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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

PUBLIC HEARING IN RE: AIR)
CONSTRUCTION PERMIT, FUTUREGEN)
2.0 PROJECT, MEREDOSIA,)
ILLINOIS.)

TRANSCRIPT OF PROCEEDINGS had in the
above-entitled matter on the 9th day of October, A.D.
2013, at 5:30 p.m.

BEFORE: Mr. DEAN STUDER, Hearing Officer.

ALSO PRESENT:

MR. BOB SMET, Permit Engineer, Bureau of Air,
Illinois EPA.

REPORTED BY:

MS. CATHERINE ARMBRUST RAJCAN,
CSR, RMR, RDR, CRR, CCP, CBC.

1 MR. STUDER: We're a couple minutes before 5:30. I
2 want to remind everyone that we do have registration
3 cards out in front; and if you are here and want to be
4 notified of our final decision in this matter, I would
5 ask that you fill out a registration card. Also, if
6 you're planning on making comments this evening, that I
7 ask that you also fill out a registration card.

8 We're going to begin here in a minute or two
9 minutes.

10 (WHEREUPON, there was a short
11 interruption.)

12 MR. STUDER: We're going to go ahead and get
13 started.

14 Good afternoon. My name is Dean Studer; and I'm
15 the hearing officer for the Illinois Environmental
16 Protection Agency. On behalf of director Lisa Bonnett, I
17 welcome you to this hearing. My purpose is to ensure
18 that these proceedings run properly and according to
19 rules and are conducted in a fair and efficient manner.

20 Personally I will not be responding to specific
21 technical issues related to the permits, but will refer
22 such issues to technical staff and Bob here on my right.
23 This is an informational hearing before the Illinois EPA
24 for an air pollution construction permit for the
25 FutureGen 2.0 Project, a coal-fired oxy-combustion power

1 plant to be located at the existing Ameren Energy Center
2 in Meredosia. FutureGen Industrial Alliance, as the
3 operator, and Ameren Energy Resources, as the owner, have
4 applied for this permit.

5 The oxy-combustion power plant will include
6 construction of a coal-fired oxy-combustion boiler,
7 auxiliary boiler, three cooling towers, and other
8 ancillary operations and modification of existing
9 coal-handling operations and other operations at the
10 source. The new plant will replace the existing boilers
11 at the Meredosia Energy Center.

12 Initially the plant will demonstrate
13 oxy-combustion and carbon capture and sequestration
14 technologies at full scale for a coal-fired electrical
15 generating unit.

16 As compared to conventional boiler technology,
17 use of oxy-combustion technology will result in a smaller
18 volume of exhaust from the boiler; however, there is a
19 higher concentration of carbon dioxide, referred to as
20 CO₂, in the exhaust.

21 As a consequence, the CO₂ from the new plant will
22 be more readily captured than from a conventional steam
23 boiler power plant. This will facilitate the use of
24 carbon capture and sequestration technology by the plant.
25 Carbon and capture and sequestration is the process of

1 capturing waste CO₂ and transporting and depositing the
2 CO₂ in a permanent storage site; in this case the CO₂
3 will be deposited in an underground geological formation
4 in eastern Morgan County.

5 A second air construction permit has been
6 applied for by the FutureGen Industrial Alliance for a
7 backup engine to be located at the site of the separate
8 carbon dioxide sequestration facility in eastern Morgan
9 County.

10 The Illinois EPA has made a preliminary
11 determination that the project meets the requirements for
12 obtaining State air construction permits and has prepared
13 draft permits for review. The Illinois EPA is holding
14 this hearing for the purpose of accepting comments from
15 the public on the proposed issuance of the state
16 construction permits for this project prior to taking
17 final action on the applications.

18 This is the first of two hearings that Illinois
19 EPA will have this evening. This hearing will be limited
20 to the issues regarding the two State construction
21 permits for air pollution control units.

22 The second hearing will be limited to the issues
23 involved with the modifications of the water discharge
24 permit.

25 Please note that neither of these hearings

1 addresses the permitting required for carbon-
2 sequestration activities at the sequestration location in
3 eastern Morgan County.

4 Again, comments at tonight's hearing are limited
5 to the issues, to the Illinois EPA's air pollution
6 control permits. In tonight's second hearing, the
7 Illinois EPA will be accepting comments on the proposed
8 modification to the water discharge permit.

9 Carbon sequestration will require an underground
10 injection control, UIC, permit from the United States
11 Environmental Protection Agency, Region 5. Since
12 Illinois EPA is not authorized to issue the UIC permit,
13 the Illinois EPA will not be addressing the issues
14 related to carbon sequestration and the UIC permitting
15 during this hearing.

16 Such issues need to be brought to the attention
17 of US EPA, who has the legal authority to review the UIC
18 permit applications and to issue the UIC permits for
19 carbon sequestration. For further information regarding
20 US EPA action, US EPA has created a website for the
21 FutureGen project. That website is
22 www.epa.gov/r5water/uic/futuregen -- f-u-t-u-r-e-G-e-n --
23 slash.

24 And that website will also be made available to
25 those at the registration table.

1 Those with comments or questions regarding US
2 EPA's carbon storage or the UCI permitting process should
3 visit US EPA website.

4 This public hearing is being held under the
5 provisions of the Illinois EPA's procedures for permit
6 and closure plan hearings, which can be found in 35
7 Illinois Administrative Code, Part 166, Subpart A.
8 Copies of these rules can be accessed on the website for
9 the Illinois Pollution Control Board at
10 www.ipcb.state.il.us, or they can be obtained from me
11 upon request.

12 An informational public hearing means exactly
13 that: This is an informational hearing; it is an
14 opportunity for you to provide information to the
15 Illinois EPA concerning these permits. This is not a
16 contested case hearing.

17 I would like to explain how this hearing process
18 is going to proceed. First I will have the Illinois EPA
19 staff member with me tonight introduce himself and
20 identify his responsibilities within the agency in
21 regards to these two permit applications. Bob Smet, a
22 permit reviewer from the Illinois EPA Bureau of Air will
23 provide the additional information on the two air
24 permitting actions. This will be followed by some
25 additional instructions regarding how comments will be

1 taken at this hearing. Then representatives from Ameren
2 Energy Resources and from FutureGen Alliance will each be
3 allowed to make a brief opening statement.

4 Following this I will allow the public to
5 provide comments.

6 Written comments will be accepted and are given
7 the same consideration as comments made orally at this
8 hearing and may be submitted to the Illinois EPA at any
9 time during the comment period. That comment period is
10 now open and it is open until November 8th, 2013.

11 All comments submitted by mail must be
12 postmarked in sufficient time to arrive at Illinois EPA
13 no later than November 8, 2013. Tonight is the only time
14 we will be accepting oral comments.

15 The tentative target date for final decision in
16 this matter is before the end of the year. However, the
17 actual decision date will depend upon the number and
18 nature of comments received, as well as other factors.

19 Any person who wants to make oral comments may
20 do so as long as the statements are relevant to the two
21 air permits and time allows. If you have not signed a
22 registration card at this time, please see Brad Frost at
23 the registration table for air permits, and he can
24 provide you with one. Please be sure to check the
25 appropriate box on the card if you desire to make

1 comments at this hearing. If you have lengthy comments,
2 it would be helpful to submit them to me in writing
3 before the close of the comment period, and I will ensure
4 that they are entered into the hearing record as an
5 exhibit.

6 Please keep your comments and issues relevant to
7 the issues at hand. If your comments fall outside the
8 scope of this hearing, I may ask you to proceed to
9 another issue.

10 The permit applicants are also free to respond
11 to issues if willing to do so, but I am in no position to
12 require them to do so. Our panel member will make every
13 attempt to respond to the issues raised, but I will not
14 allow the speakers to argue or engage in prolonged
15 dialogue with our panel.

16 For the purpose of allowing as many people as
17 possible to provide comments, I ask everyone to keep
18 their questions and comments to seven minutes.

19 In addition, I'd like to stress that we want to
20 avoid unnecessary repetition. If anyone before you has
21 already presented information that is contained in your
22 comments, please skip over those issues when you speak.
23 If someone before you has said what you desire to say,
24 you may pass when I call your name to come forward.

25 All relevant comments made or presented to me in

1 writing will become part of the official record in this
2 matter and will be considered.

3 After everyone has had an opportunity to speak,
4 and provided the time permits, we may allow those who
5 initially did not want to speak to make comments.

6 All who complete a registration card or submit
7 written comments in this matter will be notified of the
8 final decision in this matter and of the availability of
9 a responsiveness summary. In the responsiveness summary
10 the Illinois EPA will respond to all significant issues
11 that were raised at this hearing or submitted to me prior
12 to the close of the comment period.

13 Again, the written record in this matter will
14 close on November 8th, 2013. Comments for this
15 proceeding need to be physically received by the Illinois
16 EPA by that date, and will therefore need to be
17 postmarked in sufficient time so as to arrive at the
18 Illinois EPA no later than November 8th, 2013.

19 While the record is open, all relevant documents
20 and comments or data will be placed into the hearing
21 record as exhibits. Please send all written documents to
22 my attention. You can mail them to Dean Studer, Hearing
23 Officer, Regarding: FutureGen, Illinois EPA, 1021 North
24 Grand Avenue East, P.O. Box 19276, Springfield, Illinois
25 62794-9276 -- excuse me.

1 That address is also given on the public notice
2 for this hearing.

3 I remind everyone that we have a court reporter
4 here who is taking a record of these proceedings for the
5 purpose of us putting together our administrative record.
6 Therefore, for the benefit of the court reporter, please
7 keep the general background noise in the room to a
8 minimum so that she can hear everything that is said.

9 Also, please silence all cell phones and pagers
10 at this time if you have not already done so.

11 Please keep in mind that any comments from
12 someone other than the person who is up front may not be
13 recorded by the court reporter. If you speak over
14 someone else, the court reporter will not be able to take
15 down everyone's comments.

16 This same rule will apply to both members of the
17 audience and also to everyone on the Illinois EPA hearing
18 panel.

19 When it is your turn to speak, I will call your
20 name to come forward. Then please come forward and state
21 your name, and if applicable, any governmental body or
22 organization or association you represent. If you do not
23 represent any governmental body, organization, or
24 association, you may simply state that you are a
25 concerned citizen. For the benefit of the court

1 reporter, I also will ask that you spell your last name.

2 If you decided to pass, please indicate so when
3 I call your name, and I will call another name for
4 someone else to come forward.

5 We have another hearing this evening involving
6 issues related to the modification of the water discharge
7 permit. That second hearing will begin at 7:30, so I
8 will keep this hearing moving.

9 After I've gone through the cards, and assuming
10 that there is time, if anyone else wishes to comment, I
11 may allow them to speak.

12 I would now ask that Bob Smet introduce himself,
13 and if he would provide his opening remarks regarding
14 this permit.

15 BOB SMET: Good evening. My name is Bob Smet; and
16 I'm a permit engineer in the Illinois EPA's Bureau of
17 Air. I will be giving you a brief description of the
18 FutureGen 2.0 Project as related to air pollution control
19 permitting. Ameren Energy Resources Generating Company
20 and the FutureGen Industrial Alliance have applied for a
21 construction permit for a new oxy-combustion boiler and
22 associated operations at Ameren's power plant here in
23 Meredosia. The boiler would be developed to enable the
24 use of carbon capture and sequestration technology with a
25 portion of the carbon dioxide emissions from this new

1 boiler being captured and sent by pipeline to a
2 sequestration facility about 30 miles east of Meredosia
3 in northeastern Morgan County.

4 The new boiler would be designed for operation
5 with over 95 percent oxygen. This oxygen would be
6 supplied by an Air Separation Unit that would be built as
7 part of the project. The boiler will be designed so that
8 most of the carbon dioxide generated during normal
9 operation in oxy-combustion mode would not need to be
10 released to the atmosphere. The carbon dioxide could
11 instead be sequestered geologically by means of deep well
12 injection.

13 The boiler will be equipped with controls to
14 remove pollutants from the flue gas from the boiler and
15 prepare the gas for processing in the carbon dioxide
16 compression unit. The first step in the system will be a
17 circulating dry scrubber. This device will use lime to
18 remove sulfur dioxide and mercury from the flue gas. The
19 scrubber will be followed by a fabric filter or baghouse
20 which will remove particulate matter, that is, fly ash
21 and lime, from the flue gas. All flue gas from the
22 boiler would pass through these devices to control
23 emissions of the boiler.

24 The permit for the plant would require testing,
25 monitoring, recordkeeping, and reporting to address

1 compliance with applicable limits and requirements. For
2 the boiler, this would include continuous emissions
3 monitoring for emissions of nitrogen oxides, carbon
4 monoxide, carbon dioxide, and mercury, and monitoring of
5 opacity.

6 The project would be developed so that it would
7 not be accompanied by significant net increases in
8 emissions of pollutants that are addressed by the federal
9 rules for Prevention of Significant Deterioration, or
10 PSD. In particular, there will be creditable decreases
11 in emissions from the permanent shutdown of existing
12 boilers at the Meredosia plant so that, overall, this
13 project, in combination with these decreases, will not
14 entail a significant net increase in emissions of any PSD
15 pollutants.

16 Finally, a second air pollution construction
17 permit has been applied for by the FutureGen Industrial
18 Alliance for a backup engine to be located at the site of
19 the separate -- at the site of the separate carbon
20 dioxide sequestration facility in northeastern Morgan
21 County.

22 In closing, the Illinois EPA is proposing to
23 issue two construction permits for the proposed project.
24 We welcome your comments and questions on our proposed
25 action. Thank you.

1 MR. STUDER: Thank you, Bob.

2 I'll go quickly over a few ground rules. While
3 the issues raised tonight may indeed be heartfelt
4 concerns for many of us in attendance, applause is not
5 appropriate during the course of this hearing. On a
6 similar note, other noises such as booing, hissing,
7 jeering are also not appropriate and will not be
8 tolerated this evening.

9 Statements and comments that are of a personal
10 nature or reflect on the character or motive of a person
11 or group of people are not appropriate during this
12 hearing. As hearing officer, I do intend to treat
13 everyone here tonight in a courteous and respectful and
14 professional manner. I ask that members of the panel and
15 the public do the same.

16 If the conduct of persons attending this hearing
17 should become unruly, I am authorized to adjourn this
18 hearing should the actions warrant. In such a case,
19 Illinois EPA would still accept written comments through
20 the close of the comment period.

21 We are here tonight to listen to environmental
22 issues concerning Illinois EPA's two proposed air
23 construction permits. You may disagree with or object to
24 some of the statements and comments made tonight, but
25 this is a public hearing, and everyone has a right to

1 express their comments in this matter.

2 Again, written comments are given the same
3 consideration as oral comments received during this
4 hearing and may be submitted to the Illinois EPA at any
5 time within the comment period. And again, that date is
6 November 8th, 2013, when the comment period closes.

7 If you have lengthy comments, please consider
8 giving only a summary of those comments during this
9 hearing and then submitting comments in their entirety to
10 me in writing before the close of the comment period. I
11 will ensure that they are entered into the hearing record
12 as an exhibit. Please keep your comments relevant to the
13 issues at hand. If your comments fall outside the scope
14 of this hearing, I may ask you to proceed to the next
15 issue. And again, the time limit is eight minutes.

16 I think earlier I had said seven. I think we've
17 got enough people and enough time where we can go for
18 eight. I will enforce the time limit, though, this
19 evening.

20 I stress that we want to avoid unnecessary
21 repetition. Once a point is made, it makes no difference
22 if that point is made once or whether it's made 99 times;
23 it will be considered and will be reflected only once in
24 the responsiveness summary. The final decision of the
25 Illinois EPA will not be based on how many people support

1 or oppose this project, but rather upon the record and
2 whether the facility will comply with applicable laws,
3 regulations and requirements for permit issuance.

4 I ask that while you are speaking that you
5 direct your attention to the hearing panel and to the
6 court reporter to ensure that an accurate record of your
7 comments can be made.

8 Again, prolonged dialogue with members of the
9 public or hearing panel or with others here in attendance
10 will not be permitted. Comments directed to the audience
11 are also not allowed.

12 I remind everyone that the focus of this hearing
13 involves the two state construction air permits.

14 Are there questions regarding the procedures
15 that I'll use tonight to conduct this hearing?

16 (No response.)

17 DEAN STUDER: Okay. Let the record indicate that no
18 one had raised their hand.

19 Speaking on behalf of Ameren, I believe we have
20 Steve Whitworth. Mr. Whitworth, if you would come
21 forward to the microphone.

22 STEVE WHITWORTH: Good evening.

23 UNIDENTIFIED INDIVIDUAL: Turn on microphone,
24 please.

25 STEVE WHITWORTH: Good evening. I'm Steve

1 Whitworth, I'm Director of Environmental Services for
2 Ameren.

3 I sincerely appreciate the opportunity to
4 address the public and the Agency during tonight's
5 hearing. In addition I would like to thank Bureau of Air
6 and especially the staff of the construction permit unit
7 for their efforts to develop a workable permit that fully
8 addresses all applicable regulatory requirements. This
9 project presents some unique challenges, and the Agency
10 has done a commendable job in drafting a permit that
11 takes into account the fact that the FutureGen project is
12 the first of its kind in demonstration of new
13 technologies. The proposed permit does a very good job
14 of ensuring the project will meet all Illinois and US EPA
15 requirements including the recently promulgated federal
16 Mercury and Air Toxics standards.

17 Meredosia Energy Center is an Ameren Energy
18 Generating Company electrical generation facility located
19 here in Meredosia. The Energy Center has been a source
20 of electrical power, jobs and tax revenue for the
21 community since 1948. The facility includes five
22 coal-fired boilers and one oil-fired boiler providing
23 steam to four steam turbine generators. Ameren has
24 invested \$36 million in recent years in pollution control
25 upgrades to this Energy Center. However, because of the

1 age and design of the boilers and recently promulgated
2 environmental requirements, costly changes to the
3 facility would be required to keep the facility
4 operating. As a result, Ameren has contemplated various
5 options for utilizing this facility to the fullest
6 extent, resulting in our application for the FutureGen
7 project.

8 The FutureGen project will utilize the Meredosia
9 Energy Center to demonstrate a near-zero emissions
10 coal-fired power plant as integrated with carbon capture
11 and storage. The FutureGen project will showcase utility
12 scale operation of an oxy-combustion boiler technology in
13 conjunction with advanced carbon dioxide compression and
14 purification technologies. The result will be a cleaner
15 coal-combustion facility with reduced emissions of all
16 hazardous air pollutants, criteria pollutants, and
17 greenhouse gas emissions. In addition, it will ensure
18 the continued operation of the Meredosia Energy Center as
19 a showcase of the future of coal-combustion technology.

20 As demonstrated in the permit application, the
21 project will result in reductions in emissions of all
22 pollutants from the Energy Center. In addition to the
23 near-zero emissions from the FutureGen project, emissions
24 reductions will also result from the permanent shutdown
25 of the exiting boilers at the Meredosia Energy Center.

1 The project will bring construction-related jobs and will
2 also result in ongoing employment opportunities to
3 support the facility.

4 Ameren is proud to be part of this project to
5 demonstrate cutting-edge technology at the Meredosia
6 Energy Center. The issuance of this permit is a positive
7 and necessary step for the FutureGen 2.0 Project at the
8 Meredosia Energy Center.

9 Thank you for the opportunity to present these
10 comments.

11 DEAN STUDER: Thank you, Mr. Whitworth.

12 Speaking for FutureGen Alliance, we have Lucinda
13 Low Swartz.

14 LUCINDA SWARTZ: Good evening, and thank you for the
15 opportunity to speak at today's hearing.

16 I'm Lucy Swartz, Chief Operating Officer for the
17 FutureGen Alliance. The Alliance is a consortium of
18 private sector energy companies formed to partner with
19 the United States Department of Energy to -- on the
20 FutureGen project. The Alliance's interest in this
21 project is to advance the development and demonstration
22 of near-zero emissions coal technology.

23 The FutureGen project is a first-of-its-kind,
24 near-zero emissions coal-fueled power plant that is fully
25 integrated --

1 DEAN STUDER: Can all of you hear?

2 Is the switch on that microphone on?

3 UNIDENTIFIED INDIVIDUAL: Get a little closer.

4 LUCINDA SWARTZ: Didn't want to blast you out. The
5 FutureGen project is a first-of-its-kind near-zero
6 emissions coal fuelled power plant that is fully
7 integrated with geologic CO₂ capture and storage. As
8 part of the project, a unit in the Meredosia Energy
9 Center will be upgraded with oxy-combustion technology to
10 capture approximately 1.1 million metric tons of CO₂ each
11 year -- more than 90 percent of the plant's carbon
12 emissions. Other air and water pollutant emissions and
13 effluents will be reduced to very low levels. Using safe
14 and proven pipeline technology, the CO₂ will be
15 transported by pipeline and stored underground at a
16 storage site in northeastern Morgan County. The project
17 will also include a visitors', research and training
18 center -- the FutureGen Center.

19 With Ameren Energy Resources, the Alliance has
20 submitted permit applications for the construction of the
21 oxy-combustion power plant and for the construction of an
22 emergency diesel generator at the CO₂ storage site to
23 ensure the safe operation of the facilities there. The
24 permit applications that the Illinois Environmental
25 Protection Agency, Bureau of Air has reviewed and which

1 are the basis of draft permits, provide a detailed
2 description of the oxy-combustion process and the
3 expected emissions at the power plant site and the
4 storage site. The application and draft permits are
5 available for public review, and I won't attempt to
6 summarize that material here.

7 I will briefly note the importance of the
8 FutureGen 2.0 Project to Meredosia, Morgan County, the
9 State of Illinois, the United States, and indeed the
10 world. The FutureGen 2.0 Project in Morgan County will
11 substantially advance clean-energy technology and will
12 provide a major economic development opportunity for
13 Illinois and local communities. DOE, the State of
14 Illinois, and private sector companies are developing
15 FutureGen 2.0 to help advance a clean energy future.

16 The FutureGen 2.0 Project will bring \$12 billion
17 in overall economic benefits to the State of Illinois
18 according to an independent study conducted by the
19 University of Illinois Regional Economic Applications
20 Laboratory. The study also found that the project will
21 create up to 1610 jobs during peak construction. These
22 jobs will be associated with upgrading the power plant,
23 building the CO₂ pipeline and storage facility, as well
24 as constructing the visitor, research and training
25 center. The project will maintain an average of 620

1 well-paying jobs for the next 20-plus years. Four
2 hundred of those jobs will be located in Jacksonville,
3 Morgan County, and surrounding Counties.

4 The FutureGen Center -- the visitor, research
5 and training facility -- will also be an asset to the
6 community and create an excellent economic development
7 opportunity. Expected to open in 2015, the center's
8 design will employ the use of environmentally sustainable
9 principles. In addition to creating direct local jobs,
10 the center will create spin off service sector jobs and
11 also purchase goods and services from local businesses.

12 In conclusion, the FutureGen 2.0 Project will
13 prove out the integration of a power plant, CO₂ pipeline,
14 and CO₂ storage site. The results will be used to
15 develop additional projects in Illinois and around the
16 world. Carbon capture and storage using oxy-combustion
17 technology have been used at pilot scale, and it is
18 common industrial practice to safely transport CO₂
19 through thousands of miles of U.S. pipelines. DOE has
20 seven pilot demonstration CO₂ storage sites around the
21 country, including one in central Illinois.

22 These pilot projects have proven that CO₂ storage
23 can be done safely. The FutureGen Project will
24 demonstrate the integration of these technologies at a
25 commercial scale.

1 Lessons learned from the FutureGen 2.0 Project
2 can be replicated at other power plants, fertilizer
3 plants, cement plants, and other industrial facilities
4 that emit CO₂. This technology will be essential to
5 Illinois' economic future.

6 Thank you again for allowing the Alliance to
7 speak.

8 DEAN STUDER: Thank you.

9 The first person is Terri Treacy.

10 TERRI TREACY: Thank you, Hearing Officer Dean
11 Studer, in allowing me to speak.

12 My name is Terri Treacy, T-r-e-a-c-y. I'm here
13 on behalf of the Illinois Sierra Club, statewide
14 environmental organization with approximately 25,000
15 people statewide.

16 FutureGen 2.0 Alliance has publicly stated that
17 this plant is supposed to be a near-zero emission
18 coal-fired power plant because it is supposed to capture
19 more than 90 thousandths (sic) of its
20 climate-change-inducing carbon dioxide emissions and
21 sequester it permanently. However, this draft permit
22 falls far short of that goal.

23 Rather than ensuring that FutureGen will
24 actually capture 90 percent of its carbon emissions, this
25 draft permit would allow all of the carbon dioxide

1 emissions it generates; none has to be captured, none has
2 to be sequestered.

3 Our understanding is that the -- that is not
4 FutureGen's intent. Therefore, we urge IEPA to go back
5 to the drawing board and come up with permit limits that
6 match FutureGen's stated intent.

7 In addition, the facility would be able to emit
8 excessive amounts of sulfur dioxide, nitrogen oxides,
9 fine particulate matter, lead, and other harmful
10 pollutants. Again, FutureGen may intend to do better,
11 but this permit gives no assurance that it will.

12 US Environmental Protection Agency recently
13 prepared new source performance standards for greenhouse
14 gas emissions from coal-fired power plants. The draft
15 permit should examine how FutureGen's plans to emit over
16 1 million tons of greenhouse gases annually would comply
17 with these new standards. We disagree that these
18 standards are not applicable because FutureGen proposes
19 to offset the increase in carbon emissions from this
20 facility with carbon emissions from the long-shuttered
21 Meredosia Energy Center.

22 This is legally problematic for two reasons.
23 First, EPA only allows a company to offset or net out of
24 Clean Air Act requirements if there are actual
25 contemporaneous reductions in emissions, the emissions

1 that must fall within a period defined as five years
2 before the proposed construction date of the new
3 facility. That would mean that the emission reductions
4 would have to have occurred between July of 2009 and July
5 2014. However, FutureGen Alliance is trying to use a
6 contemporaneous period that goes back to February 2007,
7 over seven years from when construction is expected to
8 begin, which is two years beyond the allowable window for
9 contemporaneous period.

10 Second, EPA has issued a series of guidance
11 documents requiring whether a source which has been shut
12 down is subject to PSD review upon reactivation. A
13 shutdown lasting for two years or more or resulting in
14 removal of the source from the emissions inventory of the
15 state should be presumed permanent. Review of the record
16 here shows that Ameren intended to shut down the
17 Meredosia center permanently at the time of its closure.

18 And my brief statements don't go into detail,
19 but my notes that I submitted do.

20 Despite the clear indications that Meredosia was
21 closed permanently in 2011, the draft -- excuse me --
22 finally, data from EPA databases confirms that this plant
23 generated zero emissions in 2012.

24 Despite the clear indications that Meredosia was
25 closed permanently in 2011, the draft permit takes

1 Meredosia's emissions from 2007 to 2009 into account in
2 concluding that the FutureGen project will have lower
3 emissions. This runs counter to EPA guidelines and
4 common sense. The residents surrounding the Meredosia
5 facility have breathed air free from its pollution for
6 the last two years. The proposed project should be
7 considered from this baseline of zero emissions.

8 The same fuzzy math that the FutureGen Alliance
9 uses to avoid carbon regulations is also being used to
10 avoid modern emission limitations for all criteria
11 pollutants, including sulfur dioxide, particulate matter,
12 lead, and nitrogen oxides. The 7th Circuit has stated
13 there is expectation that as old plants wear out and are
14 replaced by new ones, the new construction will be
15 subject to "the more stringent pollution controls that
16 the Clean Air Act imposes on the new plants."

17 By allowing FutureGen to improperly credit
18 Meredosia's old emissions to evade otherwise applicable
19 standards, the draft permit contravenes the law.

20 Thank you very much.

21 DEAN STUDER: Thank you, Miss Treacy -- I knew I
22 could get it right.

23 Cindy Skrukrud.

24 CINDY SKRUKRUD: Thank you for the chance to ask
25 some questions this evening.

1 My name is Cindy Skrukruud, my last name is
2 spelled S-k-r-u-k-r-u-d.

3 Like Terri, I work for the Illinois Chapter of
4 the Sierra Club. I have a number of questions that will
5 help inform me better on the impacts of the proposed
6 changes at this facility and what the impacts will be on
7 both air and water. My first question is how will
8 restarting the Meredosia facility affect the
9 multipollutant standard that Ameren agreed to in 2006?

10 BOB SMET: That's one that I'm not quick to answer
11 here. So I will save that for our responses to comment.
12 That may be true of some other areas as well. But go
13 ahead.

14 CINDY SKRUKRUD: Okay. Thank you.

15 Then I had some questions on -- I'm looking at
16 the -- the project summary -- the questions on Page 3
17 where it discusses the multistep control train for
18 removing pollutants from the flue gas. And so I wanted
19 to better understand the waste that would be -- waste
20 streams that would be generated from each of these steps,
21 whether they're dry or wet waste streams.

22 And so the first step is the circulating dry
23 scrubber that uses hydrated lime to remove SO₂, other
24 acid gases, and mercury.

25 And I wondered what -- what are the waste

1 streams generated from -- what are the waste streams
2 generated from the circulating dry scrubber?

3 BOB SMET: Are you talking about the solid waste
4 streams?

5 CINDY SKRUKRUD: Yes. Solid or wet. I'm just
6 trying to understand that.

7 DEAN STUDER: Do we want to try to ask somebody from
8 Ameren specific --

9 BOB SMET: The danger of asking me is since I didn't
10 design the plant, I could sit up here and give a thought
11 as opposed to the actual facts. So I don't want to put
12 myself in that position.

13 DEAN STUDER: The applicant is under no obligation
14 to answer at this EPA hearing. We may have to respond to
15 you in writing. But that's -- that's not going to be
16 necessarily my call.

17 CINDY SKRUKRUD: If you're able to just answer in
18 general, Bob, that would be useful for me. I'm not going
19 to hold you to it.

20 BOB SMET: Right. Like enthus- -- the air pollution
21 minus a good chunk of the acid gases, particulate matter,
22 but -- you'll have some others. But I'm going to leave
23 it to Greg here.

24 DEAN STUDER: Greg, if would you state your name and
25 spell your last name for the record, please.

1 GREG HAGERTY: My name is Greg Hagerty,
2 H-a-g-e-r-t-y.

3 I work for the Alliance.

4 What happens with the solid streams from the
5 circulating dry scrubbers is it will remove from the air
6 stream in the fabric filter, and those will be
7 characterized and disposed of at an off-site commercial
8 facility.

9 CINDY SKRUKRUD: Okay, thank you. So -- might not
10 want to sit down.

11 (Laughter.)

12 CINDY SKRUKRUD: So then the next step in this
13 control train is the filter or baghouse. And that may
14 be -- was that what you were just talking about?

15 Okay. Then I understand that.

16 So that creates a solid stream.

17 And then -- and then there's a discussion later
18 in the next paragraph of a polishing system with another
19 scrubber and baghouse. And the -- it says the primary
20 purpose of this system is to reduce the moisture content
21 of the flue gas and adjust its temperature.

22 So just preparing myself for the next hearing on
23 the water discharges, is this policy -- polishing system,
24 is this what's -- is this also what would be called the
25 direct contact -- contact cooler polishing system?

1 BOB SMET: Yes, it is.

2 CINDY SKRUKRUD: And so the waste streams generated
3 from that are dry; or wet? Or both?

4 BOB SMET: That would be wet. It will be a wet
5 stream.

6 CINDY SKRUKRUD: Okay. Thank you.

7 DEAN STUDER: Thank you, Ms. Skrukrud.

8 Danny Little.

9 DANNY LITTLE: My name is Danny little; I'm a
10 resident of Meredosia area.

11 I came to indicate my support --

12 DEAN STUDER: Just for the record, can you spell
13 your last name, please.

14 DANNY LITTLE: L-i-t-t-l-e.

15 DEAN STUDER: Thank you.

16 DANNY LITTLE: Raise a little?

17 Wanted to indicate my support for the project.
18 The application itself, the IEPA, and the monitoring that
19 will go with it seems to me at least to protect the
20 citizens in the area. I live very close to the plant.

21 Also the economic development benefits of the
22 program of course needed here in the area. And you know,
23 some of the questions before, I'm not certain what those
24 answers are. I'll look forward to your replies.

25 But I just wanted to indicate my support.

1 Thank you.

2 DEAN STUDER: Thank you, Mr. Little.

3 Elizabeth Niemann.

4 ELIZABETH NIEMANN: Niemann.

5 Can you hear me?

6 Are we on?

7 Okay. My name is Elizabeth Niemann,

8 N-i-e-m-a-n-n. I'm a concerned citizen.

9 And I really -- most of my comments have already
10 been touched upon, and probably -- more of them will
11 probably be touched upon; but I do have a very valid
12 question.

13 Under Illinois Public Act 9716, it reads in
14 Section 40, permitting, the State of Illinois shall --
15 not will -- shall issue to the operator all necessary and
16 appropriate permits consistent with the state and federal
17 law and corresponding regulations. The State of Illinois
18 must allow the operator to combine applications when
19 appropriate. The State of Illinois must otherwise
20 streamline the application process for a timely permit
21 issuance.

22 This is on the Clean Coal Act.

23 My question with this comment is: Is there an
24 option for you not to issue any permits, or are you
25 mandated by this law to issue permits no matter what?

1 BOB SMET: We have to defer to our division of legal
2 counsel on that one. So yet again I'm going to have to
3 wait for our responses.

4 But that's the safe place to put every response
5 that we will provide to all the comments, so we're not
6 going to --

7 ELIZABETH NIEMANN: I figured that's what your
8 answer would be, but I had to ask the question.

9 DEAN STUDER: And I can tell you that our authority
10 to issue permits is not based on the act that you stated,
11 it's based on the Environmental Protection Act. I think
12 that's actually -- was that a Clean Coal -- yeah.

13 We do have some streamlining regulations that
14 are in place, but our authority is limited under the
15 Environmental Protection Act. And in a nutshell, we're
16 required to issue a permit if the applicant meets the
17 requirements for obtaining a permit, we're required to
18 issue it.

19 BOB SMET: But we will consult with our legal staff
20 on all of this. So we'll clarify it for sure.

21 ELIZABETH NIEMANN: And my other comment is this
22 whole project is designed to thwart climate change by
23 reducing CO₂. However, this plant, this concept, this
24 project will have no effect on the amount of CO₂ removed
25 from -- or in the atmosphere.

1 It's less than 1/10th of 1 percent.

2 DEAN STUDER: Thank you for your comments and your
3 questions.

4 Terry Denison.

5 TERRY DENISON: Do I need to raise this?

6 DEAN STUDER: Probably.

7 TERRY DENISON: Good evening. My name is Terry
8 Denison, D-e-n-i-s-o-n.

9 I am president of the Jacksonville Regional
10 Economic Development Corporation, and we service Morgan
11 County and Scott County, which Meredosia is a part of
12 Morgan County.

13 I just wanted to kind of -- in my job as
14 economic development -- to hit on the -- the economic
15 impact that FutureGen will have on our area.

16 Miss Swartz kind of already gave you some of the
17 facts and figures from the University of Illinois'
18 economic impact study, but I just want to kind of add to
19 that; and I'll be brief.

20 First of all, FutureGen, we consider -- most
21 people in our -- in our area -- to be progress. In
22 today's economic environment, and particularly,
23 unfortunately, in Illinois, it's really a challenge to
24 attract new industry into our community. However, we
25 have been very successful and very lucky in getting some

1 new industry, of which FutureGen happens to be one of
2 them.

3 And as I said, has been said by Miss Swartz,
4 FutureGen represents an excellent opportunity to give the
5 community an economic shot in the arm during the
6 construction phase as well as the ongoing operation. And
7 in the long term FutureGen will produce, in addition to
8 jobs, increased tax revenues and more than replace the
9 jobs that had been lost due to the closure of the
10 Meredosia power plant in 2011.

11 In fact, it is addressed -- the tax revenue is
12 addressed in the economic impact; and at the end I'd like
13 to give the court reporter a copy of the summary of the
14 report, which I think will be helpful.

15 The other thing that -- that's going on is this
16 community has already seen the benefits of having
17 FutureGen and the power plant in Meredosia. When the
18 Meredosia power plant ceased generating power in December
19 2011, the County faced a potential loss of more than
20 \$500,000 per year in property taxes and real estate.
21 Most of that money goes to Meredosia School District, of
22 which we're here tonight. And without those funds, the
23 school district would be very much facing uncertain
24 financial future. However, with this FutureGen project,
25 active maintenance of the plant, and with the

1 preparations for the future construction, those property
2 taxes continue to be paid.

3 And that makes a real very positive impact on
4 the financial difference for the County and for our
5 schools.

6 And then lastly, as I'm sure you guys know,
7 about 60 percent of power in rural America is based on
8 coal, is on coal-fired power plants. So coal is very,
9 very important to rural America.

10 And however, with ever-tightening -- we have
11 heard this before -- environmental regulations, we need
12 new technology to make coal cleaner. And even though
13 this project may do very little as far as global warming,
14 it's a start, it's a start in the right direction.

15 FutureGen has a great opportunity to demonstrate
16 this clean-coal technology. So let's build this plant
17 and protect the coal power of rural America.

18 I just want you to know that I and my 30-member
19 board of directors of the JREDC fully supported issuing
20 of this permit.

21 Thanks.

22 DEAN STUDER: Thank you, Mr. Denison. For the
23 record, his first name is spelled T-e-r-r-y.

24 Ginny Fanning.

25 GINNY FANNING: I did not have any comments based on

1 that.

2 DEAN STUDER: All right. Is there anyone here who
3 has not spoken that would like to make comments on the
4 air permit in this proceeding?

5 Let the record indicate that no one raised their
6 hand.

7 Is there anyone who has already spoken that has
8 any additional comments they would like to make?

9 Since no one raised their hand, I do remind
10 everyone that the comment period is open until November
11 8th, and the hearing notice contains the address where
12 comments may be submitted.

13 I thank you for your attendance at this hearing.
14 This hearing is adjourned; and we will start the water
15 hearing in this same location at 7:30.

16 Thank you.

17 WHICH WERE ALL OF THE PROCEEDINGS
18 HAD IN FOREGOING
19 PUBLIC COMMENT HEARING ON THIS DATE.

20 (WHEREUPON, the hearing was
21 concluded at 6:21 p.m.)
22
23
24
25

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF DU PAGE)

4 I, CATHERINE A. RAJCAN, a Certified Shorthand
5 Reporter of the State of Illinois, do hereby certify that
6 I reported stenographically by means of machine shorthand
7 the proceedings had at the public hearing aforesaid,
8 thereafter reduced to typewriting via computer-aided
9 transcription under my personal direction, and that the
10 foregoing is a true, complete and correct transcript of
11 the proceedings of said public hearing as appears from my
12 stenographic notes so taken and transcribed under my
13 personal direction.

14 I further certify that my certificate attached
15 hereto applies to the original transcript and copies
16 thereof, signed and certified under my hand only. I
17 assume no responsibility for the accuracy of any
18 reproduced copies not made under my control or direction.

19 IN WITNESS WHEREOF, I do hereunto set my hand at
20 Wheaton, Illinois, this 19th day of October, 2013.

21 _____
22 Certified Shorthand Reporter

23 C.S.R. Certificate No. 084-002503.
24
25