

1 ILLINOIS EPA COMMENT PERIOD AND PUBLIC HEARING
2 CONCERNING THE PROPOSED ISSUANCE
3 OF A CONSTRUCTION PERMIT
4 TO US BIO MARSHALL, LLC, IN MARSHALL

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9 PUBLIC HEARING

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The above-captioned hearing was held
13 October 18, 2007, at 7:00 p.m. at St. Mary's
Parish Hall, 414 South Sixth Street, Marshall,
14 Illinois. Said hearing reported stenographically
by Barbara A. Glover, CRR, RPR, and Certified
15 Shorthand Reporter of the State of Illinois.

16 CSR #84-1223

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20 GLOVER COURT REPORTING
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22 Mattoon, Illinois 61938
23 (217)235-2272 or (800)235-3350
24

1 APPEARANCES:

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Illinois Environmental Protection Agency

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1021 North Grand Avenue East

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P. O. Box 19276

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Springfield, Illinois 62794-9276

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Annet C. Godiksen, Assistant Counsel

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Kaushal Desai, Environmental Protection Engineer

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1 HEARING OFFICER GODIKSEN: Good
2 evening. My name is Annet Godiksen. I'm with
3 the Illinois Environmental Protection Agency, and
4 I'd like to thank you for coming out this evening
5 and attending this hearing.

6 We're going to try and do this without
7 a microphone. As long as our court reporter can
8 hear everybody, we'll proceed that way.

9 The Illinois EPA believes that this
10 hearing is a crucial part of the permit review
11 process. As the hearing officer, my sole purpose
12 tonight is to make sure that the proceedings run
13 properly and in accordance with our rules.
14 Therefore, it's not my job to answer questions
15 regarding the permit process or the permit
16 itself.

17 This is a public hearing before the
18 Illinois EPA in the matter of an air pollution
19 control construction permitted submitted to the
20 Illinois EPA by US Bio Marshall, Limited
21 Liability Corporation.

22 The proposed permit relates to a
23 request to build an ethanol plant to be located
24 at 2150 -- 2150th Road, Marshall, Illinois. The

1 plant would be designed to have a nominal design
2 capacity of 120 million gallons per year of
3 denatured ethanol.

4 The Illinois EPA has made a
5 preliminary determination to issue a permit for
6 the project and has prepared a draft permit for
7 review. The Illinois EPA is holding a public
8 comment heard and a hearing to accept comments
9 from the public on the proposed issuance of a
10 permit for this project prior to our actually
11 making the final decision on the application.

12 Now it is approximately two after
13 7:00, Thursday, October 18th, and, again, this
14 hearing is being held for the purpose of
15 explaining our draft permit, to respond to
16 questions, and to receive public comments on the
17 drafted permit.

18 I'm going to walk you through very
19 quickly a couple of introductory matters. The
20 public hearing is being held under the provisions
21 of the Illinois EPA's procedures for permit and
22 closure plan hearings which can be found in Title
23 35 of the Illinois Administrative Code, Part 166.
24 Copies of these procedures can be obtained

1 from myself upon request or they be accessed on
2 the website of the Illinois Pollution Control
3 Board Act, www.ipcb.state.il.us.

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

11 I'd like to first explain how
12 tonight's hearing is going to proceed. We will
13 have the Illinois EPA staff members present and
14 introduce themselves and identify their
15 responsibilities with the agency. We will then
16 introduce the representatives of US Bio Marshall
17 following our overview, and then we will ask the
18 public to ask questions and provide comments.

19 You are not required to verbalize your
20 comments as written comments are given the same
21 consideration and may be submitted to the agency
22 at any time within the public comment period
23 which ends at midnight on November 17th of this
24 year.

1 Any person who wants to make oral
2 comments may do so as long as the statements are
3 relevant to the issues that are being addressed
4 at the hearing and such person has indicated on
5 the registration card that he or she would like
6 to comment.

7 When you came into the room, there
8 were people at the front desk, and there were
9 cards that you should have filled out if you were
10 interested in either making oral comments or
11 receiving a summary of the hearing. If you do
12 wish to make comments and you haven't filled out
13 a card as of yet, please go back and do so. We
14 will collect these cards throughout the evening.

15 If you have lengthy comments or
16 questions, it may be helpful to submit that to me
17 in writing before the question and comment period
18 ends, and I will ensure that they are included in
19 the hearing record as exhibits.

20 Please keep your comments and
21 questions relevant to the issue at hand. If your
22 comments fall outside of the scope of the
23 hearing, I may ask you to proceed to another
24 issue.

1 All speakers have the option of
2 directing questions to either the Illinois EPA
3 panel, or they can just make a general comment,
4 or they can do both if they so choose. The
5 applicant, US Bio Marshall, is also free to
6 answer questions if it is willing to do so, but I
7 am not in a position to require them to answer
8 questions.

9 Our panel members will make every
10 attempt to answer the questions presented, but I
11 will not allow the speaker to argue or
12 cross-examine or engage in prolonged dialogue
13 with our panel. In addition, I would like to
14 stress that we want to avoid unnecessary
15 repetition, so if anyone before you has already
16 presented testimony that is contained in either
17 your oral or written comments, please skip over
18 those issues when you testify.

19 Please remember that all written
20 comments, whether or not you state them out loud
21 tonight, will become part of the official record
22 and will be considered.

23 After everyone has had an opportunity
24 to speak and provided that time permits, we will

1 allow those who either ran out of time during
2 their initial comments or have additional
3 comments to speak once again.

4 On the registration card you can also
5 ask to receive a summary of the public hearing.
6 If you need information beyond the summary that's
7 provided or if you would like information now, I
8 can direct you to the Illinois EPA's website
9 where you can receive all of the details
10 including our response of the summary.

11 The Illinois EPA's website is
12 www.epa.state.il.us. The Illinois EPA's response
13 and the summary will attempt to answer all of the
14 relevant questions that were raised at this
15 hearing or submitted to me prior to the close of
16 the comment period.

17 Again, the written record in this
18 matter will close November 17th, 2007.
19 Therefore, I will accept all written comments as
20 long as they are postmarked by midnight of
21 November 17th.

22 During the comment period all relevant
23 comments, documents, or data will also be placed
24 into the hearing record as exhibits. Again,

1 please send all documents or data to my
2 attention. That's Annet Godiksen. Annet is
3 A-n-n-e-t, Godiksen, G-o-d-i-k-s-e-n, Hearing
4 Officer, Illinois EPA, 1021 North Grand Avenue
5 East, Post Office Box 19276, Springfield,
6 Illinois. Zip code 62794. That address is also
7 listed on the public notice for the hearing
8 tonight.

9 For anyone wishing to make a comment
10 or to ask questions, I would like to remind you
11 that we have a court reporter here who will be
12 taking a record of these proceedings for the
13 purpose of putting together our administrative
14 record. Therefore, for her benefit please keep
15 the general background noise to a minimum so she
16 can hear everything that is said.

17 Also, please keep in mind that any
18 comments from somebody other than the person who
19 has the floor will not be reported by the court
20 reporter. In other words, she cannot take in
21 more than one person's testimony or statements at
22 a time, and only the person that is speaking will
23 be the person reported.

24 If you speak over someone else, you

1 will not be able to include that in the comments.
2 This rule applies to everyone, not only to the
3 members of the audience who are speaking, but
4 also when someone from the Illinois EPA or from
5 US Bio Marshall is speaking.

6 When it is your turn to speak, please
7 speak clearly and slowly, and it is requested
8 that all speakers addressing us stand so that the
9 court reporter can better understand what you're
10 saying.

11 Also, when you begin to speak, please
12 state your name and, if applicable, any
13 governmental body, organization, or association
14 that you represent.

15 And for the benefit of our court
16 reporter, we ask that you spell your last name.
17 People who have requested to speak will be called
18 upon in the order that I will lay out based upon
19 the cards that I have before me, and, again,
20 after I've gone through the cards and assuming
21 there's still time, if anyone else wishes to make
22 a comment, we can address that later.

23 I would now like to ask the Illinois
24 EPA staff to introduce themselves, and if they

1 would like to make a short opening statement,
2 they can do so at this time.

3 MR. DESAI: Good evening. Thank you
4 all for coming. I name is Kaushal Desai. I'm a
5 permit engineer with the Bureau of Air, and I'm
6 the one who wrote this construction permit for
7 the proposed ethanol plant.

8 US Bio has requested a construction
9 permit for a dry mill ethanol plant. The
10 proposed plant would produce fuel ethanol from
11 corn and would have a nominal capacity of
12 producing 120 million gallons of denatured
13 ethanol per year.

14 The principal products produced at the
15 ethanol plant are ethanol and distiller grains.
16 The ethanol produced at the plant would be used
17 as motor vehicle fuel. The distiller grains are
18 used as animal feeds.

19 The proposed plant would have
20 facilities to receive and ship products such as
21 grain, ethanol, and feed by both truck and rail.
22 Natural gas would be used as a fuel to supply
23 energy for the plant.

24 The proposed plant would use

1 appropriate equipment for effective control of
2 emissions from the various operations. Filters
3 would be used to control particulate matter
4 emissions from receiving and handling of grain
5 and the handling of dry feed.

6 A scrubber would be used to control
7 organic material emissions from the fermentation
8 operation. The organic material laden water from
9 the scrubber would be reused at the plant, so it
10 would not be a source of wastewater.

11 Combustion control, with natural
12 gas-fired thermal oxidizers, would be used to
13 control emissions of organic material, carbon
14 monoxide, and particulate matter from the dryers
15 which convert wet stillage into dry feed.

16 These thermal oxidizer systems would
17 also be used to control organic material
18 emissions from the distillation scrubber, feed
19 cooling drums, and ethanol load out operation.
20 These oxidizers as well as the dryers would be
21 equipped with low NOx burners to minimize
22 nitrogen oxide emissions.

23 As a result of this emission control
24 equipment and other required equipment and

1 control measures, the proposed plant is not
2 considered a major source of emissions. The
3 permit that the Illinois EPA is proposing to
4 issue for the plant would include a variety of
5 requirements to ensure that the plant is properly
6 constructed and operated.

7 The performance of the principal
8 control systems would have to be tested after the
9 plant is built. US Bio Marshall would have to
10 conduct operational monitoring and record keeping
11 to confirm that the plant is properly operated
12 and maintained on a continuing basis.

13 These activities would be overseen by
14 the Illinois EPA which will review the various
15 reports the plant must submit and periodically
16 conduct onsite inspections of the plant.

17 We look forward to your questions or
18 comments on this proposed permit, and once again
19 thank you for attending the hearing.

20 MR. SMET: My name is Bob Smet. I'm a
21 permit engineer also in the Bureau of Air permit
22 section. I work on major projects, and I'll
23 attempt to answer any questions that Kashual
24 isn't able to.

1 HEARING OFFICER GODIKSEN: I would
2 like at this time to ask US Bio Marshall to
3 introduce its representatives, and, if they so
4 choose, to make an introductory statement.

5 SHANNON RICHARDSON: Good evening.
6 I'm Shannon Richardson with US Bio Marshall.
7 This is Kristi Lee, US Bio Marshall, and we also
8 have our consultant from RTP, Jessica Bailey.
9 Thank you.

10 HEARING OFFICER GODIKSEN: Our first
11 speaker tonight is Mayor Kenneth Smith.

12 KENNETH SMITH: Okay. Good evening,
13 ladies and gentlemen. Glad to have you here in
14 Marshall, Illinois, and we're glad to have the
15 opportunity to talk about the proposed ethanol
16 plant.

17 We're thankful for the IEPA team
18 that's here. We're thankful for the quick
19 turnaround time we got for the draft permit for
20 this process, and that really gets us moving much
21 quicker, and I want to thank them again for that,
22 and hopefully the final draft permit will be just
23 as expedient.

24 I want to thank US Bio for their

1 considering Marshall for an ethanol plant. It
2 will be a big boost to the economy of our
3 community, not just Marshall, the whole county.
4 It will increase the tax base, help the schools,
5 help the county.

6 It will add about 45 jobs, the way I
7 understand, and it will be one of the biggest
8 boost to the economy in this community that we've
9 had in a long time, and I would encourage the
10 IEPA to approve the final draft of this ethanol
11 plant.

12 Thank you.

13 HEARING OFFICER GODIKSEN: Next we
14 have comments from Jerry Lowery.

15 JERRY LOWERY: I'll just stand here.
16 I'm Jerry Lowery, member of the Clark County
17 Board. Bill Murphy and I are here tonight, and
18 Ken pretty well summed it up. We just are very
19 happy that there's a chance to put an industry in
20 our county, and the county board is very positive
21 and eager to work with the company and very happy
22 that people are interested here tonight, and I
23 think this could be a boom for east central
24 Illinois and especially Clark County.

1 HEARING OFFICER GODIKSEN: Excuse me
2 if I mispronounce this next speaker, Fred Eitel.

3 FRED EITEL: I'll stand here as well.
4 My name is Fred Eitel, E-i-t-e-l.

5 I'm a local businessman here in the
6 Marshall area. I'm a member of the Marshall
7 Rotary Club which is a club comprised of 25 local
8 business people, and the topic of the ethanol
9 plant came up in our meeting this week, and I
10 just wanted to attend -- we're always looking for
11 new members -- no, not really.

12 On a personal note, this is just me
13 personally talking, not from the Rotary Club
14 perspective, as such. I think the ethanol plant
15 will be a major impact to the local community of
16 Marshall and Clark County, the surrounding
17 communities, and so forth.

18 From a farmer's standpoint, it gives
19 them an opportunity to market their grains.
20 Local individuals have good job opportunities,
21 and it's an environmentally friendly project, and
22 I like that, so thank you very much.

23 HEARING OFFICER GODIKSEN: Next we
24 have comments from Mark Degler.

1 MARK DEGLER: Thank you. Greetings
2 from Coles County. I'm glad to be here tonight.
3 Greetings to you, Mr. Mayor.

4 Why am I here? Who am I? My name is
5 Mark Degler, D-e-g-l-e-r. I'm a farmer from
6 Coles County. I've been paying the bills and
7 buying the seed there for 35 years. The
8 family -- this is our 115th crop there in Coles
9 County, and we're glad to be part of agriculture.

10 I also represent this county, Clark
11 County right here, on the Illinois Corn Growers
12 Association board of directors. It's one of the
13 six counties that I represent, and it's always
14 one of the top producing districts in Illinois.

15 So why am I here tonight? I'd like to
16 tell you what ethanol has done for me and why I
17 think it's important that you forward thinking
18 individuals get this project accomplished.

19 First of all, I'm grateful. I'm
20 grateful to be producing the most corn I've ever
21 produced in the history of our farm. We've got
22 more acres in corn than ever before. I'm
23 grateful for this excellent yield that we've had
24 this year, and when I get more money, I circulate

1 the money.

2 Just recently I purchased a new pickup
3 made just down the road here on Highway 41.
4 Maybe some of you know where that plant is down
5 there, so I'm grateful to have the opportunity to
6 get a few more dollars for my bushels, and I will
7 continue to circulate them in my community.

8 However, I want each of you to help me
9 get those people at Toyota to build a flex fuel
10 vehicle. I mean they're right here in our
11 neighborhood, and we're going to produce this
12 ethanol for them, so Nissan is doing it, GM,
13 Ford. Let's get on Toyota to get that done.

14 I'm very grateful to be here tonight
15 and to help talk about this project.

16 I had a second point. Let me think.
17 I want to talk about the future of agriculture.

18 Oh, that second point was respect.
19 For many years I've been in this business, and
20 I've traveled, and I've been on a few commodity
21 boards and circulated around the country, and
22 when you start a conversation about agriculture
23 at a cocktail party or just with anybody from a
24 different walk of life, well, you kind of get the

1 okay, well, you don't look like a farmer is what
2 they say, and then they look for the dirt
3 underneath your fingernails, and that's about as
4 far as the conversation goes, because we've been
5 taken for granted for all these years for
6 providing such a reliable, cheap, safe source of
7 food. Okay?

8 So now we get into the fuel business,
9 and I start that same conversation here lately in
10 the last few years, and people once they know
11 you're a fuel provider to them and you can help
12 cushion that blow from the middle east of those
13 high dollar crude oil barrels, okay, they're a
14 little more interested, and now you get just a
15 little bit more respect, and the conversation
16 lasts a few sentences, okay, about agriculture.

17 We've got our foot in the door with
18 the American consumer by providing this cushion
19 against high prices and a renewable, reliable,
20 sustainable source of energy. Not only are we
21 filling their stomachs, but now we're filling
22 their gas tanks, so it's nice to have that
23 respect that frankly, folks, is long overdue for
24 this heartland agriculture that we're engaged in.

1 And finally the future of agriculture,
2 okay? Ten years ago when I'm surveying our next
3 generation of farmers in the family and tell
4 them, okay, now, let's get in agriculture here.
5 You get to work long hours. You get to put all
6 your money up front and accept business risks
7 that most businessmen won't even look at the kind
8 of risks that we have to manage, okay, and then
9 at the end of the year, you just barely get
10 enough money to pay your bills, and then you're
11 right back to the bank to borrow more money for
12 next year, okay?

13 That wasn't very attractive.
14 Surprise. Surprise. We've got nobody
15 interested. I'm the average age farmer at 57.
16 Okay?

17 We've got to interest that next
18 generation in getting into agriculture, and this
19 is the way to do it.

20 You forward thinking people here in
21 Clark County that are building these enterprise
22 zones and investing your own money is the key to
23 keeping our young people here and getting them
24 reinterested in agriculture, and the way to do it

1 is offer them a fair price that they can support
2 their families with.

3 Keep up the good work, and let's get
4 her done. Thank you.

5 HEARING OFFICER GODIKSEN: Next we
6 have comments from John Shore.

7 JOHN SHORE: Thank you. I'm John
8 Shore, S-h-o-r-e. I'm from Casey. I'm here as a
9 local farmer, and I'd like to add my support to
10 the project. It's a great boost to the economy,
11 yes, and it is a boost to the Marshall economy
12 also, but I think we have to look at it on a
13 little bit larger scale.

14 This is a project that is going to
15 encompass approximately a 60-mile radius and draw
16 a product in to be made in the Marshall area.
17 It's a huge project that's going to come into
18 this area, and it's going to provide a boost to
19 fuel corn income, and it is important to Marshall
20 as well as Clark County and the surrounding
21 areas. Thank you.

22 HEARING OFFICER GODIKSEN: Thank you.

23 Is there anyone else that would like
24 to comment tonight?

1 Okay. Seeing there are no further
2 comments, I would simply like to note that we
3 will be marking certain documents as exhibits,
4 and those will become part of the official
5 record.

6 The notice of public hearing will be
7 marked as Exhibit 1. A copy of the project
8 summary will become Exhibit 2. A copy of the
9 draft permit will be marked Exhibit 3.

10 Seeing that there are no more members
11 of the public with questions or comments, we will
12 bring the hearing to a close. I would like to
13 again remind everyone that the comment period for
14 the record in this matter closes November 17th of
15 this year, so your written comments must be
16 postmarked before midnight of November 17th to be
17 accepted as part of the record. Copies of the
18 exhibits are available upon request.

19 The time is now approximately 7:23,
20 and this hearing is adjourned. Thank you very
21 much for coming out tonight.

22 (Deponent is excused.)

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CERTIFICATE

I, BARBARA A. GLOVER, do hereby
certify that I am a court reporter doing business
in the State of Illinois, County of Coles, City
of Mattoon; that I reported in machine shorthand
the hearing on October 18, 2007, and that the
foregoing transcript is a true and correct copy
of my shorthand notes.

BARBARA A. GLOVER, CSR, RPR
CRR, CCR