

Illinois Environmental Protection Agency (Illinois EPA)

Hearing Officer Statements

Bureau of Air Construction Permit and Bureau of Land Development Permit

Green Era Renewable Energy & Urban Farming Campus

Public Hearing November 17, 2022

Good evening. The current time is _____ Central Time. On behalf of the Illinois EPA Director, John Kim, welcome to tonight's hearing. My name is Jeff Guy, and I am the Agency hearing officer. We look forward to receiving your comments after tonight's opening remarks. At this time, please silence all cell phones and other devices if you have not already done so.

This informational hearing is being held pursuant to Agency procedures for permit and closure plan hearings, which can be found at 35 Illinois Administrative Code Part 166, Subpart A. These regulations are available on the Illinois Pollution Control Board website at pcb.illinois.gov. My responsibility as the hearing officer is to ensure that this hearing is conducted in a fair and orderly manner according to these regulations. As part of this hearing proceeding, the Illinois EPA has prepared documents for public review that outline the permit terms and conditions that are the subject of this hearing. And those documents are available on the Illinois EPA public notice webpage.

Green Era Renewable Energy & Urban Farming Campus (Green Era) has applied to the Illinois EPA Bureau of Air and Bureau of Land for permits to develop a Liquid and Solid Food Waste Recycling Facility at 650 West 83rd Street in Chicago, Illinois. Green Era has applied for a construction permit from the Bureau of Air. The construction permit establishes the emissions regulations, compliance, and monitoring of air pollutants from the facility. Green Era has also applied for a Bureau of Land permit to develop a food waste composting facility. Upon completion of development, the facility will be required to obtain an operating permit.

The Illinois EPA has reviewed the applications and made preliminary determinations that both applications meet standards for issuance and has prepared draft permits for public review and comment. The Agency is holding a public comment period, including this public hearing, to provide an opportunity for the public to understand and comment on the draft permits prior to making a final decision. The Agency is accepting written public comments during the comment period. As indicated in the public hearing notice, written comments must be received by midnight on December 19, 2022, and should be submitted to EPA.PublicHearingCom@Illinois.gov or to the Illinois EPA, attention Jeff Guy, Hearing Officer, P.O. Box 19276, 1021 North Grand Avenue, Springfield, Illinois 62974-9276. Please reference “Green Era” in your email or letter. Written comments are given the same consideration as oral comments made during this hearing and may be submitted to the Agency at any time during the comment period. Although we will continue to accept written comments through December 19, 2022, tonight is the only time that we will accept oral comments. The Agency will fully consider and respond to all significant oral and written public comments and may make changes to the permits based on the comments. At this time, Agency staff will introduce themselves and provide information we believe is relevant to tonight’s hearing. This will be followed by additional instructions from me on how we will take public comments.

If you have extensive oral comments this evening, please consider giving only a summary of those comments and then submitting the entirety of your comments to the Agency in writing before the end of the comment period on December 19, 2022. While the record is open, all written comments will be placed into the hearing record as exhibits.

Agency staff will answer questions if those answers are readily available, but if the question calls for research or is too complicated for a quick answer, they will address your comments as part of the Agency's responsiveness summary, which will include a summary of all significant public comments, whether written or oral, submitted during tonight's hearing or during the time the hearing record is open. The responsiveness summary will also provide a statement of the Agency's final action. All who provide their email address, mailing address, or submit written comments during the comment period will be notified of the Agency's final decision in this matter and of the availability of the responsiveness summary, which will be available on the Agency's public notice webpage.

If you have not completed a registration card yet, please do so at the registration desk and check the appropriate box on the card if you desire to make comments at the hearing this evening. If anyone does not wish to make comments or if we cannot accommodate everyone who wishes to make comments this evening, for whatever reason, please submit your comments to us in writing. Again, written comments are given the same consideration as comments made orally at this hearing.

Anyone wishing to provide comments this evening please be mindful of the court reporter who is making a verbatim record of this proceeding. Therefore, please keep the general background noise in the room to a minimum so that all comments can be properly recorded. Any comments made from the audience without a microphone will not be recorded by the court reporter or part of the hearing record. The transcript of this hearing will be posted on the Illinois EPA public notice webpage.

As the hearing officer, I intend to treat everyone in a respectful manner, and I ask that Agency staff and the public please do the same. Everyone has a right to express their comments on this matter, however, please do not argue, cross-examine, or engage in prolonged discussions with Agency staff. Any person who wants to make comments may do so as long as the comments are relevant to the issues at hand and the time allows. If your comments fall outside of the scope of this hearing, I may

ask to you proceed to your next issue. Comments should be addressed to the hearing panel. When it is your turn to speak, I will call your name. Please state your name and affiliation for the record. For the benefit of creating an accurate record, please spell your last name. We will now take public comments.

That concludes our public hearing. If you did not present oral comments tonight but still wish to comment, please submit your written comments to the Agency as directed in the public notice, which can be accessed at the Illinois EPA public notice webpage. Written comments will be included in the record and reviewed by the Agency as the responsiveness summary is prepared. The record closes at midnight on December 19, 2022. Please send your written comments to the attention of Jeff Guy, as indicated in the public notice.

A repository of documents is available at the Woodson Public Library at 9525 South Halsted Street, Chicago, Illinois 60628 and the Illinois EPA offices located at 1021 North Grand Avenue, Springfield, Illinois 62974-9276 and 9511 West Harrison Street, Des Plaines, Illinois 60016. The draft permits, public notice, and other pertinent documents are available on the Illinois EPA public notice webpage. You can obtain copies of these documents through a Freedom of Information Request to the Agency. This can be done through our website, or you can contact the Agency directly if you need help with this request. Thank you for your participation this evening. The current time is _____ Central Time and this public hearing is adjourned.

Opening Statement

Good evening. My name is Bob Bernoteit. I am the manager of the Federally Enforceable State Operating Permit unit, within the Illinois EPA Bureau of Air Permit Section. I will now provide a brief overview of permitting and of the permit that is the subject of this hearing.

Generally, permits are required in Illinois prior to construction and operation of emission units and air pollution control equipment. The permit program and permits issued thereunder provide a consistent and systematic way of ensuring that air emission sources are built and operated in compliance with applicable state and federal air pollution control laws and regulations.

In a permit application, the Illinois EPA requires: a description of the emission source and emission units proposed to be constructed, a list of types and amounts of the contaminants that will be emitted, and a description of the emission control equipment to be utilized. This information is used to determine whether the emission source can comply with standards adopted by the Illinois Pollution Control Board and the United States Environmental Protection Agency or USEPA.

In its review of an application, the Illinois EPA has no choice legally but to issue a construction permit to a source if the source will be in compliance with all state and federal air pollution control regulations.

To ensure compliance, the Illinois EPA establishes conditions in the permit or requirements that the source must follow. Conditions may restrict such things as the number of hours of operation, the amount and type of materials used, production rates, or the operating and control practices used by a source. Conditions within the permit also include requirements for testing, parametric monitoring, record keeping, and reporting to demonstrate that restrictions are in fact being met. Failure to comply with the permit conditions subjects a source to the risk of enforcement, that may include fines, and other penalties.

Additional tools for ensuring compliance include: Agency review of reports that a source is obligated to submit and onsite inspections of the source and its units. For example, a source must report its emissions to the Illinois EPA each year and must promptly report any deviation from permit requirements. These reports are reviewed by the Illinois EPA to assess compliance. The Illinois EPA also periodically visits a source to confirm compliance through observation of operations and review of source records. If problems are identified by either review of source reports or direct observation, corrective measures will be required and legal action may be pursued.

In this proposed permit for Green Era, the facility would be authorized to receive liquid and solid food waste to be processed and converted to produce a pipeline quality biomethane gas through the use of anaerobic digesters and a biogas treatment system. The permit requires the emissions from biogas handling and processing system be

controlled. That control train consists of a thermal oxidizer and flare. The permit further requires inspection of the air pollution control equipment and a log of control equipment operation.

The permit places limits on emissions from the operations and requires testing of Particulate Matter, Particulate Matter less than 10 microns, Particulate Matter less than 2.5 microns, Sulfur Dioxide, Nitrogen Oxides, Carbon Monoxide, and Volatile Organic Material to determine the emissions from the source. Also, the permit calls for parametric monitoring. This monitoring addresses temperature of the thermal oxidizer combustion chamber and monitoring to ensure the presence of a flame when gas is being vented to the flare. And, the permit calls for record keeping and reporting for the stack testing and of the monitored parameters.

In addition to the generally applicable statutory and regulatory requirements, the Illinois EPA has required:

- Operation and emission limitations for at the Biogas Handling and Processing System;
- A fugitive emissions control plan for the roadways at the facility; and
- An odor control plan for the facility that was prepared by the applicant and was submitted to and was reviewed by the Illinois EPA.

That concludes my opening remarks.

**Opening Statement for the Public Hearing for the development permit for
Green Era Renewable Energy and Urban Farming Campus's (Green Era)
food waste composting facility**

Good evening. My name is Tom Hubbard, and I am the Manager of the Disposal Alternatives Unit in the Bureau of Land, Permit Section. I would like to thank you all for attending this public hearing regarding the possible issuance of Bureau of Air and Bureau of Land permits to Green Era to develop a food waste composting facility. The facility covers an area of 8.9 acres and is located at 650 West 83rd Street in Chicago Illinois. My remarks today pertain to the possible issuance of development permit by the Bureau of Land.

First, I would like to provide some general regulatory background on how facilities like Green Era are regulated by the Bureau of Land. Green Era has applied for a development permit to compost food waste under the requirements stipulated in 35 Ill. Adm. Code Part 807. If this development permit is approved Green Era will have to apply for an operating permit from the Bureau of Land, we will review the operating permit application to confirm that construction has been completed in accordance with the approved design. Waste can only be accepted after approval of the operating permit application by the Bureau of Land.

The development permit application proposes to construct a 35,000 square foot Processing Building, a 5,600 square foot building for temporary storage of General Use Compost and wood chips (referred to as the Pole Barn), four (4) hoop houses for indoor farming operations, a 1.64-million-gallon digester tank, a 320,000 gallon equalization tank, biogas equipment, a flare, a thermal oxidizer and associated piping and valves.

I would like to provide some background on the facility operations. The facility will receive wastes from food processors (dairies, bakeries, potato chip plants, brewers, snack food fryers, meat packers and pet food manufacturers), grocery stores,

restaurants, commercial and residential establishments that generate source separated post-consumer food scraps and source separated bagged kitchen waste from neighborhood curbside collection programs in the Chicago metropolitan area.

Approximately 80,000 tons of food waste will be received per year. The average daily acceptance rate is 200 tons of solid food waste and 100 tons of liquid food waste. Solid food waste will be received at the facility in compactors, roll-off boxes, dump or walking floor trailers. Liquid food waste will be received at the facility in tankers that are sealed. All food waste will be received and processed within the enclosed Processing Building. All food waste will be normally processed the same day it is received. The equipment and processing areas will be cleaned every day waste is received at the facility.

The number of trucks accessing the facility (includes trucks delivering food waste, trucks removing food packaging and other non-digestible material and trucks transporting composted cake solids) will vary from 16 to 28 trucks per day. All trucks will enter the facility from the South Wallace Street through a gated entrance. Waste hauling vehicles are not allowed to queue outside the facility boundaries.

The solid and liquid food wastes will be combined to form a pumpable slurry which will be treated in an anaerobic digester system. Free water from the digestate will be sewerred to MWRD's Stickney Water Reclamation facility and the cake solids will be transported offsite for blending with soils and compost. The facility is expected to produce 50 tons of cake solids per day. Biogas gas that is produced during anaerobic digestion of food waste will be injected into the local natural gas pipeline owned by Peoples Gas. A flare will be installed to combust excess biogas. Tail gas, consisting mostly of carbon dioxide and about 7% – 9% methane, will be directed to a thermal oxidizer which will combust the energy poor tail gas.

An Odor Control Plan provided in the application includes procedures designed to reduce occurrence of odors at the site, such as maintaining negative pressure in the Processing Building, ionizing the air within the Processing Building and drawing the treated air through activated carbon beds, and venting receiving tanks and process

equipment in the Processing Building to the odor control equipment. The planned development permit will include conditions that requires the facility to record and report every odor complaint received. Additionally, the facility must within 7-days report actions taken in response to any odor complaints.

In closing, Bureau of Land's initial evaluation has found the application submitted for the proposed development of a food waste composting facility meets the applicable regulatory requirements. Accordingly, Bureau of Land intends to issue development permit for this facility. We welcome your comments and questions on this proposed permit action.

Thank you.