and for anyone  
3 who did not get a copy, copies of the permit are  
4 available at the back table. Does the company want  
5 to make a presentation tonight?

6 MR. DARGUZAS: Joe Darguzas, we have  
7 conducted several informal briefings for the  
8 members of the community, President Stewart,  
9 commissioners and representatives, representatives  
10 having heard a lot of this before so I am just  
11 going to go quickly through what this project is  
12 all about. Mr. Shah correctly identified the  
13 overall size and nature of our project. One of the  
14 benefits that we do see that we are bringing to the  
15 area is the cleaning up of these guide policies in  
16 this region.

17 In addition to that benefit we are going  
18 to bring a significant amount of employment to the  
19 community both in terms of direct long term jobs,  
20 operation and maintenance, periodic operation and  
21 maintenance jobs and then construction jobs as  
22 well. Just to summarize what is on this slide, we  
23 will have about 600 people working during a  
24 three-year construction schedule and 100 people



1 during periodic maintenance and perhaps most  
2 importantly we will have 150 folks working here on  
3 a full time basis.

4           Other benefits of the project include our  
5 bringing low cost electricity to the region which  
6 we believe will help attract industry to the area  
7 as well as providing benefits to the local  
8 citizens. One last thing I'd like to shift my  
9 media and describe a little bit physically what the  
10 project looks like is just in terms of the  
11 emissions that Mr. Shah mentioned briefly, I would  
12 like to point out that shown on this slide, the  
13 emissions of our project compared to the emissions  
14 of the existing three are significantly lower so if  
15 you look at the average emissions from existing  
16 power plants in the region not to pick on anybody  
17 with just the general large coal power plants in  
18 the region, our plant will have significantly less  
19 emissions so with that let me just quickly describe  
20 what our plan looks like just --

21           MR. FROST: I will add this as Exhibit  
22 No. 1.

23           MR. DARGUZAS: And then just quickly  
24 again, many of you seen this or something like this



1 but basically the project will be located at the  
2 site of the Old Ben 24 mine. The reason we got  
3 this chart going this way is that this way is  
4 north, those of you that have driven by the site  
5 perhaps remember that there is an existing  
6 substation here, this is Petroff Road comes down  
7 right in here, the plant will be located well back  
8 from the road, this is what we call the power lock  
9 which is the area where the actual coal combustion  
10 will take place and where the actual electricity  
11 will be generated. Further back from the road we  
12 will have our temporary coal and GOB storage piles  
13 and essentially will look like pretty much any of  
14 the power plants that you have ever seen, anyway,  
15 anything else, Larry, guys? I should emphasize I  
16 think that's a quick summary.

17 MR. FROST: Now we will go to comments  
18 and questions from the general public. Our first  
19 speaker would be John Gulley from Senator Larry  
20 Woolard's office.

21 MR. GULLEY: My name is John Gulley from  
22 Senator Larry Woolard's office. Senator Woolard is  
23 in Springfield this afternoon for sessions, will be  
24 for the remainder of the week so he asked me to



1 come and make a few comments on his behalf. We  
2 believe that the current energy crisis that is in  
3 this country can best be exemplified by what is  
4 going on in California. We feel that now with the  
5 current energy crisis the way it is is the perfect  
6 time for us in Illinois to capitalize on the coal  
7 reserves that we have in this state and also to  
8 begin building the infrastructure necessary to  
9 avoid the same type of crisis in our state, and we  
10 worked closely with the people from Enviropower and  
11 we believe that the clean coal technology that they  
12 are proposing for their facility will allow us in  
13 Southern Illinois to avoid the same type of energy  
14 crisis as well as continue our standards of living  
15 as far as a viable economy and a good lifestyle and  
16 maintaining clean air at the same time so we would  
17 ask that you give strong consideration to their  
18 permit and we fully support them in their  
19 application.

20 MR. FROST: Thank you, Mr. Gully. Next  
21 we have Ronald Griffin from the City of Benton.

22 MR. GRIFFIN: My name is Ronald Griffin,  
23 I'm the finance commissioner with the City of  
24 Benton. Mayor Pat Bauer could not be here this



1 evening but she did send me with a letter.

2 MR. FROST: Thank you, I will enter this  
3 in the record as Exhibit No. 2, it's the letter  
4 from the City of Benton.

5 MR. GRIFFIN: The feedback the elected  
6 officials of the City of Benton has received from  
7 the community regarding Enviropower's proposed  
8 power plant has been nothing but positive. The  
9 city has full confidence in the Illinois EPA's  
10 ability to measure the environmental impact on our  
11 community, we thank you. We also support  
12 Enviropower's proposed power plant and the benefits  
13 that we perceive in our community. Above minimum  
14 wage jobs are needed in our area and we are happy  
15 to support efforts to utilize our local resources  
16 to produce energy for the nation, thank you.

17 MR. FROST: Thank you, Mr. Griffin. Our  
18 next speaker would be Barry Vaughn.

19 MR. VAUGHN: Ron will be the sole speaker  
20 for the city.

21 MR. FROST: Next we have Harry Stewart  
22 from the Franklin County Board.

23 MR. STEWART: Gentlemen, Franklin County  
24 Board is very supportive of this whole project



1 going along all the way but basically I have one  
2 major, possibly two questions in the permitting  
3 permit, why you issued a permit, I know that the  
4 permits were basically issued due to the fact that  
5 technology but will the location also be included  
6 in the permit?

7 MR. ROMAINE: Yes, this type of permit is  
8 in fact location specific.

9 MR. STEWART: We are talking about this  
10 permit, we are talking about the site in Old Ben  
11 and it will be issued in that area and that area  
12 only?

13 MR. ROMAINE: That is correct.

14 MR. FROST: Thank you, Mr. Stewart. Next  
15 we have Danny Burnett.

16 MR. BURNETT: That's me, that is okay.

17 MR. FROST: Next we have Pamela Martin.

18 MS. MARTIN: I am Pamela Martin, I happen  
19 to live about one mile north of what we are talking  
20 about here. I am excited about a power plant but  
21 as a landowner I'm kind of curious as to what  
22 happens to the ash and does it come on the north  
23 winds, I mean I see on the drawings we have like an  
24 ash storage.



1                   MR. ROMAINE:  Certainly in terms of what  
2 we have done in terms of our evaluations show that  
3 there would not be levels of particulate matter  
4 emissions that are any threat to the public  
5 health.

6                   MS. MARTIN:  Nothing that I am going to  
7 see on any vegetation at my home or in the 40 acres  
8 that is right next to Old Ben property?

9                   MR. ROMAINE:  That's correct, if you do  
10 see stuff, it means that they're not doing their  
11 job and would not be to the power plant itself but  
12 probably be due to truck traffic on the roads or  
13 handling ash, that means they need to do a better  
14 job of maintaining those roads, watering piles so  
15 that things can be readily be done to correct those  
16 types of nuisance problems.

17                   MS. MARTIN:  Just glancing at your  
18 diagram there, I did see like an ash storage, I was  
19 just curious, I know with ethyl (spelled  
20 phonetically) grain we have like residue all around  
21 the neighborhood so that is why I'm asking is there  
22 any kind of physical thing --

23                   MR. ROMAINE:  Just checking the specific  
24 measures that we have in the permit, I think we do



1 talk about using enclosures, bag hazards so all the  
2 routine handling of the material is to be handled  
3 in the fashion that prevents the loss of dust to  
4 the atmosphere and certainly for a storage pile of  
5 that type that once you put the material there, it  
6 should sit, it should not be a source of continuing  
7 nuisance problems, it's very different than the  
8 types of operations of grain handling facilities  
9 where they're continually bringing stuff in and out  
10 and every year there is grain coming and going.

11 MS. MARTIN: Thank you very much.

12 MR. FROST: Did you have any other  
13 questions?

14 MS. MARTIN: Not really, thank you.

15 MR. FROST: Thank you, Mrs. Martin.

16 That's all of the comment cards that are filled  
17 out, is there anyone else here that would like to  
18 ask a question or make a comment?

19 MR. DARGUZAS: Maybe just to try to  
20 address a little bit of your question, this is Joe  
21 Darguzas, just to address a little bit of your  
22 question, ma'am, our fuel is made up a lot of the  
23 GOB, it's a lot of the fuel that was processed from  
24 coal that is originally mined. That fuel has a lot



1 of ash in it and I think you are correct to be  
2 concerned about what is going to happen to the  
3 ash. I think as Mr. Romaine pointed out, we will  
4 collect 99.9 percent of that ash in our particulate  
5 collection devices within our power plant. The  
6 question then comes up often times and I think  
7 maybe that is what you are asking is in terms of  
8 what will we do with it once we collected it, one  
9 of the good things about fluidized bed ash which is  
10 the type of combustion that we are going to be  
11 using is that it has a lot of -- I shouldn't say a  
12 lot, it has a significant amount of lime in the  
13 ash, we use the lime to collect the sulfur from the  
14 fuel before it goes up in the air but what we will  
15 do is we will wet that ash and the lime that's  
16 already in there will cause that to set up like  
17 essentially an important grade wall board. In fact  
18 the chemical constituency of our ash is the same as  
19 wall board, it has sand which we call silica  
20 aluminum oxide or silica oxide, it has calcium  
21 sulfur in it which is the very same stuff that is  
22 in wall board. By wetting it, it sets up into a  
23 firm wall board like material and then we'll store  
24 that, we will actually pile it up in piles on site



1 that really are hard, I mean you could drive a  
2 truck on. We think by doing that we'll minimize if  
3 not completely eliminate the problems that you  
4 expressed. We can talk a little more later if you  
5 like.

6 MR. FROST: Thank you. Is there anyone  
7 else here who would like to make a comment or ask a  
8 question?

9 MR. BURNETT: Danny Burnett, will any of  
10 the neighbors be able to tell like a noticeable  
11 odor from the plant?

12 MR. ROMAINE: We have not experienced  
13 problems with odors from these types of power  
14 plants, that is not the type of concern you have  
15 from coal fired power plant when you are burning  
16 coal. Odors are associated with other types of  
17 plants such as rendering plants for example but --  
18 or waste water treatment plants sometimes but not  
19 from coal burning power plants.

20 MR. FROST: Anyone else?

21 MR. COLTER: I'm Dewey Colter, Benton,  
22 West City Economic Development, when I first became  
23 involved with this project some months ago, one of  
24 the first questions that was raised in our



1 discussions was environmental impact of this power  
2 plant project and that is when we were as an  
3 organization and as a community group being two  
4 village, a village, town, county board were  
5 introduced to this new technology of fluid bed  
6 tech. We were very impressed with the reports that  
7 were provided to us by Enviropower indicating the  
8 significant low levels of ox, sulfur oxide, ash  
9 containment residues, many of which people are  
10 associated with power plants designed 40, 50, 60  
11 years ago.

12           From what we have seen in the report and  
13 I commend the EPA, the Illinois EPA, for producing  
14 in table 1 what shows to be significant -- below  
15 significant national air quality standard data. I  
16 think that supports what was presented by  
17 Enviropower in their very first meeting, what they  
18 have openly presented to the community leadership  
19 in the community as a whole from the very beginning  
20 so I commend them for that, they have already  
21 exhibited themselves as good citizens of this  
22 community and we look forward to working with them  
23 in the future.

24           It's already been stated that the power



1 issue in this nation as well as this state is  
2 beyond -- going to become more predominant, not  
3 only will this provide jobs for the region which  
4 are much needed, it will also clean up what most  
5 communities in Southern Illinois have to contend  
6 with which is the residue from the mines of the  
7 past so we're going to get a double benefit here or  
8 I should say a triple benefit, we are going to get  
9 power that's much needed for the region as well as  
10 the rest of the state, we're going to clean up  
11 residue that currently exists in the area and from  
12 the reports that's going to be several counties be  
13 affected so tremendous benefit for the communities  
14 involved and at the same time we are going to get  
15 all this energy provided at standards well below  
16 the current requirements so we request that  
17 favorable finding on the part of the Illinois EPA  
18 for this project and look forward to a successful  
19 conclusion.

20 MR. FROST: Thank you, Mr. Colter. Well,  
21 that is the end of our comment cards. I'd ask if  
22 anyone else has any comments or questions? Please  
23 state your name and affiliation for the record.

24 MR. THOMAS: I am Allen Thomas from the



1 Village of West City, we're probably the closest to  
2 the physical location of this proposed plant. I am  
3 zoning administrator there, I am also part of the  
4 EDC and all of the things we have seen also have  
5 impressed us with this proposed plant and it seems  
6 like the perfect place to us to locate an industry  
7 such as this near water, that is why we had Rend  
8 Lake to begin with and we got so many GOB piles and  
9 unsightly areas in this whole area that could be  
10 cleaned up by this and of course the power outages  
11 in California have to me brought to my attention  
12 that we don't have enough there and soon we  
13 probably will not have enough here and I'm sort of  
14 like Dick Chaney said the other day on television  
15 conservation is not going to cut it and I think  
16 that we -- with our ever growing demand in that  
17 type for energy, I hope we always have enough here  
18 in the Midwest and we think that these type of  
19 plants are the type of things that will help us to  
20 avert those problems and we look forward to a  
21 favorable rating by your board.

22 MR. FROST: Thank you.

23 MR. ELSWORTH: Tim Elsworth with the  
24 Benton Evening News, when can we expect a decision,



1 final decision from the IEPA?

2 MR. ROMAINE: As stated in the notice,  
3 the comment period closes on June 8, we will then  
4 have to review and consider comments, we will be  
5 taking final action of the application sometime  
6 after that within a week or two I'd imagine.

7 MR. FROST: Is there anyone else? Well,  
8 there being no one else -- one more chance? As  
9 Chris has just stated. The hearing record stays  
10 open till June 8, that means the comments have to  
11 be postmarked by that date. I'd like to thank  
12 everyone for coming out tonight and I will close  
13 the record.

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

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6 Kimberly Gammon hereby certifies that she  
7 is the Certified Shorthand Reporter who reported in  
8 shorthand the proceedings had in the above-entitled  
9 matter, and that the foregoing is to the best of my  
10 ability a true and complete transcript of said  
11 proceedings.

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16 \_\_\_\_\_  
17 Certified Shorthand Reporter

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