

File Copy

Volume II

Final Environmental Impact Statement
for
the Proposed

York County Energy Partners
Cogeneration Facility

York County, Pennsylvania



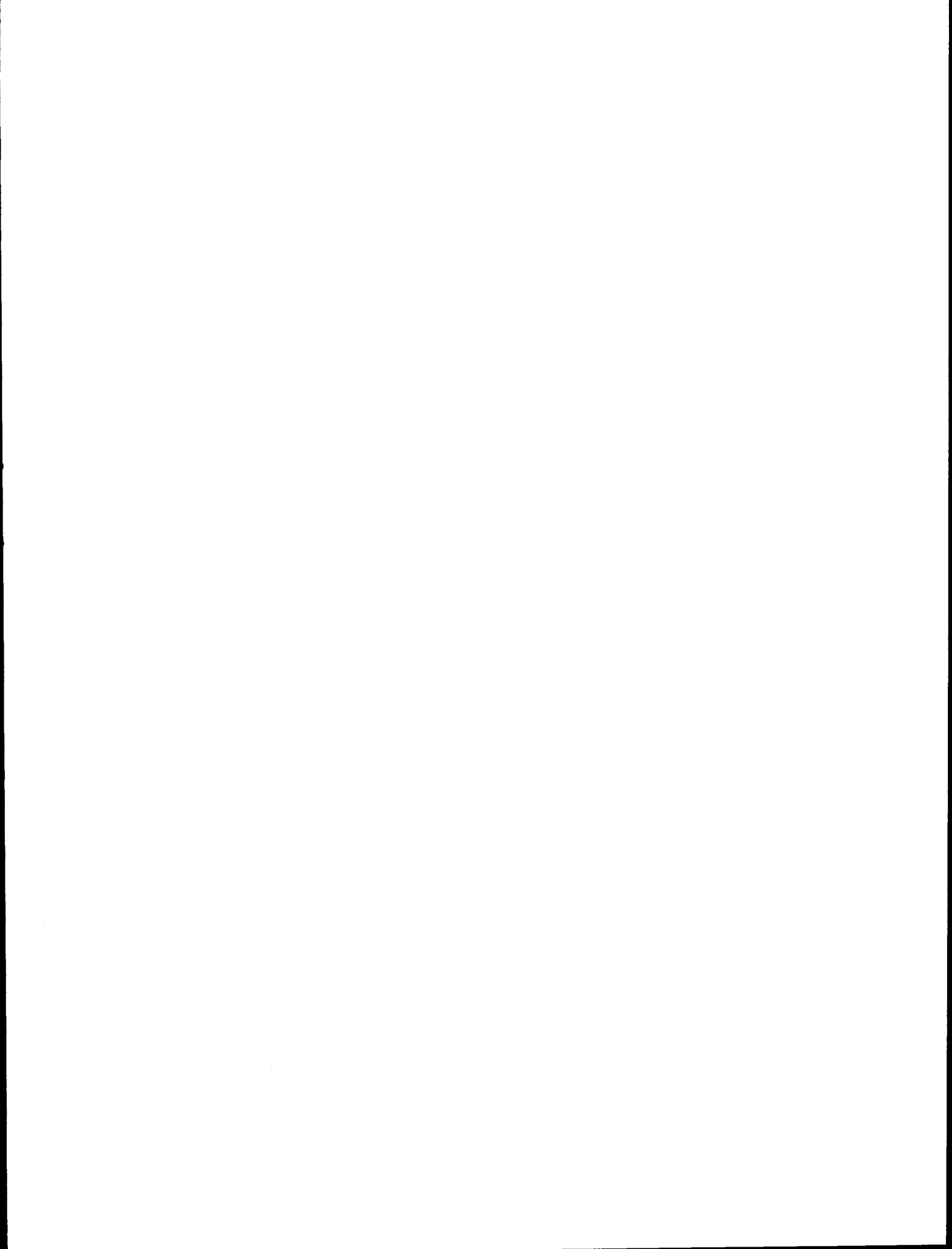
U.S. Department of Energy

Final Environmental Impact Statement
for
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York County Energy Partners
Cogeneration Facility
York County, Pennsylvania



U.S. Department of Energy



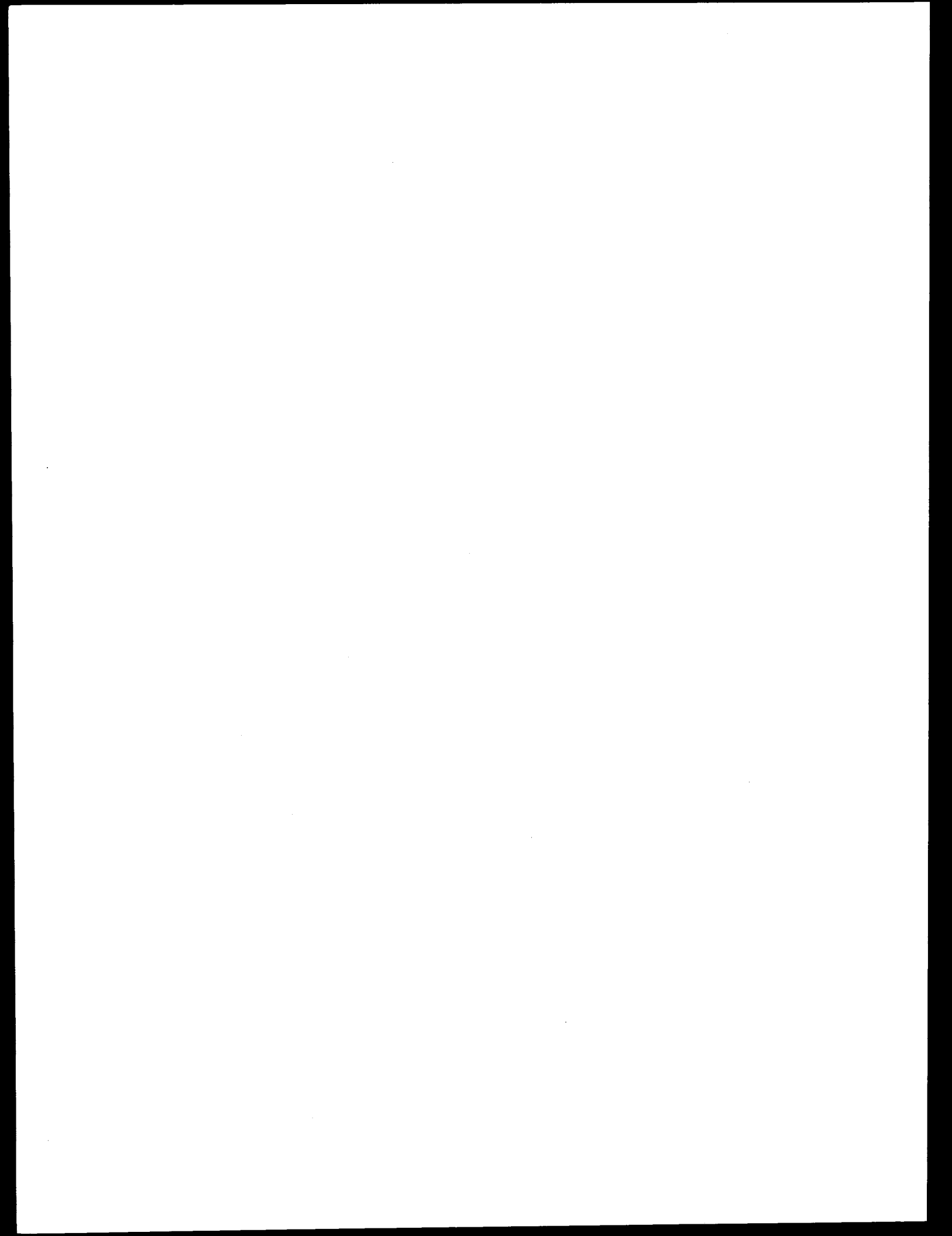
VOLUME II

(A) INDEX OF COMMENTERS

(B) ORAL COMMENTS ON THE DEIS SUBMITTED DURING THE DECEMBER PUBLIC HEARINGS

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VOLUME II(A): INDEX OF COMMENTERS



INDEX OF COMMENTERS

<i>Commenter</i>	<i>Comment</i>
Anderson, Robert:	J-176/18, J-177/6, and J-177/14
Aymold, Nancy:	JW-79, JW-80, JW-81, and JW-82
Baker, Jerry:	D-91/23
Baker, Stephen E.:	W-SEB-1/18
Baker, Steven:	J-97/5, J-97/9, J-98/20, J-99/7, J-99/12, and J-99/19
Beck, Gerald:	J-85/8 and J-85/21
Bistline, Floyd:	J-115/24
Blackwell, William:	D-106/1 and W-WDB-12/7
Brown, Pat:	W-PB-1/16a and b
Brown, Richard:	W-RB-1/24a - h
Brown, Rick:	D-157/6
Campbell, Mark:	D-240/4
Clark, Joan S.:	C-JSC-11/22a and b
Clark, Richard:	D-65/5, D-66/2, D-67/18, D-68/22, D-69/2, D-70/25, D-71/13, D-72/3, D-72/22, D-73/6, D-76/16, D-136/1, D-136/4, D-136/11, D-137/3, D-137/17, D-137/21, D-138/6, D-150/19, D-282/13, D-282/25, D-283/8, D-283/20, D-284/18, D-285/8, D-334/17, D-335/5, J-45/9, J-46/5, J-47/13, J-48/17, J-49/12, J-51/13, J-52/3, J-53/3, J-53/16, J-135/20, J-136/14, J-137/4, J-147/8, J-148/10, J-148/18, J-149/4, and W-RJC-1/27
Codorus Monitoring Network Klunk, John:	W-JK-1/28a - mm, JW-16, JW-17, JW-18, JW-19, JW-20, JW-21, JW-22, JW-23, JW-24, JW-25, JW-26, JW-27, JW-28, JW-29, JW-30, JW-31, JW-32, JW-33, JW-34, JW-35, JW-36, JW-37, JW-38, JW-39, JW-40, and JW-41

<i>Commenter</i>	<i>Comment</i>
Dabb, Richard:	D-125/12, D-126/22, D-128/1, D-129/2, D-129/6, D-129/18, D-130/9, D-132/21, D-133/8, D-134/24, D-255/11, D-255/20, D-256/1, D-256/19, D-257/4, D-257/9, D-257/18, D-259/5, D-310/13, D-311/4, D-311/10, D-311/23, and D-313/5
Delp, Dan:	D-28/7
Dolan, Katy:	J-110/17, J-111/3, J-111/11, J-112/3, J-112/16, and C-KD-11/21a - e
Ernest, Robert:	D-342/24
Evans, Warren H.:	D-100/9, D-100/24, D-106/22, D-107/10, D-107/19, D-108/3, D-108/10, D-109/2, D-109/19, D-110/8, D-110/19, D-111/12, D-112/15, D-113/8, D-113/17, D-115/6, D-149/5, D-286/10, D-287/6, D-287/16, D-288/23, D-289/6, D-289/21, D-290/15, D-291/3, D-292/5, D-292/12, D-293/6, D-294/6, D-296/15, D-297/4, D-298/8, D-298/17, D-315/8, D-315/19, D-316/22, D-317/1, D-318/3, D-320/7, D-321/14, D-322/20, D-322/21, D-324/2, D-324/15, and W-WHE-1/27a - k
Feldmann, T. F.:	W-TFF-12/19a and b
Fritz, Jim:	D-81/17, D-82/1, D-82/9, D-82/24, D-83/5, D-83/21, D-84/11, D-85/3, and D-85/23
Funk, Jennifer:	W-JF-1/18
Gallagher, W. J.:	W-WJG-1/30a - e
Gilbert, Ralph D.:	W-RDG-1/25a - c
Goldberg, Joel:	D-300/11
Goldberg, Phil:	D-200/21, D-201/4, D-202/4, D-204/1, D-204/15, D-205/1, D-205/17, D-206/9, and D-207/11
Goodling, Bill:	C-BG-11/23a and b

<i>Commenter</i>	<i>Comment</i>
Izaak Walton League of America, Inc. Shaffer, William R.:	W-WRS-1/30a - d
Jacobs, Bradley:	D-48/23, D-49/14, D-50/2, D-50/8, D-50/17, D-50/25, D-51/3, D-51/8, D-51/16, D-51/25, D-52/9, D-52/17, D-52/23, and D-53/8
Ketterman, G. L.:	W-GLK-12/3a and b
Klunk, John:	D-59/2, D-59/15, D-59/22, D-60/2, D-60/13, D-60/22, D-61/1, D-61/14, D-61/23, D-62/8, D-63/14, D-101/21, D-102/2, D-103/21, D-104/9, D-139/17, D-139/24, D-140/17, D-141/4, D-141/15, D-142/12, D-142/24, D-153/15, D-158/9, D-266/9, D-267/9, D-267/23, D-268/4, D-268/11, D-269/5, D-270/2, D-271/1, D-271/25, D-326/19, D-328/25, D-329/4, D-330/2, D-330/14, D-331/24, J-30/22, J-31/15, J-31/25, J-32/6, J-32/10, J-32/25, J-33/24, J-34/9, J-34/19, J-35/20, J-36/2, J-37/22, J-120/20, J-121/7, J-121/15, J-121/22, J-122/20, J-124/2, J-124/13, J-124/22, J-126/3, J-127/11, J-128/7, J-143/6, J-143/23, J-144/7, J-144/20, J-145/7, J-179/19, and J-180/16
Klunk, Margaret:	J-39/1, J-39/11, J-41/4, J-41/21, J-130/12, J-131/1, J-131/13, J-132/2, J-132/13, J-132/25, W-MK-12/21a - i, W-MK-7/29a - i, W-MK-1/28a - c, JW-42, JW-43, JW-44, JW-45, JW-46, JW-47, JW-48, JW-49, JW-50, JW-51, JW-52, JW-53, JW-54, JW-55, and JW-56
Kooney, Barbara J.:	W-BJK-/118
Lears, Jeffrey S.:	W-M36-1/26a - d, W-JL-1/18
Lears, Laurie:	J-174/2 and W-LFL-12/14
McFerren, H. L.:	W-HLM-12/29a - d
McKee, Francis:	W-FM-1/31a and b

<i>Commenter</i>	<i>Comment</i>
Menzer, Eric:	D-57/20
Menzer, Michael:	D-261/9, D-261/12, D-263/10, and D-265/2
Messimer, Carroll:	D-244/15, D-244/23, D-245/4, D-245/22, D-246/11, D-247/2, D-247/9, D-248/1, D-248/5, D-249/13, D-250/6, D-251/9, and D-251/14
Myers, George:	D-305/17, D-306/7, D-306/13, D-306/21, D-307/1, J-100/21, J-101/19, J-102/3, J-102/24, J-103/2, J-103/10, J-104/1, J-104/3, and J-104/11
National Park Service Griffin, B.J.:	W-BJG-12/22a and b
Nemser, Michael:	W-MJN-11/29
Palmer, David C.:	D-93/9, D-93/18, J-92/23, J-93/8, J-93/19, and W-DCP-12/30a and b
Paris, Anne:	W-AP-1/30a and b
Patterson, Randall:	D-209/1
Pennsylvania Department of Environmental Resources Brezina, E. R.:	W-ERB-12/22a - d
Carlson, F. G.:	W-FGC-1/11
Dix, Edward T.:	W-DER-1/20
Swartz, K. D.:	W-KDS-12/7
Pennsylvania Department of Transportation Hoffman, Barry G.:	W-BGH-1/3
Pennsylvania Fish & Boat Commission Young, Leroy M.:	W-LMY-1/10a - h and W-LMY-12/21a - d
Pennsylvania Game Commission McDowell, Denver A.:	W-DAM-1/18 and W-DM-1/30

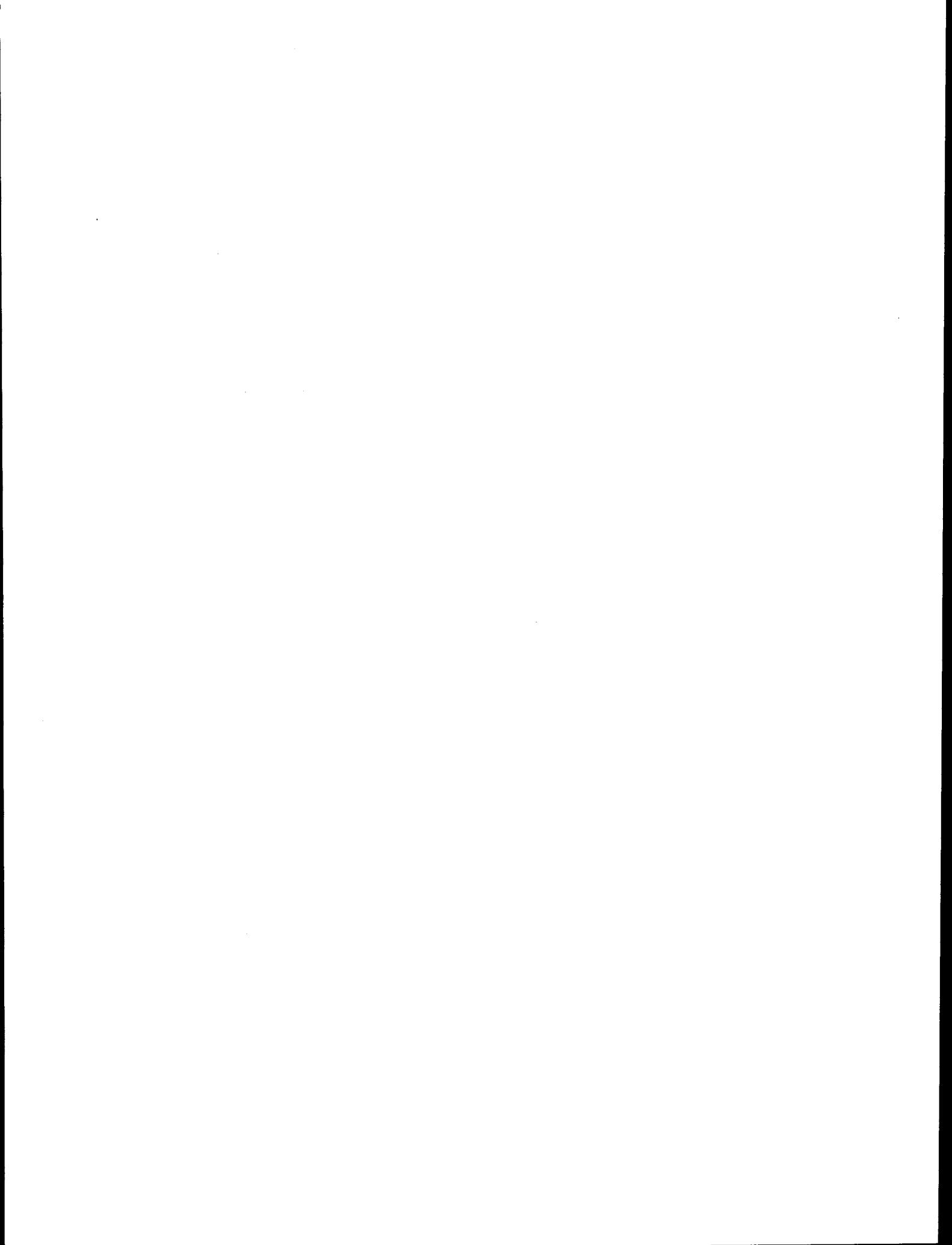
<i>Commenter</i>	<i>Comment</i>
Pennsylvania Historical and Museum Commission Carr, Kurt:	W-KC-1/31a - c
Pennsylvania Natural Diversity Inventory:	W-PNDI-1/17
Pettigrew, Ann C.:	ACP-12/15a and b
Platts, Todd:	D-31/22, D-32/5, D-32/13, D-33/6, D-34/1, D-34/7, D-34/19, D-35/8, D-35/15, D-35/24, D-36/7, D-37/16, D- 39/13, D-40/16, D-42/2, D-42/17, D-43/9, D-115/25, D-116/15, D-116/20, D-117/2, D-117/11, D-118/17, D-118/25, D-119/11, D-119/23, D-120/19, D-121/14, D-122/2, D-144/3, D-145/13, J-152/5, J-153/3, J-153/13, J-154/13, J-156/9, J-157/17, J-158/7, J-162/4, J-162/17, J-163/3, J-164/7, J-165/16, J-167/9, W-TP-1/31a - l, and C-TRP-11/23a and b
Potter, Phillip N.:	W-PNP-12/19 and W-PNP-12/94a - j
Raber, Thomas:	J-106/1, J-107/3, J-108/14, J-108/17, and J-182/24
Reed, Martin:	D-188/3, D-190/5, D-190/17, D-191/2, D-191/13, D-191/24, D-194/18, D-196/1, D-208/11, J-71/4, J-73/1, and J-73/14
Roth, Michael A.:	W-MAR-1/12a - d
Saylor, S.:	D-26/19
Scheltema, J:	D-154/17, D-155/11, J-21/23, J-22/7, J-22/21, J-23/11, J- 23/23, J-24/23, J-25/7, J-26/3, J-26/6, J-27/2, J-27/25, J- 28/6, JW-1, JW-2, JW-3, JW-4, JW-5, JW-6, JW-7, JW-8, JW-9, JW-10, JW-11, JW-12, JW-13, JW-14, and JW-15
Schmotzer, Connie:	J-78/9, J-78/17, J-80/4, J-80/16, J-81/7, J-82/4, J-83/9, J- 138/7, J-139/1, J-139/17, J-141/24, JW-83, JW-84, JW-85, JW-86, JW-87, JW-88, JW-89, and JW-90
Schmotzer, M.:	J-88/20, J-89/7, J-90/18, J-91/9, J-91/16, JW-91, JW-92, JW- 93, JW-94, JW-95, and JW-96

<i>Commenter</i>	<i>Comment</i>
Sears, Joel:	D-277/8, D-279/14, and W-JLS-12/94
Seltzer, Alan M.:	W-AMS-1/27a - e
Seville, Margaret A.:	C-MAS-11/25a - c
SFA Pacific, Inc. Simbeck, Dale R.:	W-SFA-1/25
Shaffer, Paul:	D-275/9, D-275/14, D-275/22, and W-PS-12/16
Shaffer, William:	D-96/4, D-97/3, D-97/11, D-97/21, D-97/23, D-98/5, and D-98/15
Shissler, Linda S.:	W-LSS-12/14
Sigworth, Robin:	W-RS-1/27a - e
Simmerson, D. R.:	W-DRS-2/6a - c
Smith, Harry E.:	D-198/3, D-199/10, D-200/3, J-75/10, J-76/14, J-77/15, and W-HES-1/4a - c
Snyder, Dean:	D-252/9 and D-252/18
Spillman, Linda:	J-57/5, J-57/14, J-57/18, J-58/4, J-58/21, J-59/13, J-60/6, J-60/21, J-61/18, J-62/3, J-62/7, J-62/20, J-64/5, and J-64/16
Stop Targeting Our People (S.T.O.P.) Clark, Richard J.:	W-RJC-12/5a - f and W-RJC-1/30a - o
Stouch, George:	D-307/19, D-308/6, and D-308/16
TETHYS Consultants, Inc. Gallagher, J. E.:	JW-57, JW-58, JW-59, JW-60, JW-61, JW-62, JW-63, JW- 64, JW-65, JW-66, JW-67, JW-68, JW-69, JW-70, JW-71, JW-72, JW-73, JW-74, JW-75, JW-76, JW-77, and JW-78
Thieret, Richard:	D-48/3 and DW-1

<i>Commenter</i>	<i>Comment</i>
Thompson, William:	D-304/17
Tyson, Curvin F.:	J-170/22 and J-172/1
United States Environmental Protection Agency, Region 3 Kostmayer, P. H.:	W-PHK-1/31a - k
United States Army Corps of Engineers Johnson, James F.:	W-JFJ-3/13a - j
Waldman, Roger:	W-RW-12/22a - g
Wetzel, Robert:	J-67/23, J-69/1, J-69/16, and J-70/8
Wilt, Glen:	D-193/23
Woods, George:	D-89/16 and D-90/2
York County Medical Society and York County Osteopathic Medical Society:	W-YCMS-1/30a-h
York Dispatch Kralowetz, Jeff:	W-YD-1/18
Young, Dan:	D-241/17, D-241/24, D-242/11, D-242/15, D-242/23, D- 243/2, and D-243/7
Anonymous:	W-M41-1/30

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*VOLUME II(B): Oral Comments on the DEIS Submitted During
the December Public Hearings*



**VOLUME II(B): ORAL COMMENTS ON THE DEIS SUBMITTED
DURING THE DECEMBER PUBLIC HEARINGS**

This Section of Volume II contains reproductions of oral comments received on the DEIS as certified by court reporters at the public hearings conducted on December 14, 15, and 16, 1994, at the York Fairgrounds in the Old Main building, York County, PA.

On even-numbered pages, pertinent oral comments have been annotated with a side bar and have been assigned a comment number. For oral testimony, the convention is to assign the comment a prefix of "D" (denoting a public comment received during the December public hearings), followed by a numerical designation (which denotes the page number and beginning line of the public transcript). For instance, a comment with the designation D-34/19 denotes an oral comment from the December hearings that could be found on page 34 of the December 1994 public hearing transcript, beginning on line 19.

In responses to comments, three acronyms referring to environmental impact statements are used. "DEIS" refers specifically to the Draft Environmental Impact Statement published in November 1994; "FEIS" refers to this Final Environmental Impact Statement; "EIS" refers to both the DEIS and the FEIS, in general. Thus, when a reference to the DEIS, FEIS, or EIS is made in a response to a comment, that information can be found only in the DEIS, only in the FEIS, or in both documents, respectively.

DOE addressed the pertinent and relevant comments contained in the testimony. The Department appreciates receiving all comments, and those not specifically marked for response are recorded here as being received, considered, and noted for the record by DOE.

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BEFORE THE UNITED STATES
DEPARTMENT OF ENERGY

IN RE: Proposed York County Energy Partners
Cogeneration Facility

BEFORE: Bill Lawson
Gary Friggens
Jim Johnson
Dr. Suellen Van Ooteghem
Dr. Jan K. Wachter

HEARING: Wednesday, December 14, 1994
7:00 p.m.

York Fair Grounds
334 Carlisle Avenue
York, PA 17404

513 ALLEGHENY ST.
HOLLIDAYSBURG, PA. 16648

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THE ATRIUM
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26 SOUTH SECOND ST.
CLEARFIELD, PA. 16830

31 NORTH MAIN STREET
GREENSBURG, PA. 15601

12 EAST NINTH STREET
ERIE, PA. 16501

SPEAKERS: Stan Saylor
Dan Delp
Todd Platts
Richard Thieret
Bradley Jacobs
Eric Minzer
John Klunk
Richard Clark
Terry Peck
Robert Booker
Jim Fritz
William Blackwell
George Woods
Gerry Baker
David Palmer
William Shaffer
John Carlisle
Richard Dabb

* * * * *

REPORTER: Christine E. Lazusky

* * * * *

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12 EAST NINTH STREET
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I N D E X

1		
2		
3	Opening Comment	4 - 23
4	Public Comment	23 - 159
5	Certificate	160
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
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1 P R O C E E D I N G S
2 -----

3 BILL LAWSON:

4 I want to open this public
5 hearing conducted by the United States
6 Department of Energy to share your public
7 comments on a draft of environmental
8 impact statement for the York County
9 Energy Department's cogeneration facility
10 here in York County, Pennsylvania.
11 This hearing is scheduled over three days
12 at this location, that is today, tomorrow
13 and Friday evening from 7:00 p.m. until
14 10:30 p.m.

15 My name is Bill Lawson. I'm
16 working at the Morgantown Energy
17 Technology Center which is a field office
18 of the United States Department of Energy
19 and I'll be serving as your moderator
20 tonight. Here's how we're going to
21 conduct the meeting tonight. I'm going to
22 give you approximately a five-minute
23 overview and introductions. Dr. Jan
24 Wachter will then give you an overview of
25 the principal findings of the draft

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environmental impact statement. After that time, we're going to open the floor to public officials, agencies and the public.

I have some administrative items that I want to call to your attention. First, the location of the fire exits, they are the two exits to my right and left at the front of the room here. There is one exit to my left at the back of the room. The restrooms are located in the back corner, again, to my left, under the exit sign. And there's a white light indicating those in the back. Tables are provided to my right over here if you wish to write comments tonight or use those tables to write anything. There are boxes provided at the end of the tables to submit your registration cards and any comment cards that you have. If you have prepared comments and you can provide a copy of them to the registration table, that will help ensure that we get an accurate record of the testimony that you give here tonight.

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We are using this public address system. When anyone comes up to make a public comment, a testimony here at this hearing, please walk up to the microphones and provide us your name and affiliation if that's appropriate.

The purpose of the meeting here tonight is to invite the comments and questions on the draft environmental impact statement from anyone who wishes to provide those. All of those comments will be considered and addressed in the development of the final environmental impact statement.

The final environmental impact statement will be used in developing a record of decision for this project. The earliest time that a record and decision can be rendered will be 30 days after the public distribution of the final environmental impact statement.

This is a formal public hearing and we have some procedures that we need to adhere to. We prefer that speakers register at the registration desk. The

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1 order that we're going to take speakers
2 tonight and subsequent nights of this
3 hearing are Federal, State and local
4 public officials, then Federal, State and
5 local agencies. And then anyone from the
6 public. The order of the speakers for the
7 public will be on a first come, first
8 serve basis. Pre-registrants have had a
9 choice of speaking dates that they would
10 wish to use. The overall order of the
11 speakers for the three days of the public
12 hearings here, preference will always be
13 given to individuals who have not yet
14 spoken. We're going to limit the time for
15 speakers to five minutes per night.
16 Please adhere to the green and red light
17 signals that you see on the podium. The
18 green light means that your time is still
19 on. The red light means that your time
20 has expired.

21 Speakers should announce their
22 name and, if it's appropriate, their
23 affiliation for the public record. If all
24 the registered speakers have spoken and
25 there is still time before 10:30 in the

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1 evening, the floor will be opened to
2 additional non-registered commenters.
3 Those non-registered commenters who have
4 not yet previously spoken will be given
5 preference. Speakers will not be cross
6 examined, although the moderator, myself,
7 and the Department's panel members that
8 you see before you may ask some clarifying
9 questions or comment as appropriate. The
10 panel is here to hear your remarks and to
11 understand them but really not to address
12 them at this time.

13 The Court Reporter present ---
14 is present here to prepare the official
15 transcripts. Those will be made available
16 to you at the public reading rooms. And
17 we do have forms available here for
18 written comments for questions, although
19 anything you care to write on them will be
20 fine. And they may be submitted to the
21 Department of Energy, the Morgantown
22 Technology Center. They need to be
23 received by January 31st, 1995. Please
24 note that that is an extension from the
25 originally published date for comments to

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1 be in.

2 Let me introduce the DOE panel.
3 To my left is Gary Friggens. He is the
4 chief of the clean coal branch at the
5 Morgantown Energy Technology Center. To
6 my immediate right is Dr. Jan Wachter, the
7 director of the Environment Safety and
8 Health Division at the Morgantown Energy
9 Technology Center. Next to the right is
10 Dr. Suellen Van Ooteghem, the
11 environmental project manager at the
12 Morgantown Energy Technology Center. And
13 on the end is Mr. Jim Johnson who is the
14 national environmental policy compliance
15 officer at DOE headquarters.

16 We do have some other DOE
17 officials in attendance here tonight.
18 They are Ms. Phoebe Hamill, Environmental
19 Scientist Headquarters. Mr. Lou Salvador,
20 associate director, office of product
21 technology management at the Morgantown
22 Technology Center. Mr. Charlie Seehorn is
23 the chief counsel at the Morgantown Energy
24 Technology Center. Mr. Nelson Rekos,
25 project manager at the Morgantown Energy

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Technology Center.

With that, I'll turn the microphone over to Dr. Wachter.

DR. JAN K. WACHTER:

I'm going to take about ten minutes just to briefly go over with the major findings of the EIS for those people who haven't had the opportunity to read it thoroughly. This is going to be a very condensed version of the impacts. I have not covered them all. This is a Reader's Digest type of summary.

In terms of the visual impacts of the proposed cogen plant, there would be structures which would alter the visual quality of the region but would be in keeping with an existing industrial setting. There would be erected a tall structure which would be a 395-foot stack. This project would also result in a visual impact to the Lions Club picnic and fishing area.

In terms of air emissions, when we had our public scoping meetings last year, it was clear to us that most of the

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citizens had their major concerns in the air emissions from the plant as well as the potential health effects emanating from these. If you looked at the plant, the primary emissions would be sulfur dioxide, oxides of nitrogen, particles and carbon monoxide. We did analyses. Basically it showed that increases in ambient concentrations of these pollutants would not exceed allowable, it's called PSD, prevention of significant deterioration increment consumption. And there's another regulation, the national ambient air quality standards. The emissions would be in compliance with these.

We also analyzed the effect of this proposed project on the Gettysburg Military Park. There was some concern about the effects of sulfur dioxide emanating from this plant and its effect on the statues. No important impact was denoted. We also analyzed the effects on Shenandoah National Park and we also found that the impacts would not be great.

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1 As a positive feature of this
2 proposed action, it would mean that there
3 would be a curtailment of P.H. Glatfelter
4 number four boiler for approximately 11
5 out of the 12 months of the year. And if
6 you look at the whole picture, this would
7 translate out to approximately 2,419 tons
8 per year of SO2 reduction in the area as
9 well as at least 217 tons per year of NOx,
10 oxides of nitrogen, and 65 tons per year
11 of PM10, that's particles whose diameter
12 is less than ten microns, that's very
13 small. So if you look at the whole
14 composite picture, there could be some net
15 improvements of air quality.

16 We also looked at the adverse
17 impacts associated with fogging, icing and
18 plume shadowing because there would be a
19 cooling tower associated with this
20 project. We did not anticipate that these
21 impacts would be great.

22 In terms of health effects, we
23 extensively analyzed the health effects
24 which could emanate from this proposed
25 project. We looked at a series of

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1 hazardous air pollutants which include
2 acid gases like sulfur dioxide; toxic
3 metals, which include things like lead and
4 mercury. We looked at radionuclides. We
5 looked at volatile organic compounds such
6 as benzene, polycyclic hydrocarbons like
7 benzoapyrene, some people might have heard
8 of, and things like chloroform.

9 We took the tact of having four
10 different types of health risk assessments
11 being conducted. We looked at the health
12 risk from stack emissions and the cooling
13 tower. We also looked at radionuclides
14 and we went into scientific literature
15 looking at things like physiological
16 studies, effects in animals, human
17 epidemiology and controlled human
18 physiology studies.

19 If you look at the condensation
20 of all these health effects, which was
21 quite extensive, we looked at cancer
22 effects and non-cancer effects. And we
23 determined that the lifetime excess cancer
24 rate that could result from potential
25 exposure to air emissions from the

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proposed project would be less than one in one million. And that is below what EPA generally considers the threshold of concern which is one times ten to the minus four to one times ten to the minus six.

We looked at adverse non-cancer health effects due to emissions. These are things in the EIS that people have read it dealing with hazard indices and hazard quotients. They are all less than the numerical number of one which shows that these non-cancer health effects would be not expected or not measurable.

In terms of water quality, the proposed project would draw approximately 4.1 million gallons per day of P.H. Glatfelter or treated waste water and of that consume on the average 2.5 million gallons per day and that's due to evaporative tower cooling loss. The remainder of that goes back into the waste water stream.

Due to this consumption, the Codorus Creek flow would decrease under

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1 normal conditions it would decrease from
2 87 cubic feet per second to 83. If you
3 look at the worse case conditions which
4 was the Q7-10 up there which means the
5 lowest weekly average flow over a ten-year
6 period, it would decrease from 58 cubic
7 feet per second to 54 cubic feet per
8 second.

9 These losses would be attenuated
10 in the river basin fairly readily meaning
11 downstream. However, the proposed project
12 would mitigate the consumption of water
13 during low flow periods by releasing water
14 from existing Susquehanna River basin
15 storage reservoirs or private ones and not
16 the Lake Marburg. So consequently, the
17 mitigation may not potentially be in this
18 area but be in a near area.

19 For most of the species in the
20 waste water, the concentrations in the
21 P.H. Glatfelter waste water was basically,
22 we're taking that waste water into the
23 cooling tower and then sending it back.
24 Those concentrations of species being
25 discharged would increase due to

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1 evaporative losses. But mass loadings
2 would not, which means that if you weigh
3 the things which are in the waste water
4 they would essentially stay the same, but
5 the concentration would increase because
6 you're evaporating water.

7 Under worse case conditions,
8 again, the Q7-10, this would translate to
9 a 9.6 percent increase in the effective
10 concentration of dissolved species in the
11 Codorus Creek immediately downstream.
12 Again, this is during low flows. However,
13 due to the treatment needed to happen
14 because of the cooling tower that the
15 proposed project would entail, there would
16 be decreases in the effluent of certain
17 things like suspended solvents,
18 biochemical oxygen demand, that's BOD, and
19 heat load. And if you look at these two
20 latter things, the two parameters could
21 actually improve the oxygen levels in the
22 creek and, thus, could probably be better
23 for the biological life in that area.

24 If you look at in-stream
25 Environmental Protection Agency acute and

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chronic ambient water quality criteria, these would be met in the stream under both low and mean flow conditions, except for one species which is chloride, which would exceed the chronic standards under low flow conditions by a factor of 1.1. So it's ten percent higher than what the standard is which would analyze the effectiveness in the EIS and the impact which should be fairly low.

We looked at noise then. And during the construction phase, there would be a short-term impact associated with the purging of dirt and debris from the steam modules there. Minimization measures could possibly be required to mitigate the noise levels. Since the proposed plant is in close proximity to an existing industrial noise source, changes to the ambient noise environment could probably not be discerned from existing sound levels during operation.

Noise reduction measures would be employed to minimize background noise increases during operation of the proposed

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project. Things like a vent silencer could be installed to lessen the noise associated with the steam release.

We then looked at transportation and traffic. And our analyses did not assume a ride share program, so essentially everyone would be riding to and from the plant by themselves. Vehicular traffic would increase by, at the peak, 712 vehicles per day during the construction of the plant and by 125 vehicles per day during operation, which would degrade traffic flow during both a.m. and p.m. peak hours.

During operation of the plant, this would translate as to approximately five to eight percent increase in traffic at key intersections during peak hours. So we did an extensive analysis of the intersections in this area. The one at York Road and Colonial Valley Road would continue to operate at what's called an acceptable level of service. However, delays would be expected because two intersections, York Road, Jefferson Road,

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1 Lehman Road and the York Road, Roundwood
2 Facility access drives do not have lights
3 there. And already the York Road,
4 Jefferson Road, Lehman Road intersection
5 already is at unacceptable conditions for
6 those people that travel there, especially
7 to the York Fairgrounds.

8 The potential mitigation is that
9 we can install traffic signals, we can
10 improve lanes and additional storage
11 queues for the log trucks at the Roundwood
12 site. The improvements at York Road,
13 Roundwood Facility access drive, are
14 anticipated if we have this queue in. So
15 there could be potential improvements with
16 respect to traffic. But it should be
17 clear that the Pennsylvania Department of
18 Transportation needs to improve any of
19 these mitigation actions. It's not within
20 the control of the Department of Energy or
21 the industrial partner to exercise this.

22 The next thing we looked at was
23 solid waste. And the major solid waste
24 generated would be ash byproduct from the
25 proposed plant. However, this project

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would also generate some municipal type wastes, sanitary waste and hazardous types of waste.

The ash byproduct would be hauled 70 miles to the Harriman Coal Corporation mine where it would be used as mine reclamation and to reduce the effects of acid mine drainage. So there's a potential beneficial use of the ash.

We looked at flood plains, wetlands. And the rail ladder tracks, a rail spur and a portion of the steam supply lines and between 14 to 22 power line utility poles would be located within the 100-year flood plain. This is about 1.1 acres. No major impacts are expected to the potential flood dynamics or flow due to the small areas affected and the nature of the structures. You look at flood plains because you don't want to put a structure within a flood plain and you can divert flow of a potential stream into other areas. That would cause great damage.

There will be small areas,

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1 approximately .7 acres, of identified
2 wetlands which would be unavoidably
3 traversed near the footprint of the plant.
4 Mitigation could possibly be required and
5 consultation is underway with the Army
6 Corps of Engineers to determine what
7 mitigation would actually be required.

8 I should note that some of these
9 numbers have changed, they have been
10 lowered in recent weeks and they will
11 probably be reflected in the final EIS.
12 We have done some further analysis on
13 these.

14 The last thing I'd like to talk
15 about with respect to impacts is there
16 will be electrical interconnection
17 corridor to the Bair Substation. And this
18 corridor crosses the Codorus Creek three
19 times. It goes across the Army Corps of
20 Engineers' flood control lands, affecting
21 about 20 of the 1,759 acres. The Army
22 Corps of Engineers has leased
23 approximately 1,540 acres to the Game
24 folks for wildlife conservation. Most of
25 these acreage --- most of it is cultivated

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1 types of land. If you look at the
2 affected Game Commission habitat, 0.9
3 acres of riparian habitat, that's what's
4 near banks and rivers could be affected.
5 0.36 is within a wire zone. If you put up
6 power lines, you have what's called an
7 edge zone, a wire zone and an edge zone.
8 A wire zone is where you clear cut a lot
9 of the trees and brush. 1.2 acres of
10 wooded uplands would also be affected and
11 0.36 acres would be in the wire zone. So
12 if you total up the .36 with a .36,
13 approximately .72 acres of habitat could
14 potentially be lost.

15 The mitigation of the 0.3 acres
16 of riparian habitat in particular could
17 possibly be required. However, there are
18 some benefits that can be associated with
19 electrical interconnection. Biodiversity
20 actually increases because you have a
21 clear-cut through the areas, as well as
22 there are some benefits to hunters that
23 view this as an easy access way to get
24 into the land.

25 If you look at the future

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1 schedule, we have an extension of the
2 comment period from January 10th to
3 January 31st. Written comments will be
4 accepted to that date. Written comments
5 are viewed as equal to oral comments which
6 are presented tonight. We anticipate that
7 a final environmental impact statement
8 would be generated sometime in March and a
9 record of decision, favorable,
10 unfavorable, favorable with mitigation
11 actions required, could be issued as early
12 as April 1995. Thank you.

13 BILL LAWSON:

14 At this time, we would like to
15 begin the public comment. And I'm going
16 to read those that are registered as they
17 were given to me. I apologize in advance
18 if I mispronounce a name. Mr. Stan
19 Saylor, State Representative.

20 We're ready for your comments,
21 sir. If you would please state your name
22 and the affiliation that you'd like to
23 have on the record.

24 STAN SAYLOR:

25 I'm Stan Saylor. I'm a State

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1 Representative in the 9th District of York
2 County. The purpose for me being here
3 this evening, when this project was first
4 discussed, it had some great concerns to
5 me as far as the environment and the
6 impact that it would have on York County
7 overall, including its economic impact.

8 The fact that it doesn't exist
9 in my district doesn't change the fact
10 that it does have an impact on York County
11 in it does have an impact on my district.
12 First of all, in the area of the
13 environment, my part of southern York
14 County, the air quality level would be
15 improved via the approval of this project
16 and the clean-up of the air emissions at
17 Transco (phonetic) Corporation near Delta.

18 Also, the fact that I believe that with
19 the approval of this project P.H.
20 Glatfelter as discussed earlier with the
21 ability of not utilizing boiler number
22 four would be a great enhancement to the
23 air quality of York County. As we in
24 Pennsylvania are currently going through
25 the great clammer of auto emissions

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testing and reformulated gas emissions improvement, York County citizens have spoken very clearly that they do not wish those programs be pushed on them. So the next alternative for us in government is do what we can to improve the air quality level through other directions. I believe in this area this project does so, not only by improving the quality in the Transcro Corporation but also the emissions at P.H. Glatfelter and overall emissions in York County air quality will be improved.

Second of all, in the area of the economic impact on York County, I believe that not just in temporary jobs in the construction field that have been created by this job and accepting full-time jobs that will be created at this plant, so will the other jobs through sub-contracting jobs at the plant as the year goes on. The impact on York County, again, also comes into tax revenues. A half million dollars in property taxes for the Spring Grove School District, to the

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1 County of York and to the townships and
2 municipalities surrounding that, not
3 counting the wage taxes and other taxes
4 paid to the State of Pennsylvania and
5 other governments in York County.

6 Also, P.H. Glatfelter has an
7 outstanding record in York County of
8 spending millions of dollars to improve
9 the air quality at their plant over the
10 years. York County is very pleased to
11 have a company such as P.H. Glatfelter in
12 our county. I'm pleased to be a part of
13 recognizing corporations who do everything
14 within their power to improve the quality
15 of life for our citizens, including those
16 of our communities who are poor. And P.H.
17 Glatfelter has demonstrated throughout the
18 years their commitment to our community.

19 Also, York County just last year
20 experienced a power shortage and York
21 County citizens need more power to
22 continue to provide for our continued
23 growth in York County, economically and
24 otherwise. I believe that this project
25 provides not only an economic benefit to

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D-26/19

Response: Comment is noted.

1 York County but also an improvement in our
2 environment. And I thank you.

3 BILL LAWSON:

4 Thank you, sir. Senator Dan
5 Delp.

6 DAN DELP:

7 Good evening. My name is Dan
8 Delp and I am State Senator-elect for the
9 28th District here in Pennsylvania. Thank
10 you very much for allowing me some time to
11 share a few comments on the proposed North
12 Codorus cogeneration project. Let me
13 begin by thanking the Department of Energy
14 for allowing us this opportunity and also
15 for putting together the DEIS.

16 My first comment relates to an
17 experience that I had during my campaign
18 for the 28th Senate District. I was out
19 at a debate in the Hanover area. And
20 during that debate the question of the
21 cogeneration facility came up. They were
22 asking my position. And during my
23 discussion of the issue, I mentioned the
24 fact that because of this project, P.H.
25 Glatfelter would be curtailing, if not

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1 even shutting down, one of their older
2 boilers.

3 After the debate, a number of
4 folks, just about eight to ten folks, came
5 up to me at different times and said, I
6 didn't know the boiler was going to be
7 shut down as part of this project. I
8 think that this points to many of the
9 misconceptions and maybe the lack of
10 communication that has been part of this
11 whole process.

12 With this in mind, I urge all of
13 the interested parties here tonight to
14 approach this process with open minds and
15 open ears. There is probably more room
16 for common ground than each side would
17 care to admit.

18 After reading through the draft
19 environmental impact statement in the past
20 few days, my comments are as follows.
21 Number one, P.H. Glatfelter, one of York
22 County's largest and most respected
23 employers currently uses 1.1 million
24 pounds of steam per hour. The
25 cogeneration facility would provide

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D-28/7

Response: Comment is noted.

1 Glatfelter crucial access to a more
2 portable source of steam. P.H. Glatfelter
3 will receive no electricity from the cogen
4 facility. That's another very large
5 misconception that I ran into through the
6 campaign. Folks would ask me, well, how
7 much electricity is P.H. Glatfelter going
8 to get? The answer is none. This isn't
9 about electricity, this is about steam.
10 This new source of steam will allow
11 Glatfelter to increase their
12 competitiveness while maintaining and
13 strengthening of their commitment to
14 protecting the environment.

15 Please keep in mind that our
16 economy, locally, state-wide, and
17 nationally is changing radically. The
18 competition has become global. Not only
19 does P.H. Glatfelter have to compete with
20 a paper plant in Ohio but also with
21 companies based in Latin America and
22 Europe. Failure to allow them to
23 modernize and stay competitive will put
24 them at a drastic economic disadvantage
25 with other paper companies.

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1 My second point, I think it's
2 important to understand that Air Products,
3 the parent company for the cogen facility
4 must abide by and meet requirements of the
5 1990 Federal Clean Air Act. You know, one
6 of the comments that also came up during
7 the campaign, people suggested to me that
8 they wouldn't necessarily --- the cogen
9 facility wouldn't necessarily improve the
10 air quality and that there would be ways
11 to get around the rules. Folks, trust me.

12 The ones that are laughing, I assume
13 don't have a problem with taking their
14 cars in to get them tested for emissions.
15 Please give me your name and number. I
16 don't expect phone calls when that gets
17 crammed down our throats by the Feds in a
18 few years. The Feds are going to force
19 the cogen facility to abide by the 1990
20 Clean Air Act. They will do it.

21 Now, regulations with respect to
22 the Clean Air Act are very simple. Any
23 new emission must have offsets by a two
24 times factor. Any new emission must be
25 offset by a two times factor. In other

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1 words, ultimately there will have to be
2 less emissions than there currently are.

3 In closing, I believe it is
4 imperative that we all recognize and
5 remember that the cogen facility must go
6 through a strict Federal and State
7 permitting and approval process. The
8 permitting process must be allowed to run
9 its course. If this is allowed to happen,
10 the cogen facility will rise or fall on
11 its merits.

12 Eventually, folks, a decision
13 must be reached. P.H. Glatfelter, the
14 local community and York County need and
15 deserve a timely answer. Thank you all
16 very much.

17 BILL LAWSON:

18 Thank you, sir. Representative
19 Todd Platts.

20 TODD PLATTS:

21 Good evening. Before I begin my
22 comments on the merits of the EIS, I'd
23 like to put on the record first about the
24 proceedings. And that's to put on the
25 record my objections to the hearings going

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D-31/22

KEYWORDS:

NEPA
Schedule

Response: The scheduling and administration of the public hearings were conducted in accordance with the National Environmental Policy Act (NEPA), as implemented in regulations promulgated by the Council on Environmental Quality (40 CFR Parts 1500-1508) and by the DOE's Implementing Procedures (10 CFR Part 1021). However, in order to accommodate the desire by the public to have more time to read the DEIS and to provide informed commentary in a public forum, DOE scheduled a continuation public hearing (January 18, 1995), approximately one month after the first set of public hearings (December 14, 15, and 16, 1994).

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forward. I think you're aware of my
correspondence to your department,
Secretary O'Leary and my conversations
with your deputy secretary.

The DIS draft in itself is
more than 600 pages in length. The
recommended length of an EIS and the need
for regulations is 150 pages, normally no
more than 300 pages in extreme cases. I'm
not complaining about the length. There's
a lot of material that needs to be covered
and I appreciate the extent of it being
covered. But in those regulations also
are minimum time periods for hearings to
be held and comments to be given. The
minimum period is 15 days. This was
published November 25th, I believe, 17
days ago. We've more than doubled the
maximum length for the EIS but we've not
extended at all the time period for the
hearings to be held and the notice. I
appreciated my colleague's comments when
he read through the draft EIS. I've been
working on it for three weeks and still
have much to do. But I want to say that I

(continued)

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D-32/5

KEYWORDS:

Document length
NEPA

Response: In the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508), it is stated that the text of an EIS should normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages (40 CFR Part 1502.7). The text, according to the regulations, refers to the following: purpose of and need for action, alternatives including proposed action, affected environment, and environmental consequences. The DEIS for the York County Energy Partners Facility was 428 pages based on this definition of "text." One of the major reasons for the length of the EIS is the analysis of issues raised in public comments obtained during both the public scoping and the public hearing processes.

D-32/13

KEYWORDS:

Document length
NEPA
Schedule

Response: The DEIS was distributed to the public on approximately November 18, 1994. Many individuals received their copies of the Draft Statement by November 21, 1994, as judged by telephone inquiries received by DOE from the public during this time period. Thus, there were approximately three weeks for the public to review the DEIS prior to the first public hearing date. The determination of dates for conducting the public hearings (December 14, 15, and 16, 1994) was reached after much deliberation, based on the consideration of factors such as interference with the holiday season, potential for inclement weather, and maintenance of project schedule. In addition, it was felt that the public could submit written comments to DOE if their personal schedules could not accommodate review of the DEIS prior to the public hearings. Written comments are given the same weight as oral comments in terms of disposition. However, due to the public comments received, DOE scheduled a continuation hearing for January 18, 1995, and extended the (written) comment period from January 10, 1995, to January 31, 1995, in order to allow for full participation of the public in the National Environmental Policy Act (NEPA) process.

1 commend Deputy Secretary Godley extending
2 written comments deadline from January
3 10th to the 31st. I appreciate your
4 willingness to get involved in this issue.
5 Unfortunately, she had to and that
6 shouldn't have been the case. I believe
7 you, as project managers of this should
8 have seen the inappropriateness, this
9 moving forward so quickly with the
10 hearings and the written comment given the
11 length of the document. And remember that
12 600 pages does not include the hundreds of
13 pages of documents incorporated by
14 reference.

15 So I would officially object
16 tonight to these hearings and again
17 commend Deputy Secretary Godley for
18 getting involved and showing some good
19 sense in extending the written comment
20 period.

21 Turning to my comments on the
22 issue now. First, I object in the draft
23 EIS and I should emphasize that these are
24 preliminary comments and I anticipate and
25 plan to submit written comments that would

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D-33/6

Response: Please see the response to Comment D-32/13.

KEYWORDS:

Document length

NEPA

Schedule

1 be more thorough and better prepared. But
2 I initially object to the way you
3 projected the air emissions comparison
4 between P.H. Glatfelter and the proposed
5 cogeneration plant, especially with SO₂,
6 NO_x, PM-10, carbon monoxide and VOCs.

7 First, given the health risk
8 associated with carbon monoxide and the
9 factor the VOCs played in creation of the
10 ozone along with this plant, if built,
11 will greatly, greatly increase the amount
12 of carbon monoxide and the amount of VOCs
13 coming from the location. And I point out
14 the emissions testing is specifically that
15 they'll reduce carbon monoxide, which
16 we're going to be forced as individuals
17 that this plant would greatly increase
18 carbon monoxide.

19 But given that impact of carbon
20 monoxide and VOCs, I find it troubling
21 that table 4.1-2 found on page 4-22 only
22 compares Glatfelter's and YCEP's emissions
23 of SO₂, NO_x and PM-10. I found this
24 omission of CO and VOCs from that
25 comparison even more enlightening or

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D-34/1**KEYWORDS:**

Air emissions
Emission differentials

Response: Table 4.1-2, of the DEIS, presented a comparison of the permitted (i.e., maximum) emission levels of sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate matter (PM₁₀) among the P. H. Glatfelter Power Boiler No. 4, the proposed York County Energy Partners, L.P. (YCEP) project, and 720 hours of operation of the Power Boiler No. 4. (It should be noted that the 720 hours of operations only refers to simultaneous operation of P. H. Glatfelter Power Boiler No. 4 with the proposed Cogeneration Facility.) Emissions of carbon monoxide (CO) and volatile organic compounds (VOCs) from the Power Boiler No. 4 were not included because these are not subject to permit limitations. A new table, Table 4.1-2a, has been added to the FEIS; this new table lists actual or expected emissions from the Power Boiler No. 4 and the proposed YCEP facility for carbon monoxide (CO), volatile organic compounds (VOCs), and radionuclides, as well as actual or expected emissions of sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate matter (PM₁₀). Table 4.1-2 shows that emissions at maximum permitted levels would result in decreases of 2,419 tons/yr of sulfur dioxide (SO₂), 272 tons/yr of oxides of nitrogen (NO_x), and 65 tons/yr of particulate matter (PM₁₀), representing a maximum decrease of 2,756 tons of these pollutants. Table 4.1-2a shows that estimated actual emissions would decrease by 650 tons/yr of sulfur dioxide (SO₂), 415 tons/yr of oxides of nitrogen (NO_x), and 7 tons/yr of particulate matter (PM₁₀); and would increase by 1,349 tons/yr of carbon monoxide (CO) and 35 tons/yr of volatile organic compounds (VOCs), representing a maximum expected increase of 312 tons/yr for the six criteria pollutants identified in the National Ambient Air Quality Standards (NAAQS).

D-34/7**KEYWORDS:**

Air emissions
Carbon monoxide
Emission differentials
VOCs

Response: The proposed York County Energy Partners, L.P. (YCEP) project would result in an increase (maximum permitted) of approximately 1,726 tons/yr of carbon monoxide (CO) which, as discussed in Sections 4.1.2.6, 4.1.2.6.1, and 4.1.2.6.2 of the EIS, corresponds to the highest modeled ambient concentrations that are 10 percent of the significance level for 8-hour averages and 5 percent of 1-hour averages. The significant level is the ambient concentration below which a source impact is deemed by EPA to be at a level that cannot cause or "significantly" contribute to an exceedance of either the National Ambient Air Quality Standard (NAAQS) or Prevention of Significant Deterioration (PSD) allowable increment. The highest modeled concentrations of carbon monoxide (CO) resulting from these emissions were 96.8 µg/m³ for 1-hour levels (cf. National Ambient Air Quality Standard of 40,000 µg/m³) and 50.0 µg/m³ for 8-hour levels (cf. National Ambient Air Quality Standard of 10,000 µg/m³) (see Section 4.1.2.6.4). No adverse health effects are anticipated due to the increase in ambient carbon monoxide (CO) concentrations attributable to the proposed project.

The maximum volatile organic compound (VOC) emissions from the proposed York County Energy Partners, L.P. (YCEP) Facility would be 48 tons/yr (see Table 4.1.3 in Section 4.1.2.5). As a result of the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4, 3.4 tons/yr of volatile organic compound (VOC) emissions would no longer be emitted (see Table 4.1-2a in Section 4.1.2.3 of the FEIS).

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Up to 1.0 ton/yr of VOC emissions could be expected from additional traffic (see Table 4.1-14 in Section 4.1.2.10), and 0.57 tons/yr of chloroform could be emitted from the proposed cooling tower (see Section 4.1.2.9). Thus, a maximum increase of about 46.2 tons/yr of VOCs may be expected from all sources.

It has been estimated that an increase of 50 tons/yr of volatile organic compound (VOC) emissions could result in a maximum formation of 0.4 ppb of ozone (O₃) [approximately 0.8 µg/m³ ozone (O₃) at standard conditions]. [A regional oxides of nitrogen (NO_x) reduction due to emission reduction credits (ERCs) was not added to or included in this ozone (O₃) estimation.] A value of 0.4 ppb of ozone (O₃) needs to be viewed in relation to the following typical ozone (O₃) levels in the York Air Basin reported by PADER: an annual average of approximately 53 ppb of ozone (O₃), a daily maximum average of approximately 112 ppb of ozone (O₃), and a maximum background level of approximately 350 ppb of ozone (O₃) during one year.

Please also see the response to Comment D-34/1.

D-34/19

KEYWORDS:

Air emissions
Alternatives analysis
Emission differentials

Response: As discussed more fully in the responses to Comments D-34/1 and D-34/7, actual and expected carbon monoxide (CO) and volatile organic compound (VOC) emission data from both the P. H. Glatfelter Company's Power Boiler No. 4 and the proposed York County Energy Partners, L.P. (YCEP) facility have now been listed in Table 4.1-2a in the FEIS. This new table is included in the Final Statement to supplement Table 4.1-2 [which lists sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate matter (PM₁₀) permitted emission data]. Thus, the sulfur dioxide (SO₂), oxides of nitrogen (NO_x), particulate matter (PM₁₀), carbon monoxide (CO), and VOC data for the alternative plants found in Table 4.3-1 and Table 4.3-2 can now be more easily compared to the data in Tables 4.1-2 and 4.1-2a.

Please also see the response to Comment D-34/7.

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interesting, I should say, when I found that your tables 4.3-1 and 4.3-2 which are comparing YCEP emissions to alternative plants, specifically a gas-fired combined cycle facility or a two unit coal-fired facility do include carbon monoxide and VOCs.

I had to wonder if you did not include them in the comparison up front with the Glatfelter emission because unlike SO₂, PM-10 and NO_x, they're going to greatly go up, not down. And I think that's an oversight that you should address.

It's important to note that when speakers, proponents of this project and my esteemed colleagues refer to improving the environment and reducing emissions, and perhaps by millions of pounds per year they say, they're only talking about SO₂, NO_x and VOC. They are not addressing carbon monoxide and VOCs and VOCs as they should be.

And, in fact, when you include carbon monoxide and VOCs into the

(continued)

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D-35/8

KEYWORDS:

Air emissions
Emission differentials

Response: As discussed more fully in the response to Comment D-34/1, carbon monoxide (CO) and VOC emission data from both the proposed York County Energy Partners, L.P. (YCEP) project and the P. H. Glatfelter Company's Power Boiler No. 4 are now provided in Table 4.1-2a. This table has been included in the FEIS to supplement Table 4.1-2 that listed sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate matter (PM₁₀) permitted emission data. As a result of the proposed YCEP project, a reduction would occur to the permitted level of 2,419 tons/yr for sulfur dioxide (SO₂), 272 tons/yr for oxides of nitrogen (NO_x), and 65 tons/yr of PM₁₀, representing a maximum decrease of 2,756 tons of these pollutants. Table 4.1-2a shows that estimated actual emissions would decrease by 650 tons/yr of sulfur dioxide (SO₂), 415 tons/yr of oxides of nitrogen (NO_x), and 7 tons/yr of particulate matter (PM₁₀), and would increase by 1,349 tons/yr of carbon monoxide (CO) and 35 tons/yr of volatile organic compounds (VOCs), representing a maximum increase of 312 tons/yr for the six criteria pollutants under the National Ambient Air Quality Standards.

Please also see the responses to Comments D-34/1, D-34/7, and D-34/19.

D-35/15

KEYWORDS:

Air emissions
Emission differentials

Response: Please see the responses to Comments D-34/1, D-34/7, and D-35/8.

However, it should be noted that the three air pollutants most often implicated in environmental and health effects have been sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and fine particles (PM₁₀).

D-35/24

KEYWORDS:

Air emissions
Emission differentials

Response: Please see the responses to Comments D-34/1, D-34/7, and D-35/8.

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comparison of air emissions, we don't have a reduction of millions of pounds, we have an increase of millions of pounds of air pollution. Estimates anywhere from 1.3 to 1.7 million pounds per year more pollution into your county.

My second objection concerning the air emissions analysis of a draft EIS is the manner in which you developed a worse case scenario for emissions at the proposed facility. Rather than comparing YCEP permitted emissions and P.H. Glatfelter permit emissions, I suggest that you use P.H. Glatfelter actual emissions which we have much documentation of and YCEP's permit emissions.

The reason I say this is because given that you, the DOE and YCEP think you should get this money, \$75 million in tax dollars because of the unprovenness of this technology that needs to be done to scale, it's logical and reasonable to use the worse case for them as their top level permit. But it's not logical to do the same thing for Glatfelter when we have

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D-36/7

KEYWORDS:

Air emissions
Emission differentials

Response: For comparison of air emissions between two sources, it is most appropriate to perform the analysis on a "similar" basis in order to generate the most accurate, understandable, and informative comparisons. In the case of a comparison of emissions from the proposed project and the P. H. Glatfelter Company's Power Boiler No. 4, it is appropriate to compare the "maximum" theoretical emissions (i.e., permitted levels) for the two facilities as well as the "expected" emissions for the two facilities. The DEIS compared permitted emissions for the two facilities, and has been revised (see Table 4.1-2a in the FEIS) to show a comparison between actual or expected emission levels in order to provide a more comprehensive picture for the two different scenarios (maximum versus expected emissions). (Actual emissions refer to 1993 data from the P. H. Glatfelter Company's Power Boiler No. 4. Expected emissions refer to those emissions anticipated to be generated by the proposed project. Expected emissions from the proposed project are lower than the permitted levels.)

Comparing the "average" emissions from the P. H. Glatfelter Company's Power Boiler No. 4 with the "permitted" emissions of the proposed facility would be inappropriate and similar to comparing a 50 percent load operation of one facility with a 100 percent load operation of another facility, which would provide a distorted comparative picture of reality.

In addition, the yearly emissions from P. H. Glatfelter Company's Power Boiler No. 4 have varied somewhat over the years based on hours of operation and, more importantly, on coal characteristics (sulfur content), thus giving support to making comparisons based on permitted levels.

1 years and years and years of documented
2 evidence of their emissions. Their worse
3 case scenario can be documented from their
4 actual emissions. If you use this manner,
5 you'll see that your emissions reductions
6 are greatly inflatable for even the three
7 emissions you talked about, SO2, PM-10 and
8 NOx. And if you include your other ones,
9 there's even a greater increase.

10 I'm going to try to speed up. I
11 know I'm extending over my time. I
12 recognize that your speaker both stated in
13 your opening comments you got five minutes
14 and 15 minutes. Please, I'd appreciate
15 your indulgence.

16 Finally, on no action
17 alternative and alternative technologies,
18 reasonable alternatives. I strongly
19 encourage you to go back, not just
20 identify other technologies that may be
21 better for the environment, better for
22 your counties and still have electricity
23 and have jobs. But identify and review
24 them as compared to this technology. I
25 think you're wrong in just identifying and

(continued)

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D-37/16

KEYWORDS:

Alternative technologies

Response: DOE believes that the EIS adequately addresses the reasonable alternatives to the proposed action. As discussed in Section 1.3, the purpose of and need for the proposed Federal action define the bounds of its reasonable alternatives. Congress established the Clean Coal Technology (CCT) Program with a specific purpose -- to demonstrate the commercial viability of technologies which use coal in more environmentally benign ways than conventional coal plants. Some energy legislation, such as the Energy Policy Act of 1992, address broad policy issues and questions concerning energy choices. In contrast, the CCT legislation has a narrow focus in directing DOE to demonstrate clean coal technologies. Other technologies which cannot serve to carry out the goal of the CCT Program legislation (e.g., natural gas, wind power, conservation) are not relevant to DOE's decision of whether or not to provide cost-shared funding support for the proposed York County Energy Partners, L.P. (YCEP) cogeneration project, and therefore, are not reasonable alternatives for this EIS.

Moreover, each of the CCT projects selected for partial funding are unique in that they were selected to fulfill a particular program need (i.e., a specific technology or combination of technologies). The CCT Program only allows for joint funding of **proposed** projects that have been selected through a solicitation and negotiation process. In 1986, the DOE issued the first of several program opportunity notices soliciting proposals for specific types of projects that would be jointly funded under the CCT Program. Prospective Industrial Participants submitted proposals in response to the notices. A group of proposals were selected for the program which were expected to further the goals of the CCT Program and which represented a cross section of different advanced coal technologies. This proposed project was selected to be a part of the CCT Program specifically because of the type of technology proposed. DOE's choices were limited by having to choose from the proposals that were submitted under the solicitation process.

The proposed York County Energy Partners, L.P. (YCEP) cogeneration project was selected to demonstrate an atmospheric circulating fluidized bed (ACFB) boiler with in-bed desulfurization at a large utility scale (i.e., 2.1 million pounds per hour of steam). Other projects proposing to demonstrate other technologies are not alternatives to the proposed ACFB project. Other advanced coal-based technologies are either being developed or proposed for demonstration at various sites under the CCT Demonstration Program. There is a "portfolio" of technologies that are included in the CCT Program, which represent a range of technological maturity and risk. The ramifications of selecting technologies within this specific portfolio (as compared to conventional technologies) is the subject of the Programmatic EIS for the CCT Demonstration Program (*DOE, 1989a*). The only way in which DOE could consider other projects offering comparable benefits to the CCT Program would be to decide not to fund the proposed YCEP project and to solicit for additional proposals. The possible results of a new solicitation are totally

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refusing to review them and saying that they're not, that's not within the scope of this project. The purpose of the clean coal technology program is broad, it's not as specific. It's defined advanced leading edge technology. Other leading edge technology fulfills that purpose and goal. And I think the EPA is correct and I concur wholeheartedly with Peter Costamyer's (phonetic) comments that you should include those other technologies, not in identifying them but reviewing them in what their impacts would be versus this technology. And I would cite Diane Ester (phonetic) who is with the EPA, her letter to Dr. Van Ooteghem of last October recommending that inclusion. And I would also site administrator Peter Costamyer and EPA staff member, Roy Demler's (phonetic) published comments just a month ago, that they believe these technologies --- those other technologies should be included in your review. And I think, in fact, Mr. Costamyer's comments were quoting from the news article. It's a ---

(continued)

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speculative. All that can be said is that the impacts from the proposed YCEP project would not occur. Even if the procurement process could easily accommodate consideration of other clean coal technologies, these alternatives would need to be offered (or agreed to) by the owner and operator of the proposed facility, since alternatives would require feasibility of implementation if selected to be considered executable. The Industrial Participant is currently only interested in AFBC technology since this was the only technology that the Industrial Participant proposed to DOE for consideration.

Congress not only prescribed a narrow goal for the CCT Program, but also directed DOE to use a process to accomplish that goal that would result in a minimal role for the Federal government. Instead of requiring government ownership of demonstration projects, Congress provided for cost-sharing in projects sponsored by other parties, with provision for potential repayment of the public funds invested. Therefore, rather than being responsible for the siting, construction, and operation of the projects, DOE has been placed in the more limited role of evaluating applications by project sponsors to determine if they meet the CCT Program's goals. It is well established that an agency should take into account the needs and goals of the applicant in determining the scope of the EIS for the applicant's project. When an applicant's needs and goals are factored into the deliberations, a narrower scope of alternatives may emerge than would be the case if the agency is the proprietor, charged with full decision-making responsibilities for the project. DOE has reviewed YCEP's siting evaluation process, as described in Section 2.2.1.1, and has concluded that no sites other than the North Codorus Township and West Manchester Township sites meet both DOE's purposes and the applicant's purposes.

The possibility of using alternative technologies still exists outside of the proposed action, as part of the no-action alternative. If DOE does not provide cost-shared funding for the proposed project, many outcomes could result. The no-action alternative in the FEIS explores the most reasonably foreseeable courses of action that would occur if the proposed action is not undertaken. DOE has examined what have been judged to be the most probable actions that would result from not providing cost-shared funding for the proposed project as is noted in Section 2.2.4, "No-Action Alternative," of the EIS. Due to technological risk factors and the recent history of fuel-conversion plants that are being built, other clean coal technologies were not deemed to be the most probable outcome that would result from the no-action alternative.

Other technologies may or may not have more beneficial environmental consequences than the proposed project; as noted, a comparison of the proposed project to these clean coal technologies has not been made in the EIS for this project. It is not reasonable nor required that DOE assess every possible alternative under the no-action alternative. The main purpose of the no-action alternative as presented in the EIS is to provide a baseline for comparing the proposed action and any other alternatives. The most reasonably foreseeable outcomes of the no-action alternative have been assessed in the EIS for this purpose.

1 excuse me, quote, I think increasingly one
2 role of this agency, the EPA is to begin
3 looking at a full variety of alternatives
4 in terms of these projects. And then Roy
5 Demler's comments, it's a build or
6 no-build situation, what you're proposing
7 in EIS, which is something we don't
8 normally like to see. I know they voiced
9 those concerns to you and I concur with
10 them and I think it would be wise to
11 include the other technologies.

12 Final point, no action
13 alternatives. Draft EIS says if you don't
14 fund this project, this technology would
15 not be commercialized at this scale. It's
16 hogwash. You know it and I know it.
17 There's evidence of this technology being
18 developed at this scale today. First we
19 said it's worldwide, it's proven. In
20 fact, P.H. Glatfelter cites the provenness
21 of it, why it wants this technology for
22 its plant. Your reply was not at this
23 scale. Fine. We said, well, what about
24 the 250 megawatt plant in operation today
25 in France? It's proven, it's being done.

(continued)

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D-39/13

KEYWORDS:

Commercialization
status

Response: While there are many small, mostly industrial atmospheric circulating fluidized beds (ACFBs) in existence in the United States, the large [200-megawatt electricity (MWe) and greater], utility-scale ACFB is not yet accepted as commercial technology in the utility market. Conventional pulverized-coal boilers in use today by electric utilities are predominantly 250-400 MWe units. The largest ACFB currently operating in the United States is 150 MWe. The Warrior Run project in Cumberland, MD, a planned 180-MWe CFB, is scheduled to begin producing power in 1999. The next step up in size in this country would be the proposed 250-MWe York County Energy Partners, L.P. (YCEP) cogeneration project.

DOE recognizes that throughout the DEIS, it has used net electrical power output (i.e., MWe-net) to describe and differentiate among atmospheric circulating fluidized bed (ACFB) combustors. Net power output has been used in the EIS as a measure of "scale" with respect to the size of the unit (for commercial utility operations). This parameter was mainly used since it was the one most commonly understood. However, this parameter does not include the energy inherent in the industrial steam that is exported. Steam from cogeneration plants can be used to produce electricity or in a process application. However, this flexibility can lead to confusion when comparing the scale of different systems. Because different plants may utilize the steam product in different ways, a comparison of electricity production is not always an accurate comparison.

A more consistent system comparison is "unit steam flow" (the amount of steam produced) given similar steam characteristics (i.e., pressure and temperature). A unique feature of the proposed YCEP plant is the scale of the fluidized-bed unit in terms of steam production. This proposed unit would produce 2.1 million pounds per hour (MMlb/hr) of steam. This steam flow is considerably larger (i.e., 25 percent larger) than any unit that has been built, planned, or is under construction in the world. The second largest circulating fluidized bed (CFB) combustor being constructed is the Electricite de France unit in Gardanne, France. This combustor is of a Lurgi design and would operate on lignite (rather than bituminous coal). Thus, from an engineering and technical point of view, an arguably more appropriate measure of scale for circulating fluidized bed units with similar steam pressures and temperatures is unit steam flow (MMlb/hr). Unit steam flow is a more direct indication of the "size" of the boiler since this parameter is more directly proportional to the heat transfer surface in the boiler used to generate steam (either for industrial use, internal use, or for subsequent electrical generation purposes). If one uses unit steam flow as the parameter to assess boiler "size," the proposed YCEP's ACFB combustor would be the largest CFB combustor in the world if construction were to proceed. Information provided as a public comment by SFA Pacific, Inc. is used, in part, as the basis for a table which is now included in the FEIS (Section 1.3.1) that lists the world's largest CFB combustor boilers (including the Electricite de France project, the Warrior Run unit in Cumberland,

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MD, and the Nova Scotia Power Corporation project) being planned, operated, or constructed based on the parameter unit steam flow (MMlb/hr). The SFA Pacific fluidized bed combustor (FBC) boiler database contains descriptive information on commercial and commercial-scale demonstration projects for all major FBC installations worldwide. DOE has heard reports that a 300-MWe CFB combustor plant is currently under consideration in Australia; however, neither the proposed operation date for this plant nor any conditions related to its proposal are known. ABB Corporation is still in the negotiations phase for a possible CFB combustor plant to be built in Korea at a rumored 220 MWe. No other information is available on this project.

In addition to the size parameter, the proposed YCEP project is unique because of a combination of features when compared to other ACFB combustors being planned, designed, or constructed. The proposed project would demonstrate American technology on United States soil and would utilize U. S. bituminous coal in a cogeneration mode of operation. Another unique feature of the proposed YCEP boiler is a water-cooled full division wall which is utilized to improve the predictability of hydrodynamic behavior, to improve temperature uniformity, and to reduce unit height while still maintaining a large heat transfer surface. The use of an INTREX™ heat exchanger also increases the heat transfer surface while not increasing the height of the boiler. The YCEP boiler has also been designed for high sorbent utilization efficiency by advantageous placement of front and rear wall feeders to allow for lower firing rates per feeder in relation to upper combustor and grid areas.

Utilities are generally risk-averse to new technologies due to strict environmental regulations and the need to prove long-term reliability and flexibility in different applications (different locations, feedstocks, and system configurations). Until ACFB technology has been successfully demonstrated at utility scale, electric utilities, financiers, and regulators are not as likely to consider the ACFB as an option to provide environmentally acceptable, coal-derived power.

There are a suite of coal-based processes and clean-up technologies that have been included in the Clean Coal Technology (CCT) Demonstration Program. There are various levels of maturity for these technologies, with those technologies being "high" on the maturity scale typically being those with lower technological risk. The cost-shared financial assistance to be contributed by DOE for the proposed project reduces the risk associated with the project so that the demonstration process can be accelerated. There is a trade off between technology maturation and risk. This technological risk, which involves reliability, maintainability, operability, and performance characteristics, can also affect environmental performance. The proposed technology (ACFB with in-bed desulfurization) is a more mature technology than some of the others being demonstrated under the CCT Program; and because of its relative maturity, it tends to have a lower level of risk. The percentage of DOE funding is often associated with the level of technological risk. DOE proposes to fund this cogeneration project at approximately 20 percent of total

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Your response is not American technology. Fine. Your draft EIS references Point Aconia (phonetic), Nova Scotia, and it gross 201. I mean your draft EIS says you want to prove it at 200 or more, net of 165 for the electric company. But you failed to identify the Warrior Run atmospheric CFB in Cumberland, Maryland, two-hours drive from here, 208 gross megawatt and 180 net megawatt. That plan is moving forward. It's in the engineering stage now and should be developed and up and running probably about the same time as this one. And both of those are American technologies.

Finally, you didn't tell us about the American technology, a company that's not looking for a hand-out, a company that's progressing and investing its technology on its own, not at taxpayers' expense. And that's Pyropower. That's the Droll (phonetic) power station in Poland, two 235 megawatt plants that are in the process of --- financing is being arranged now and it's a

(continued)

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cost, which is a relatively low percentage among CCT Demonstration projects and indicates that the Department indirectly acknowledges the technological maturity (when compared with other more novel coal-based technologies) of ACFB combustion. It may be an eventuality that this specific technology is introduced into the American marketplace at the 250-MW (2.1 MMlb/hr steam) scale. However, one of the purposes of the Clean Coal Technology Demonstration Program is to accelerate the demonstration process.

In addition, successful demonstration of a technology in itself does not ensure that the technology will enjoy widespread deployment. As a part of the CCT Program, DOE works closely with Industrial Participants to develop plans for technology transfer and commercialization to help further the technology and expand its information base. DOE believes that development of this specific technology (the Foster Wheeler ACFB technology) will accelerate the demonstration process for ACFB technology and further the deployment of this clean coal technology.

D-40/16

KEYWORDS:
Commercialization
status

Response: A successful Round I Clean Coal Project with Colorado-Ute demonstrated the Pyropower circulating fluidized bed (CFB) technology at the 100-MW scale at their Nucla Station. The Colorado-Ute demonstration project utilized a 2-cell CFB in a repowering application. Based on this demonstration, Pyropower has since constructed and plans to construct larger single-cell units including the 235-MW units in Poland. DOE believes that the commercialization of the atmospheric CFB (ACFB) technology will be enhanced by the development of the Foster Wheeler CFB design at the 250-MW scale for York County Energy Partners, L.P. (YCEP) on United States soil using American coal sources. ABB Corporation was contacted to verify reports of a CFB to be built in Korea; however, plans have not yet been finalized and, therefore, ABB Corporation could not comment on the project. Please also see the response to Comment D-39/13 for more information concerning the need for the project and a discussion of the comparative sizes of existing and planned projects.

1 go project. That's American technology,
2 proven this technology without handouts
3 from the taxpayers.

4 You also didn't tell us about
5 ABB's plan of construction of a 220
6 megawatt ACFB American technology in
7 Korea, which that contract is being signed
8 this week. I think the ceremony is in the
9 very near future this week. This
10 technology is being proven. Whether you
11 want to admit it or not, it is. If you
12 want to fund a pork barrel project, do it,
13 but admit that's what it is. Don't say
14 you need incentives to commercialize the
15 technology when true American companies
16 are doing it on their own.

17 Final wrap-up comments, and I
18 apologize for the length of my comments,
19 Secretary O'Leary stated in --- I'll
20 clarify, was relating to overhauling their
21 contract system at the Department of
22 Energy. But her quote was very relevant
23 to this project. Quote, the goal is very
24 simple. It's to get better performance
25 for every tax dollar. I couldn't concur

(continued)

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1 more. Let's get better performance for
2 our tax dollars. Invest in technologies
3 that truly need incentives. This
4 technology may but not at this scale.
5 Maybe the 400 megawatt or the 600
6 megawatt. Pyropower is giving commercial
7 guarantees at 400 megawatts today.
8 Foreign companies are developing 600
9 megawatt atmospheric CBs. Perhaps at that
10 scale it's worthy. At 250 it's not. It's
11 being done. It's no longer unproven.

12 Secretary Robert Rich recently
13 talked about corporate welfare and we need
14 to talk about welfare reform, not just for
15 individuals but for business instead of
16 giving handouts at the taxpayer's expense.
17 That's what this project is. This project
18 was going to move forward with or without
19 the funds and now it's a reward, not an
20 incentive.

21 The final remark I would make,
22 and it is the final, that the previous
23 speakers, my colleagues talked about lack
24 of communication. I would hope that all
25 of those who are going to speak in favor

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D-42/2

Response: Please see the responses to Comments D-39/13 and D-40/16.

KEYWORDS:

Commercialization
status

Guarantees given for non-demonstrated technologies tend to cause "overbuilding" to accommodate for the uncertainty in guaranteeing an unproven scale-up (e.g., build a larger boiler or use larger auxiliary equipment as a factor of safety in meeting a guarantee). This can result in inflated prices which, when coupled with the inherent uncertainty of numerous factors (operating cost, long-term reliability, maintenance costs, etc.) related to a non-demonstrated plant, put the technology out of reach. Guarantees for unproven technologies may also understate the efficiency of a boiler or its environmental performance as a factor of safety for a guarantee, resulting in a less-than-favorable comparison of the technology when measured against existing, proven technologies. Thus, offering of a guarantee does not necessarily translate to commercialization of a technology.

D-42/17

Response: York County Energy Partners, L.P. (YCEP) has stated verbally in various private and public meetings that the project would not go forward without DOE funds. Given that Pennsylvania Public Utility Commission (PUC) orders conditioned Metropolitan Edison Company's (Met-Ed's) obligation on DOE's actual cofunding of the project, it appears that the project would not go forward in the absence of funding since, in that event, there would be no power purchase agreement. Please also see the responses to Comments W-MK-12/21d and D-139/17.

KEYWORDS:

Alternate site
Government funds

1 of this project would speak not just to
2 the proponents, the companies that are
3 going to benefit, but to the 'Medical
4 Society, the American Lung Association,
5 the citizens, the many people who have
6 voiced concerns and gave both sides of the
7 story. Because I think when you do it is
8 clear. There are two sides of the story
9 and important concerns. I encourage you
10 to review your draft EIS and decide not to
11 fund this and let the prior private sector
12 do what it's doing on its own today.
13 Invest in this technology, prove it on its
14 own and it gives this money in a wise
15 fashion. I think the taxpayers, our
16 environment and the industry will be much
17 better served. Thank you.

18 RICHARD THIERET:

19 Hi, everybody. My name is Dick
20 Thieret, as most of you know, and I'm the
21 Mayor of Spring Grove and have been for
22 the past 20 plus years. I've lived in the
23 borough for 20 years plus and my wife, the
24 first lady, has lived there all of her
25 life. So we both care very, very much

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D-43/9

Response: Please see the response to Comment D-39/13.

KEYWORDS:
Commercialization
status

DOE will review the contents of the FEIS as a basis for rendering a Record of Decision for this proposed project, either unfavorable, favorable, or favorable with mitigation.

1 about our community. I'm here this
2 evening because I have reviewed the
3 Department of Energy's draft environmental
4 impact statement. As a result of the
5 DOE's report, I want to reiterate my
6 support for the York County Energy
7 Partners cogeneration project. There are
8 three key reasons why I support the
9 project. They are environmental impact,
10 the economic benefits and the need for
11 power.

12 In terms of the environment, the
13 DOE reports, the project will reduce our
14 most serious air emissions which impact
15 the environment and the public health.
16 With the curtailed use of Glatfelter
17 number four boiler, sulfur dioxide
18 emissions and nitrogen oxides will all be
19 reduced. The report noted that some
20 emissions may increase. I understand,
21 however, that the project sponsor will be
22 required to ensure that those emissions
23 will have to meet national and state
24 requirements.

25 In terms of its economic

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1 benefits, the project will bring in
2 hundreds of construction jobs and I feel
3 confident a good portion of these workers
4 will be from York County. Permanent jobs
5 will also be created. Goods and services
6 to support the projects will be purchased
7 in our area.

8 Finally, the project will pay
9 about a half a million dollars annually in
10 property taxes to the Spring Grove School
11 District and to York County. Now, that
12 kind of financial support takes an added
13 burden off the taxpayers.

14 As to the need for power, we all
15 know that Met-Ed has reported a need for
16 additional electricity to meet its
17 customer's needs by the end of the
18 century. The proposed facility offers
19 long-term solution to Met-Ed and ensures
20 that the benefits of this facility are
21 brought to York County and not to some
22 other location like New Jersey.

23 I'd also like to ask everyone
24 here tonight to think back almost a year
25 ago to last January when homes and

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1 businesses throughout our state were hit
2 by the rolling brown-outs. January 11th
3 to be exact. The temperature dropped 15
4 below zero. Governor Casey ordered all
5 boilers in the state to fire up. P.H.
6 Glatfelter's idle boiler was ordered on
7 the line, and crank it up they did. But
8 this 130 year old firm that was here
9 before the Civil War, still family run and
10 controlled and a Fortune 500 company went
11 one better by shutting down their biggest
12 paper machine, losing between \$25,000 and
13 \$30,000 an hour for 24 hours, putting more
14 electricity on the grid. And they didn't
15 even get a gold star for that. Now, P.H.
16 Glatfelter can't keep doing this and
17 that's why this facility will ensure that
18 we have adequate supplies of energy in
19 emergency situations as well as to meet
20 our daily demand. You might or might not
21 believe the Farmer's Almanac that this
22 winter was even going to be worse.

23 I also recognize that much has
24 been said about the existing quality of
25 York County's air. According to the draft

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1 environmental impact statement, the
2 quality of York's air currently meets
3 national and State requirements. And the
4 rate of lung disease in York County is
5 considered better than all of our
6 surrounding counties and better than the
7 State as a whole.

8 Concerns about water usage and
9 quality have been answered to my
10 satisfaction. Treated waste water from
11 Glatfelter will be used for the YCEP
12 cooling tower's water needs, so no water
13 from Lake Marburg would be necessary. And
14 any water released from the Codorus Creek
15 will be treated and has to meet State
16 water quality standards before being
17 released.

18 As to specific local issues like
19 truck, rail and rail traffic, Route 116
20 and 516, Lehman Road intersection and road
21 improvements, these concerns have been
22 expressed to Air Products. And I
23 understand they have been committed in
24 writing that necessary work will be done
25 and that Spring Grove, nor Codorus

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taxpayers would not have to pay for these improvements.

In short, I see the project as a benefit of Spring Grove and a greater York County community and would urge the DOE to approve the project so we can start enjoying the benefits of this offer.

Thank you. We love you.

BILL LAWSON:

Thank you, Mayor. Mr. Bradley Jacobs, chairman of the West Manchester Board of Supervisors.

BRADLEY JACOBS:

Good evening. My name is Brad Jacobs and I'm chairman of the West Manchester Township Board of Supervisors. The draft environmental impact statement reviews the electrical connection from the cogen plant to Bair Station. We questioned whether or not the many adverse impacts reviewed are adequately addressed.

The following are points of our concerns. On page 2-41 it states, and I quote, although current evidence is far from conclusive, available scientific

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D-48/3

Response: Comment is noted.

D-48/23

KEYWORDS:

Electromagnetic fields
Utility corridor

Response: EPA recognizes the potential for electric and magnetic fields to have some influence on human health. In its 1992 publication, EMF In Your Environment (EPA, 1992b), EPA summarizes results of various research efforts regarding exposure to "electromagnetic" fields (EMF), and the possibility of adverse effects on human health. This publication suggests that, of the two types of fields (electric and magnetic), the magnetic fields are more likely to produce effects. EPA compares the relative strengths of magnetic fields produced by common household appliances and tools along with magnetic field strengths produced by high-voltage power transmission lines. The strength of a magnetic field is usually measured in milligauss (mG). A milligauss is 1/1000th of a gauss. EPA stated that a typical American home has a background magnetic field level (away from any appliances) ranging from 0.5 mG to 4 mG.

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knowledge points toward possibility of some risk related to exposure to electromagnetic fields, otherwise known as EMF. Further complicating the issue is that researchers did not know what levels of EMF exposure can be considered safe. Some research has shown that the effects of EMF exposure that appear in field strikes of certain levels will disappear at higher levels only to reappear at still higher levels. And that is from the Environmental Forum, November-December '91.

Considering this, York County energy partners has adopted a strategy that allows to the extent possible the prudent avoidance of human exposure to power frequency fields in the determination of the electrical interconnection utility corridor. This means that the distance between the electrical interconnection line and units such as existing and future residents, churches, schools and recreation areas would be established to meet EMF concerns.

(continued)

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In this publication, EPA noted that the highest magnetic field strength measurement they have directly made on the right-of-way of a 500 kV (kilovolt) transmission line during peak usage was lower than the median measurement they have for magnetic field strength within 6 inches of many household appliances, such as hair dryers and vacuum cleaners. However, the duration of exposure to electromagnetic fields (EMFs) from power lines near a home is typically much longer than the duration of exposure to EMFs from most appliances. Voltage is not, however, the critical issue with regard to magnetic field strength. Rather, magnetic field strength is directly proportional to current, which can be high in appliances and local distribution lines, as well as in high-voltage transmission lines. EPA stated that it is unknown at this time whether this distinction is important or not.

EPA concluded that much is still unknown about the possible effects that electromagnetic fields (EMFs) may have on human health, and that many more questions need to be answered before determinations can be made regarding what is safe and unsafe. Because the strength of magnetic fields decreases substantially with distance from the source, EPA suggests that the best way to reduce one's exposure to magnetic fields is to simply put more distance between oneself and EMF sources.

Sections 3.1.14.6 and 4.1.14.6 in the FEIS have been rewritten to include new information on EMF.

D-49/14

KEYWORDS:
Electromagnetic fields
Utility corridor

Response: York County Energy Partners, L.P. (YCEP) has adopted a strategy of "prudent avoidance" with respect to siting potential transmission lines from the proposed Cogeneration Facility to connect with existing substation facilities owned by the local utility. The concept of "prudent avoidance" was suggested by Morgan in a 1989 report published by the Office of Technology Assessment, and has become generally accepted industry practice by most utilities today for the siting of new transmission and substation facilities.

The concept of "prudent avoidance" as suggested in this context (in the absence of conclusive evidence regarding safe and unsafe practices), means doing things to keep people away from electromagnetic fields (EMFs) (avoidance) and undertaking only those avoidance activities that carry a modest and well defined cost (prudent). Examples of prudent avoidance include the following suggestions: (1) route new transmission lines so to avoid people; (2) widen transmission line's right-of-way; and (3) design distribution systems that minimize associated fields (*Hendee and Boteler, 1994*).

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YCEP attempted to locate transmission corridors that met all three of the above prudent avoidance criteria. The preferred corridor alternative passes near the least number of private residences and places of public gathering, such as schools, places of worship, or occupied buildings. In addition, YCEP's proposed transmission line design is a "vertical delta" line/pole arrangement, utilizing placement of conductor lines in a "delta configuration" which reduces the intensity of magnetic fields produced by the line (*Electric & Magnetic Field Reduction: Research Needs*, State of Washington, January 15, 1992, pp. 26-27).

The width and alignment of the corridor also conforms to Metropolitan Edison Company's (Met-Ed) requirements for easement width [30.5 meters (100 feet) minimum], and the Commonwealth of Pennsylvania's requirements for distance from schools, places of worship, and residences [100 meters (328 feet)], unless voluntary easement is granted by the property owner.

At this point, no one can be certain which EMF attributes are important in assessing potential health risks. However, reducing exposure to EMF levels is the most common way companies are responding to safety concerns (*Gan, 1994*). This philosophy has been incorporated into YCEP's electric transmission corridor alternative preference, and subsequent evaluation by DOE in the EIS.

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And that's the end of the quote.

And I asked, what exactly are EMF concerns in terms of a safe distance as suggested to me by an EPA health physicist. In order to show that safe distance a computer model should be part of the environmental impact statement.

On page 2-40 states the electrical interconnection would follow the Met-Ed trolley lines. I don't know if you're aware of it or not but a bike trail is in the planning stages that will follow this route. Will EMF fields cause a danger to future trail users? And I would suggest that the DOE contact the bike trail officials regarding their project.

Page 2-40 states that Met-Ed substation and Bair will be expanded and upgraded. Where will the expansion take place? Will the township ordinances governing their expansion be followed or will Met-Ed attempt to use their powers of condemnation to bypass our ordinance requirements.

On page 3-78 again talks about

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D-50/2

KEYWORDS:

Electromagnetic fields
Utility corridor

Response: On January 11, 1995, Mr. William Belanger of the EPA's Region 3 Office in Philadelphia was contacted by DOE in follow-up to this and other comments made during the public hearing. Mr. Belanger recalled a telephone conversation with a resident near the proposed project area who wanted to know what EPA recommended for safe distances from electric transmission lines. Mr. Belanger told the individual that EPA has no standard guidance, requirements, or recommendations for safe distance from electric transmission lines, or exposure levels to electromagnetic fields (EMFs). He also stated that EPA's current policy neither sets any health effect level for EMF exposure nor recommends any particular modeling protocol for EMF intensities from a given source.

Mr. Belanger told the individual that it seemed reasonable to ask the utility to "model" the EMF intensity expected from the proposed transmission facility at his residence. He also said that EPA will tell people whether the "modeled" magnetic field intensity is above or below a magnetic field intensity level that EPA considers to be background for the "average" home, about 2 milligauss. However, EPA will not recommend any course of action to an inquirer if background field intensity is above "average."

York County Energy Partners, L.P. (YCEP) retained the services of a qualified consultant to model the potential magnetic field intensities likely to be produced by the proposed powerline and switchyard facilities. The modeling results have been included in Section 4.1.14.6 of the FEIS.

Metropolitan Edison Company (Met-Ed), the utility that provides electric power service to the York - Spring Grove area, was also contacted and asked for their (Met-Ed's) typical response procedure to public inquiry regarding EMFs and safety. According to Met-Ed, an informational packet on EMFs is periodically mailed with customers' monthly electric bills. This information packet presents the results of recent studies and investigations on the subject. Additionally, Met-Ed offers to measure magnetic field intensities of customers' home if requested. Met-Ed has an "EMF Team" of company employees who, in addition to their regular duties, respond to these customer requests and take actual intensity readings in customers' homes. The team members are not scientists, but are technically qualified to take intensity readings and to explain the principles of electric and magnetic fields to customers and discuss their particular EMF concerns. Members of the Met-Ed EMF Team do not make "corrective" recommendations to customers, nor do they speculate on the possible health effect ramifications of any series of field intensity readings.

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D-50/8

KEYWORDS:

Bike trail
Electromagnetic fields
Utility corridor

Response: Mr. Tim Fulton, Chairman of York County Rails to Trails, has been contacted by DOE, regarding the proposed power transmission corridor. Mr. Fulton reported that York County and Metropolitan Edison Company (Met-Ed) entered into an agreement several years ago for dual use (powerline and trail) of Met-Ed's existing utility right-of-way (ROW), which follows the old York/Hanover Trolley Line. Mr. Fulton reported that this agreement has not resulted in any action to date, and that the trail remains in the preliminary planning stages. This "rails to trails" trail is the county's second priority for development. The trail, if developed, would be designed to accommodate a variety of uses, including hiking, biking, jogging, horseback riding, bird watching, and handicap access. The trail tread would be approximately 3.05 meters (10 feet) wide, and surfaced with a permeable, compacted material, such as rock quarry crusher fines. This would provide a stable, traversable, all weather surface that would be flexible enough for joggers and riders. A discussion of the proposed York-Hanover Rail/Trail is included in Section 3.1.12.3 of the FEIS.

Mr. Fulton reported that the existing overhead 13.2 kV distribution line owned by Met-Ed is accepted by potential trail users as part of the landscape. With respect to perceived impacts resulting from an additional 115 kV transmission line, Mr. Fulton indicated the higher poles could impose some aesthetic impact, and could have a bearing on some users' acceptance of the trail.

The existing Met-Ed right-of-way is 18.3 meters (60 feet) wide, and the proposed trail would follow the old trolley track alignment, and occupy the western edge of this right-of-way. Adjacent and parallel to it is the existing Maryland & Pennsylvania Railroad right-of-way, which varies in width, averaging about 18.3 meters (60 feet). The York County Energy Partners' (YCEP) proposed right-of-way would be located east of, and parallel to, the rail right-of-way. This right-of-way would be 30.5 meters (100 feet) wide, and the transmission line would be sited approximately in the middle, leaving 15.25 meters (50 feet) of spacing on either side of the utility poles. The York County Energy Partners, L.P. (YCEP) transmission corridor would parallel the proposed trail (Met-Ed line) for a distance of approximately 0.8 kilometer (0.5 mile), running northeasterly from the Sunnyside Road Bridge over Codorus Creek, to the existing Met-Ed Bair Substation. Although the proposed YCEP transmission line carries more voltage (115 kV) than the existing Met-Ed distribution line (13.2 kV), voltage is not the critical issue with regard to magnetic field strength. Rather, magnetic field strength is directly proportional to current, which can be high in distribution lines as well as in transmission lines (*EPA, 1992b*). Magnetic fields appear to be potentially more biologically significant compared with electrical fields. Therefore, close-in, higher current, secondary distribution lines and certain home appliances may be more important than high voltage transmission lines, which to date have been the principal focus of public concern (*Hendee and Boteler, 1994*).

The potential health effects to future trail users caused by magnetic fields from the proposed YCEP transmission line is not known, nor predictable at this time. Potential magnetic field intensities from the YCEP's proposed powerline and switchyard have been modeled for the residences in Bair and the proposed trail. The modeling results are included in Section 4.1.14.6 of the FEIS. The available

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literature also suggests that short-duration exposures, such as that encountered by a typical trail user walking or jogging along the (future) 0.8 kilometer (0.5 mile) of trail adjacent to powerlines, is consistent with "prudent avoidance" practices.

D-50/17

KEYWORDS:

Electric switchyard
Utility corridor
Zoning/ordinances

Response: The current plans for connecting the York County Energy Partners, L.P. (YCEP) transmission line to existing transmission facilities at the Bair Substation are to construct a switchyard southwest of the existing substation facility. The "footprint" of the existing substation (area enclosed inside the perimeter fence) is approximately 0.25 acre (0.10 hectares). The switchyard "footprint" would encompass approximately 1.0 acre (0.4 hectares).

West Manchester Township Ordinances would govern construction of facilities (e.g., addition of switchyard) near the Bair Substation. The open field area near Bair is currently zoned for agricultural land use, and YCEP has submitted requests to the West Manchester Board of Supervisors to allow electrical switching facilities to be placed on agricultural-zoned land. YCEP is responsible for designing and constructing the electric switchyard, including acquisition of any municipal or locally governing permits for such construction. Once the plant (Cogeneration Facility) is considered operational and the electrical interconnection and switchyard are energized, YCEP would transfer ownership of the entire interconnection and switchyard to Metropolitan-Edison Company (Met-Ed). With this ownership transfer would go all associated permits and agreements. No condemnation by Met-Ed is planned or foreseen for this expansion. Also please see response to Comment D-51/3.

The section on "Parks and Recreation" in Chapter 3 (Section 3.1.12.3) has been expanded in the FEIS to include a full discussion of the proposed "Rails to Trails" recreation trail planned in this part of York County.

D-50/25

KEYWORDS:

Bike trail
Utility corridor

Response: Mr. Tim Fulton, Chairman of York County Rails to Trails, has been contacted by DOE, regarding the proposed power transmission corridor. Mr. Fulton reported that York County and Metropolitan Edison Company (Met-Ed) entered into an agreement several years ago for dual use (powerline and trail) of Met-Ed's existing utility right-of-way (ROW), which follows the old York/Hanover Trolley Line. Mr. Fulton reported that this agreement has not resulted in any action to date, and that the trail remains in the preliminary planning stages.

The section on "Parks and Recreation" in Chapter 3 (Section 3.1.12.3) has been expanded in the FEIS, to include a full discussion of the proposed "Rails to Trails" recreation trail planned in this part of York County. Also, please see response to Comment D-50/8.

(continued)

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parks and recreation. That proposed bike trail between York and Hanover is not mentioned. Page 3-82 reviews visual sensitivity of existing properties. The review states a level one area exists near the Bair substation. However, no solution is proposed. Will there be a solution?

On page 3-94 you state in the existing residences within 115 feet of that existing Met-Ed substation. What effect will EMF have on this property? What noise will be associated with the substation upgrade? Will there be any additional equipment located closer to that residence?

On page 3-97, and I quote, future use of private land in the vicinity of the alignment is influenced by previously recorded subdivision approvals and building permits on file in the respective townships, end of quote. Will those approvals be adhered to in the terms of limiting the expansion ability of the substation onto adjacent properties?

Page 4-147 talks about the

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D-51/3

KEYWORDS:

Utility corridor
Visual impacts

Response: Because the property on which the proposed electric switchyard would be built is currently zoned agricultural, York County Energy Partners, L.P. (YCEP) has petitioned the Zoning Hearing Board for a "special exception use" for public utilities, as set forth in § 150-15 of the West Manchester Township Zoning Code. Pursuant to § 150-302(D)(1)(c) of the Code, YCEP must prove to the Zoning Hearing Board that "the use of adjacent land and buildings will not be discouraged and the value of adjacent land and buildings will not be impaired by the location, nature and height of buildings, walls and fences." § 150-346(F) of the Code specifically requires that public utilities "shall emit no obnoxious noise, glare, dust, odor, vibration, electrical disturbance or any other objectionable impact beyond the subject property."

Upon completion of the proposed electric switchyard by YCEP, landscaping of the area surrounding the substation in accordance with local scenery would occur. This landscaping would most likely involve the planting of trees to obscure the view of the switchyard addition from residences in the area. This suggested mitigation has been included in Section 4.4 of the FEIS. In addition, a survey of historic sites was conducted for the area influenced by the proposed project and the results submitted to the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation in March, 1995. The Bureau reviewed the Historic Site Survey and determined that the project would result in a visual adverse effect to one property in the Bair area that is eligible for listing on the National Register. DOE is presently consulting with the Pennsylvania Historical and Museum Commission to determine if visual screening provided by planting trees would eliminate the adverse visual effects to this property.

D-51/8

KEYWORDS:

Electromagnetic fields
Residences
Utility corridor

Response: The cited residence is currently within range of electromagnetic fields (EMFs) from existing powerlines. Local overhead distribution lines run in front of the residence, and three powerlines (one appears to be distribution, two appear to be transmission) run parallel to each other roughly the same distance as the substation from this residence.

York County Energy Partners retained the services of a qualified consultant to model the potential magnetic field intensities likely to be produced by the proposed powerline and switchyard facilities. Modeling results indicate that the proposed powerline and switchyard are likely to produce magnetic field intensities at the existing residence in Bair that would be less than 1 milligauss (mG). (See Figure 4.1-4 in the FEIS). Magnetic field intensities from existing facilities and

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the proposed facilities would not necessarily be cumulative. A discussion of magnetic field modeling results has been included in Section 4.1.14.6 of the FEIS. The current literature is inconclusive as to whether or not EMFs may promote adverse human health effects (*Hendee & Boteler, 1994*). Addition of an electric switchyard at the proposed site (near Bair substation) would conform to the latest "prudent avoidance" guidance suggested by researchers.

There would be some noise associated with construction of the proposed powerline and switchyard facility, if approved. The proposed switchyard is located over 122 meters (400 feet) from the nearest residence, and is approximately 61 meters (200 feet) southwest of the present Bair Substation. This location is several hundred feet further away from residences than originally planned. Noise levels would be comparable to those produced by similar standard construction activities. Some diesel-powered heavy equipment, dozers, loaders, dump trucks, ready-mix concrete trucks, and so forth, would be present onsite for a short duration. Once constructed, the switchyard facility would be expected to produce lower operational noise levels than currently produced at the Bair Substation (which are very low).

D-51/16

KEYWORDS:
Zoning/ordinances
Utility corridor

Response: The commenter is referring to text in the EIS related to the uses of Army Corps of Engineers (ACOE) flood control property. This text suggests that past uses of land could influence future uses of land. The proposed utility corridor would not have a major future impact on the two primary past uses of ACOE land: as flood control property and as wildlife management lands for the Pennsylvania Game Commission.

West Manchester Township Ordinances would govern the proposed switchyard addition to the Bair Substation. York County Energy Partners, L.P. (YCEP) is responsible for designing and constructing the switchyard and electrical interconnection facilities, including acquisition of any municipal or local governing permits or approvals for such construction. The open field area near Bair is currently zoned for agricultural land use, and YCEP has submitted requests to the West Manchester Board of Supervisors to allow electrical switching facilities to be placed on agricultural-zoned land. Review of new requests, such as YCEP's, will be considered by local authorities within the context of existing approvals and permits on file. Also, please see response to Comment D-51/3.

If the Cogeneration Facility is approved, constructed, and considered operational and the electrical interconnection and switchyard are energized, YCEP would transfer ownership of the entire interconnection and switchyard to Metropolitan-Edison Company (Met-Ed). With this ownership transfer would go all associated permits and agreements. No condemnation by Met-Ed is planned or foreseen for this expansion.

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setback guidelines for the new 115 KB electrical transmission line being 328 feet from residences, schools, churches, et cetera. However, on page 3-94 it states an existing residence is already within 115 feet of the substation. How will this residence be affected by that EMF?

I think it's one of the most important parts that you've omitted on page 9-2, you list applicable permits and regulations. Why is West Manchester Township missing from this table regarding a special exception or variance permit to expand that Bair substation as required by our zoning ordinance?

On page C-1 through C-4, it lists visually sensitive receptors but does not list the level one receptor in West Manchester Township which you discussed previously on page 3-82 and ask why.

In concluding, it appears from the report that the electrical interconnection corridor in West

(continued)

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Because YCEP may be required to negotiate real estate agreements in the vicinity of the substation, additional details regarding permitting and real estate requirements/plans are not available at this time.

D-51/25

KEYWORDS:

Electric switchyard
Electromagnetic fields
Set-backs
Utility corridor

Response: The most recent facility design locates the proposed electric switchyard at Bair over 122 meters (400 feet) from the residence referred to in the comment. The potential magnetic field intensities affecting this residence were modeled and included in Section 4.1.14.6 of the FEIS. Also, please see the response to Comment D-51/8.

D-52/9

KEYWORDS:

Electric switchyard
Utility corridor
Zoning/ordinances

Response: Table 9-1 has been updated in the FEIS to include West Manchester Township zoning ordinances and construction permits/approvals that would be required for the Bair Switchyard facility. Also, please see the response to Comment D-51/3.

D-52/17

KEYWORDS:

Visual impacts
Visual receptors

Response: Appendix C of the DEIS presents the viewpoints of the proposed facility site from the visual receptors for the main facility in North Codorus Township itself. While comparable views from the receptors for the utility corridor and substation were not included in the DEIS, these have been included in the FEIS. Section 4.1.14.1 describes the visual impact on the receptor in West Manchester Township: "the expansion facilities associated with the substation would be visually prominent."

Please also see the response to Comment D-51/3.

D-52/23

KEYWORDS:

Electromagnetic fields
Utility corridor

Response: The electrical interconnection has been evaluated for environmental impacts on the same basis as the Cogeneration Facility. York County Energy Partners retained the services of a qualified consultant to review and model the potential magnetic field intensities which the new powerline and switchyard facility could produce, thereby affecting residences at Bair and the users of proposed bike trail in West Manchester Township. The FEIS includes these modeling results in Section 4.1.14.6.

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Manchester Township was studied to a lesser degree than the plan itself. However, this study points out the probable link between EMF and cancer incidents, it does not appear enough precautions or answers have been provided in these areas.

Also, why hasn't West Manchester Township been contacted regarding the substation expansion and the possible effect to their surrounding residents? It appears this upgrade will require at least a special exception, if not a variance. But here we are in the dark again with no real information being provided. We request that this process be put on hold until the substation upgrade plans have been reviewed by the township and included in this impact statement in sufficient detail to allow for an appropriate review. And I thank you.

BILL LAWSON:

Thank you, Mr. Jacobs. Excuse me. Mr. Jacobs, could we ask a clarifying question here? .

(continued)

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With respect to electromagnetic fields (EMFs), uncertainties exist as to whether or not there are long-term human health effects from electric and magnetic fields. Electric and magnetic fields induce weak currents and electric fields in people and animals. These currents and fields are too small to be felt, other than by hair stimulation. Some scientists have suggested that long-term exposures to these fields are potentially harmful and should be minimized. Many researchers have investigated various aspects of this problem, but the results so far are inconclusive.

The February 1994 issue of Health Physics published an article by Dr. William R. Hendee, Ph.D, a Senior Associate Dean for Research and Vice President of Technology at the Medical College of Wisconsin and former Vice President for Science and Technology at the American Medical Association. In his article, Dr. Hendee reviewed all the laboratory and epidemiology studies in the scientific literature on the health effects of EMFs. His summation reflects the views of the majority of EMF researchers and governmental public health agencies:

"Laboratory research shows that EMFs produce weak electric currents in the body. Some studies have shown that EMFs produce a variety of effects within cells, such as altering calcium channels and other structures in cell membranes and suppressing the secretion of melatonin, a hormone that may be associated with certain cancers and depression. But most of these studies have been contradictory and have not been linked to human health effects. Without a biological model to substantiate a correlation suggested by epidemiological studies, it is difficult to draw any real conclusions between EMFs and health risks, much less determine what constitutes a safe level of exposure."

Without standards to guide the reduction of EMFs, researchers and public-policy experts have focused predominantly on prudent avoidance. Prudent avoidance is the practice of reducing human exposure to magnetic fields when it is easy and relatively inexpensive to do so. In the case of the York County Energy Partners' proposed electrical interconnection, the preferred route affects the least amount of private property, in terms of distance from residences and amount of encumbrance. It seems to be the most favorable route for avoiding local residents.

D-53/8

KEYWORDS:

Electric switchyard
Utility corridor
Zoning/ordinances

Response: The open field area near Bair is currently zoned for agricultural land use, and York County Energy Partners, L.P. (YCEP) have submitted requests to the West Manchester Board of Supervisors to allow electrical switching facilities to be placed on agricultural-zoned land. Hearings for these zoning requests are scheduled for Spring/Summer of 1995. Because YCEP may be required to negotiate real estate agreements in the vicinity of the Bair substation, additional details regarding permitting and real estate requirements/plans were not available at this time. The purpose of the EIS is to review the potential environmental effects and human health effects, as best can be foreseen at this time, of the proposed project. Detailed

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BRADLEY JACOBS:

Yes, sir.

DR. JAN K. WACHTER:

You mentioned an EPA physicist.
By any chance, do you have his name for
the record?

BRADLEY JACOBS:

Yes. It was a Mr. William
Falanger (phonetic), EPA Region Three.

DR. JAN K. WACHTER:

Do you also have a paper you
want to make a part of the public record
that has---?.

BRADLEY JACOBS:

Pardon?.

DR. JAN K. WACHTER:

If there is a paper that he has
written, would you like to make that ---?

BRADLEY JACOBS:

No, I did not have any copies of
his papers but I'm sure he would provide
that.

DR. JAN K. WACHTER:

Thank you.

BILL LAWSON:

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design of the proposed switchyard addition and electrical interconnection near the Bair substation has not been completed. However, preliminary planning indicates a switchyard facility could be located in the open field area approximately 61 meters (200 feet) southwest of the existing Bair substation. The "footprint" (area inside the switchyard perimeter fence) of the switchyard facility would encompass approximately 1.0 acre (0.4 hectare). As YCEP completes detailed design, those plans would be submitted to the local township authorities for review. There is no requirement to complete all permit actions/approvals prior to issuance of a Record of Decision based on the information contained in a FEIS. However, the FEIS includes as much information as possible regarding the proposed switchyard addition and new electrical interconnection facilities near the Bair substation. It also contains an accurate assessment of probable impacts that could be expected from a development of this nature. Figures 3.1-14c and 4.1-4, detailing the proposed electrical interconnection alignment and switchyard facility location, have been added to the FEIS, and results of modeling potential magnetic field intensities produced by these facilities are included in Section 4.1.14.6. However, it is not feasible to delay preparation of the FEIS until detailed design plans for the switchyard can be reviewed by the township.

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Thank you. Mr. Eric Menzer from the City of York.

ERIC MENZER:

Good evening. My name is Eric Menzer. I'm the Director of the Office of Economic Development for the City of York. I'm here this evening representing the Mayor and my office. One might ask why the City of York is interested in a project such as this, and the answer is simple. York County has a regional economy and in every respect a project such as this affects every municipality in the county.

As far as the city is concerned, the central issue at this hearing is the adequacy of the process used to conduct this study. We are admittedly not capable of judging very much of the technical data presented in this report. And as far as we are concerned, the process used by the Department of Energy to reach the conclusions of the draft study has adequately balanced the needs of the public with the need of the Department to

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1 reach a decision in a timely manner.

2 At this point, this project has
3 been discussed extensively in the York
4 area for almost three years. We believe
5 that there is little, if any, additional
6 relevant information which will come to
7 the floor by extending the debate or the
8 study process. We do also believe that
9 the Department acted appropriately in
10 extending the deadlines to allow for more
11 written public comment on the draft EIS
12 and involvement for that action.

13 Since we have no basis to
14 question the scientific conclusions of the
15 draft EIS and since we believe the study
16 process is adequate, we accept the
17 conclusions of the draft EIS. Although I
18 realize that the immediate focus of this
19 hearing is the draft EIS, I want to
20 comment very briefly on the positive
21 impact we think this project will have on
22 all of York County, including the City of
23 York.

24 In the short term, this project
25 will create 1,000 construction jobs and

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numerous contracting opportunities for construction companies, suppliers and distributors in York County. Many of these are in the City of York and will directly benefit from this project. Looking beyond that, the ongoing operation of this facility will provide jobs and millions of dollars of supplier contracts in the county. Again, including many which will go to companies located in the City of York.

As just one example, Emmett's (phonetic) Industries which will operate railroad service through the city to this facility is headquartered in the city. Through companies such as Emmett's and many others, this project will provide tax revenues even to the city some 16 miles from the proposed facility.

In summary, we urge the Department to move expeditiously upon the conclusion of the public comment period to producing a final EIS for the project.

Thank you.

BILL LAWSON:

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D-57/20

Response: Comment is noted.

KEYWORDS:

General

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Thank you, Mr. Menzer. Mr. John Klunk.

JOHN KLUNK:

Yes. My wife was on to speak. I would like to make a few comments that she had. Would that be possible?

BILL LAWSON:

You have the floor for your time, yes, sir.

JOHN KLUNK:

I would also like my time. Her comments that I would like to relate will take less than five minutes. But I will ---.

BILL LAWSON:

If you exceed the five minutes, I would request that you relinquish the floor but we will give you time. We don't have a long list of speakers yet and we'd be happy to have you come back.

JOHN KLUNK:

I get a total of five minutes, cut me off when you want.

BILL LAWSON:

Yes, sir.

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1 JOHN KLUNK:

2 I've been very disturbed by the
3 fact that the Department of Energy has
4 allowed the public such a short period of
5 time to look at this prior to the
6 hearings. I commend Secretary Godley for
7 extending the time. But as far as I'm
8 concerned, it's really ridiculous for you
9 people to think that we who are not --- do
10 not have expertise in the field could
11 possibly look at that document, check the
12 source documents, some of which I had
13 requested months ago which were available
14 but were not made available to me.

15 Notice of issuance of the draft
16 EIS and the December 14th and 15th ---
17 14th, 15th and 16th, '94, public hearing
18 first appeared on December 3rd, 1994, in
19 the York Daily Record. This is only 11
20 days notice which is too little notice for
21 those who may wish to make thoughtful
22 comment. The York County Library reading
23 room at 118 Pleasant Acres Road does not
24 now nor has it ever existed even though it
25 is listed as a DOE reading room in every

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D-59/2

Response: Please see the response to comment D-32/13.

KEYWORDS:

NEPA

Schedule

D-59/15

Response: There were a variety of methods by which the public was informed of the public hearing dates. A flyer was inserted into the distributed DEISs informing readers of the public hearing dates. In addition, articles were carried in the local newspapers in late November 1994, which contained information related to the date, time, and location of the public hearings. Please see the response to comment D-32/13.

KEYWORDS:

NEPA

Schedule

D-59/22

Response: Even though DOE sent the DEIS and source documents to the York County Library address listed in the comment, the actual disposition of these documents is unclear. Based on conversations with the librarian at this site, some of the documents apparently were shipped to a fourth "unofficial" reading room/library in the York County area. Upon discovering this development in late November 1994, the Department took various actions to remedy the situation immediately and to ensure that it would not occur again. In late November and early December 1994, the Department replaced missing documents at the 118 Pleasant Acres Road location. DOE and its contractors visited the library to ensure that all the documents were located in this library and were readily accessible to the public. From mid-December 1994 through January 1995, DOE conducted a daily audit of this library to ensure that all the promised materials were in place and to replace any documents that may have been missing or misplaced.

KEYWORDS:

NEPA

Reading rooms

1 public notification.

2 The following source documents
3 were unavailable in the public reading
4 rooms on or before November 29th, 1994.
5 Clean coal technology program final
6 programatic, environmental impact
7 statement; wastewater reuse feasibility
8 study, dated May 1994; draft environmental
9 impact information volume for the YCEP
10 cogeneration facility, West Manchester
11 site, July 1992; air quality dispersion
12 analysis, August 15th, 1994.

13 Five of the source documents
14 were just finalized from November 8th
15 through November 11th and sent to --- by
16 Dynamac (phonetic) Corporation to the
17 libraries on November 22nd, 1994. I
18 questioned, how were these documents
19 reviewed so quickly and whether there
20 could have possibly been an adequate
21 review done on them.

22 Another point that I would like
23 to object to about the draft EIS is to me,
24 personal opinion, it appears sanitized of
25 any references to negative comments on the

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D-60/2

KEYWORDS:

Document availability
NEPA
Reading rooms

Response: There were two sets of documents placed in the public reading rooms. The first set was the collection of documents as outlined in the flyer accompanying the distribution to the public of the DEIS. Based on DOE records, most (if not all) of these (first set of) documents should have been in the public reading rooms by November 25, 1994. For a variety of potential, but largely undocumented, reasons, there seemed to be some missing reports in these reading rooms, as determined by the public's inquiries to DOE, as well as the Department's independent audits. When these deficiencies were made known to DOE, the Department resolved the situation by sending the missing documents in question to the library, the person who brought the situation to the Department's attention, or both.

In addition, in retrospect, DOE determined that the first list was not inclusive of all the EIS-specific source reports that the public could possibly have an interest in reviewing. Thus, a second set of additional reports was sent to the public reading rooms in late November 1994, in order to provide the public a more comprehensive list of supporting reports to review. These documents would not have been available until approximately December 1, 1994.

Please also see response to Comment D-59/22.

D-60/13

KEYWORDS:

Document review
NEPA

Response: DOE had access to draft versions of many of the source reports, and reviewed these draft reports concurrently with the writing of the DEIS. The actual writing of the DEIS using a variety of source materials acted as a quality control check of information among similar documents. As DOE prepared the DEIS (primarily from January 1994 through to November 1994), the Department required revision or clarification of some of the source information/data. Additional information was received on an informal and sporadic basis. While the Department included the revised or additional information in the DEIS, the source documents were also being updated and finalized.

D/60/22

KEYWORDS:

NEPA
Quality

Response: Please see the response to Comment D-282/13.

1 project. I note particularly the fact
2 that there appears in the draft EIS a
3 follow-up letter from the Pennsylvania
4 Fish Commission dated after the scoping
5 meetings. But the initial letter from the
6 fish commission does not appear in that
7 agency coordination section.

8 That initial letter had seven
9 questions, particular questions, that
10 relate to water quality impact of the
11 project on the water shed and the area. I
12 find that really unacceptable that that
13 was not included.

14 There's another thing with
15 respect to the public record. According
16 to the draft EIS, over 277 written
17 comments were mailed to DOE on or before
18 the November 5th, 1993, close of the
19 scoping period. However, only 35
20 submitted on the evening of the scoping
21 meeting were included in the public
22 record.

23 Is this a fact that even though
24 you make the claim that comments, written
25 comments submitted after carry equal

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D-61/1

KEYWORDS:

Letter inclusion
NEPA

Response: In order to keep the DEIS to a reasonable length, approximately one-half of the agency correspondence either generated or received by the DOE was not included in Appendix E. DOE selected correspondence for inclusion in Appendix E that would provide the reader an understanding of the general nature of the correspondence, at the same time reducing redundancy of information and the size of the document. In generating this Appendix, the DOE attempted to include the most recent correspondence related to an issue or the most recent correspondence sent to or received from a particular agency. In the FEIS, Appendix E has been expanded to include all agency correspondence received during the comment period and includes the referenced letter from the Commonwealth of Pennsylvania's Fish & Boat Commission (dated September 20, 1993). In addition, a comprehensive inclusion of relevant correspondence prior to the initiation of the comment period has been incorporated.

D-61/14

KEYWORDS:

Comments
NEPA

Response: The purpose of the scoping meeting was to help DOE solicit comments and determine the issues that should be included in the EIS. Twenty-one comments were received at the initial public scoping meeting for the North Codorus Township site. An additional 14 comments (for a total of 35) were received at the continuation public scoping meeting. No additional written comments were received during the public scoping meetings. In addition, 277 written comments (please note that most correspondence contained more than one specific comment) were **also** sent directly to DOE during the public scoping period. All written comments and all oral testimony received were analyzed and considered in writing the Implementation Plan, which is a guide for writing the EIS. Reading room access to the transcripts of the oral comments from the scoping meetings was provided so interested parties could either verify that their comments were accurately recorded or read what had been said at a public meeting they could not attend.

Comments received on a DEIS serve a different purpose, and there are precise requirements for the disposition of these comments. The Department's duty to respond to public comments on the DEIS are specified in DOE National Environmental Policy Act (NEPA) implementing regulations [10 CFR 1021.313(c)], which state that "DOE shall prepare a final EIS following the public comment period and hearings on the draft EIS. The final EIS shall respond to oral and written comments received during public review of the draft EIS, as provided at 40 CFR 1503.4." The regulations at 40 CFR 1503.4 state that "[a]n agency preparing a final environmental impact statement shall assess and consider comments both individually and collectively." According to 40 CFR 1503.4(b), only substantive comments need to be attached to the FEIS. All comments submitted (both oral and written) have been appended to the FEIS.

The Department considers written comments to carry the same weight as oral comments.

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weight that they are not included in the public record. Some of the text of the draft EIS indicate that --- they do not indicate that those things have followed up after, aren't of the record. I would like to know why and what the situation is with respect to that.

One last major item that I'm concerned about is that when we were here last October, I spoke to Suellen --- Dr. Van Ooteghem about what I perceived as a fogging problem that's already existing at the Glatfelter mill. At that time, she's told me that we need documentation of that. Well, I set about to attempt to gather what I considered to be documentation, photographs of that situation. And I sent quite a number of photographs by way of Certified Mail with a map referencing where the photographs were taken from and the dates of the photographs. But yet on this page, 3-14 of the draft EIS, fog and icing conditions, there have been no documentary reports of fogging and icing in the

(continued)

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D-61/23

KEYWORDS:

Comments
NEPA

Response: Written comments do carry equal weight as oral comments. However, submission of written comments (as well as oral comments) does not necessarily translate into corresponding "resolution" text in the FEIS. DOE reviews written comments for relevancy and redundancy. (Note: the entirety of the written comments and oral public comments from the public hearings have been included in the Final Statement). However, if an issue presented in a written (as well as oral) comment is not viewed to be relevant or would not add to the understanding of environmental or human health impacts, it probably would not have "corresponding text" or be resolved in the EIS. Please see response to Comment D-61/14.

D-62/8

KEYWORDS:

Air quality
Fog and ice

Response: A review was undertaken of appropriate long term, quantified, meteorological measurements that included fogging or visibility records. Hourly meteorological surface data were collected at West Manchester, approximately 10 km (6 miles) to the northeast, for the 1-year period, January to December 1992. These data were used for the ISC2 and BEE-X modeling of predicted ambient concentrations from the proposed York County Energy Partners, L.P. (YCEP) project. However, this 1-year record consisted only of temperature and wind speed data; fog or visibility data were not recorded nor could they be derived from those measurements that were recorded. The nearest known long term recordings of meteorological measurements are taken at a voluntarily-operated site in York approximately 25 km (15 miles) distant. However, these data are very limited and only temperature and precipitation are recorded; no fogging or visibility data are recorded or can be derived from the measurements that are taken. More complete meteorological records are available in non-digitized format from Flight Service observations at Lancaster airport approximately 40 km (25 miles) to the north-northeast. However, these data are limited to restricted hours of operations and do not provide a continuous 24-hour record. As is described in Section 3.1.2 of the EIS, the nearest visibility or fogging records were found at the National Weather Service (NWS) station at Harrisburg, PA, 40 km (25 miles) to the north-northwest. In the absence of any other official meteorological monitoring data, the meteorological data at Harrisburg were used as the best metric of fogging in the region.

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vicinity of the proposed project site as a result of the current P.H. Glatfelter company operations. This is absolutely ridiculous. I live here, you people live in Morgantown or D.C. This is absolutely ridiculous.

My question is, what do you consider documentation? There also was a news article that related to this occasion on snow, it snowed in Spring Grove and it didn't snow anywhere else.

One last comment on Mayor Thieret's remarks about our power shortage. I just heard on public radio the other morning that the utilities are now using a strategy to keep the coal from freezing which was really what the problem was last winter. The coal was frozen. They are now treating the coal so they can move it. It apparently had been blocks. Thank you very much.

BILL LAWSON:

Thank you, Mr. Klunk. Mr. Klunk, could we ask a clarifying question, please.

(continued)

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A letter from Mr. Klunk enclosed photographs taken in the vicinity of Spring Grove area and P. H. Glatfelter Company plant on four days in the winter of 1994; 1/15/94, 1/21/94, 2/18/94, and 2/20/94. A comparison of Mr. Klunk's pictures and the meteorological records for the NWS station at Harrisburg, PA for the four days that were recorded in these photographs was performed. At the Harrisburg NWS station on 1/15/94 there was no reported fog, visibility was 24 km (15 miles); on 1/21/94 between 8 A.M. and 11 A.M., fog was reported with 7 km (4 miles) visibility, at noon haze was reported with 10 km (6 miles) visibility; on 2/18/94 fog was reported from midnight to noon, with visibility ranging from 10 km (6 miles) to 3 km (1.5 miles), at noon haze was reported until 2 P.M. with 7 to 10 km (4 to 6 miles) visibility; and on 2/20/94 fog was reported from midnight to noon with visibility ranging from 7 to 0 km (4 to 0 miles), from 1 P.M. to 9 P.M. haze was reported with visibility ranging from 10 to 11 km (6 to 7 miles), fog returned after 9 P.M. with visibility ranging from 7 to 8 km (4 to 5 miles). The comparison indicated that on three of the four days chosen for photographic record, fog and low visibilities were recorded at the NWS meteorological site at Harrisburg, the NWS site that was used to help represent the Spring Grove region. Section 3.1.2 of the FEIS includes the above information.

However, the meteorological observations from the National Weather Service (NWS) Harrisburg site 40 km (25 miles) to the north-northwest in conjunction with meteorological observations at the West Manchester site approximately 10 km (6 miles) to the northeast (January - December 1992) provide more reasonable and reliable data for assessing the fogging potential in the Spring Grove area. These data were used in the Seasonal Annual Cooling Tower Impacts (SACTI) modeling to assess the potential for fogging or icing as a result of the proposed cooling tower associated with the YCEP project (see Section 4.1.2.9). The results of the SACTI analysis predicted that operation of the proposed cooling tower would produce no occurrences of fogging or icing outside the site boundaries. The only areas where cooling tower-induced fogging and/or icing are expected to occur would be to the southeast and south-southeast of the cooling tower within the site boundaries.

With regard to the news article reporting an incidence of isolated snowfall at Spring Grove, any such incidence is consistent with variations in precipitation or snowfall patterns that can occur on a local scale.

D-63/14

Response: The comment is noted.

KEYWORDS:

General

1 DR. JAN K. WACHTER:

2 I really didn't understand the
3 issue about the comment period and oral
4 versus written. I'll get either in touch
5 with you by phone or letter or if you stay
6 here because I'd like to clarify exactly
7 what the issue was.

8 JOHN KLUNK:

9 There will be time for that, I'm
10 sure. There are many more questions than
11 I was able to raise here. There's much
12 more to it than that. Thank you.

13 BILL LAWSON:

14 Dr. Richard Clark.

15 RICHARD CLARK:

16 My name is Richard Clark and I
17 am speaking as an elected spokesperson for
18 stop targeting our people, STOP. With
19 the upcoming holidays, Christmas, I would
20 personally wish you a Merry Christmas and
21 welcome you back to York County. It would
22 have been more welcome, I think, if you'd
23 have been a little bit later. And I do
24 commend Theresa Godley for extending the
25 time period for written comments.

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1 The transparency that you see in
2 front of does not reflect the latest
3 additions that the P.H. Glatfelter has
4 enacted on their boiler number four but
5 it's close to it. And unless anyone wants
6 to quibble with decimal places and that
7 sort of thing, it does show you that when
8 you advertise it would net overall
9 reduction. That would be a net overall
10 reduction of air pollutants, you can see
11 that the totals on the bottom there.
12 They're not negative, they're positive.
13 You can see the reduction of sulfur
14 dioxide. You can see the reduction of
15 NOx. If you take a look at carbon
16 monoxide, you see that it goes up, way up.
17 The VOCs go up relative to that particular
18 boiler number. And the PM-10s hang in
19 there about the same.

20 So anyone that's saying that
21 there's going to be a net overall
22 reduction of air pollution is not looking
23 at the total picture. This is not the
24 total picture. The total picture gets
25 even less favorable as far as the new

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D-65/5

Response: Please see the responses to Comments D-34/1 and D-35/8.

KEYWORDS:

Air emissions

Emission differentials

1 project is concerned.

2 With regard to the boiler number
3 four and what it's going to do, we've
4 noticed a progression in terms of
5 addressing boiler number four started out,
6 it was --- I'm not sure that it was ever
7 talked about as being shut down. But
8 there was some talk in the papers about it
9 being shut down and then it went to being
10 curtailed and then it went to being on the
11 hot stand-by. And the latest thing that
12 they logged in is, it's going to be
13 operated parallel to the cogen for a
14 maximum of 720 hours a year.

15 I would ask for a clarification.
16 Does that mean that it's running at the
17 same time?

18 DR. JAN K. WACHTER:

19 What it means is, there's a
20 potential that the two could be running
21 simultaneously. But that's either because
22 the proposed project is either ramping up
23 or down in terms of start-up or they're
24 ramping down. It could be because another
25 boiler that Glatfelter has is offline and

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D-66/2

KEYWORDS:
Boiler No. 4

Response: For most of the year, P. H. Glatfelter Company's Power Boiler No. 4 would be maintained at "hot-standby" status. The P. H. Glatfelter Company is expected to curtail operation of Power Boiler No. 4 to an equivalent of 720 hours per year at full load, and, through a permit restriction, limit operation to a maximum quantity of oxides of nitrogen emissions (NO_x) equal to this 720 hours of operation at full (100 percent) load. The 720 hours per year permit limitation would allow P. H. Glatfelter Company the flexibility to operate Power Boiler No. 4 as a backup steam source. As such, it is possible that Power Boiler No. 4 could be running at the same time (up to 720 hours) that the proposed Cogeneration Facility would be operational. However, as a practical matter, Power Boiler No. 4 would be run to compensate for industrial steam loss when the proposed Cogeneration Facility would be shut down for maintenance, or for emergency/performance reasons. Thus, Power Boiler No. 4 could operate for greater than 720 hours per year if these cited occurrences (i.e. the Cogeneration Facility is off-line) would arise.

1 they have to make up the steam or whatever
2 requirements. It's not --- there's some
3 reason that it's running and it's due to
4 the fact that something else is ramping up
5 or down or not running at all. It's
6 contingency for flexibility.

7 RICHARD CLARK:

8 But the bottom line would be
9 they would both not be operating at the
10 same time?

11 DR. JAN K. WACHTER:

12 Yes. And that is the precise
13 reason in the EIS was analyzed in large
14 part the effects of the proposed project
15 by itself not with the Glatfelter number
16 four plant because of that contingency.

17 RICHARD CLARK:

18 Thank you. Yet it's been stated
19 in the EIS that because of more favorable
20 trade-offs in terms of the emissions that
21 it was moved to P.H. Glatfelter Company.
22 You see before you, and you can't read it
23 on the back so I'll read it. It's a
24 withdrawal of application, it's
25 notification of the withdrawal of

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D-67/18

KEYWORDS:

Site change

Response: Section 2.2.1.1, which describes York County Energy Partners, L.P. (YCEP)'s site selection process, has been updated to include the zoning requirements of West Manchester Township as a factor in the preference for the North Codorus Township site. The withdrawal application indicates that the West Manchester site did not meet some of the site selection criteria listed in Section 2.2.1.1 including that "sites should be either zoned or reserved for industrial use." The fact that the North Codorus Township site was being reserved by P. H. Glatfelter Company for industrial use and the opportunity for significant emissions reductions by the curtailment of the operation of Power Boiler No. 4 are positive factors for the siting of the proposed facility at the North Codorus site. However, it should be noted that it is not an uncommon practice for businesses to request and receive variances from local zoning ordinances.

(continued)

1 application for this project and West
2 Manchester Township. York County Energy
3 Partners, Limited, partner by and through
4 its undersigned counsel hereby withdraws
5 the land use application file, June 25th,
6 1992. This includes the application for
7 conditional use under section 150.9, the
8 petition to amend the zoning code of the
9 Township of West Manchester to permit
10 coal-fired electrical cogeneration
11 facilities as a permitted use in the
12 general industrial zoning district and to
13 amend the access drives and might,
14 limitation exceptions. Sections of the
15 zoning code, the substantive challenge of
16 the zoning code with the Township of West
17 Manchester coupled with a curative
18 amendment in the alternative substantive
19 changes to the zoning code of the Township
20 of West Manchester coupled with a curative
21 amendment.

22 There's a little bit more than a
23 more favorable trade-off in terms of it
24 being moved out of West Manchester. I
25 think you can get some clues from that

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D-68/22

KEYWORDS:
Site change

Response: Please see response to Comment D-67/18. However, the West Manchester site has some advantages over the North Codorus site as shown in Table 2.3-1 of the EIS.

1 letter.

2 I would submit that there's been
3 some major omissions in addition to those
4 that have already been called to your
5 attention here. This is a letter from a
6 representative of the Pennsylvania Game
7 Commission. It's calling for a section
8 4-F evaluations which also have to be
9 conducted in relation to the proposed
10 alternative which may be located on U.S.
11 Army Corps of Engineers property.

12 I would ask Dr. Wachter, are you
13 familiar with a section 4-F and is there
14 such a report in the documentation for the
15 EIS or the EIS?

16 DR. JAN K. WACHTER:

17 I'd like to make it clear that
18 there's a fundamental difference between
19 the regulatory and permit issues and the
20 EIS. The EIS deals with impact analysis
21 regardless of permit status or regulatory
22 issues. And that's where we draw the
23 line. If it's permit issues, it's between
24 the proponent of the plant and the
25 agencies. We deal with the impacts and

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D-69/2

KEYWORDS:

Land use

Response: Section 4(f) of the Department of Transportation Act does not apply to public utility rights-of-way. Section 4(f) evaluations are conducted to demonstrate that transportation projects do not adversely impact sensitive public lands such as recreation areas or wildlife and waterfowl refuges. In a letter to DOE from the Pennsylvania Game Commission dated January 30, 1995, the agency confirmed that a Section 4(f) evaluation was not required for the utility corridor. The Pennsylvania Game Commission also concurred with DOE's selection of the Flood Control Property (FCP) alternative as the preferred electric interconnect corridor alternative. The Game Commission stated that this alternative had the least impacts to residences and private property owners.

1 thus we --- sometimes we take a different
2 point of view with respect to the
3 analysis. Okay. So we would not get into
4 that but we would possibly take
5 information from a permit sort of request
6 or an analysis like a foreign corporation.

7 RICHARD CLARK:

8 This is a Federal --- this deals
9 with Federal regulations; correct?

10 DR. JAN K. WACHTER:

11 Yes.

12 RICHARD CLARK:

13 Okay. Thank you.

14 DR. JAN K. WACHTER:

15 It's still a regulatory issue.

16 RICHARD CLARK:

17 This letter has been referred to
18 earlier and, Dr. Van Ooteghem, you should
19 recognize it. It was directed to you. It
20 was a four-page letter and it's dated
21 October 19th, 1993. I looked for --- I
22 will admit, I have not gone through the
23 whole document. I'm in the process of
24 reading term papers and so on and so I
25 have not had time. But I looked for

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D-70/25

KEYWORDS:

BACT

Emission reduction

Washed coal

Response: DOE responded to Ms. Esher's comments (letter dated October 19, 1993, to S. Van Ooteghem) through a DOE letter dated June 9, 1994 (J. Wachter to D. Esher), as well as a number of telephone conversations with her staff on related issues. The two main issues in this letter were as follows: the conservative nature of emission reductions considering proven emissions reductions at other cogeneration facilities, and emission reductions through the washing of coal. In the EIS, the issue of the percentage removal of pollutants [in particular, sulfur dioxide (SO₂)] has been addressed in Section 4.1.2.2, Best Available Control Technology (BACT)/Air Pollution Control Equipment, which includes a summary review and technical analysis of the proposed sulfur dioxide (SO₂), oxides of nitrogen (NO_x), particulate matter (PM₁₀), carbon monoxide (CO) and volatile organic compounds (VOCs) control technologies to other similar, but smaller, circulating fluidized bed (CFB) boilers burning eastern bituminous coal. It is important to note that control technologies tend to be process-specific (for this reason, BACT determinations are made by comparing pollution control performance characteristics for similar processes), and even though there may be pollution control technologies that have greater percentages of pollutant removal, these technologies may not be compatible with atmospheric circulating fluidized bed combustors (with in-bed sulfur capture using limestone) or demonstrated at a sufficient scale or maturity to obtain performance guarantees from manufacturers.

With respect to the issue of "washed" coal, the proposed facility would use washed coal. However, in subsequent conversations with the EPA, it became clearer that their comment more precisely referred to "cleaned" coal which would entail crushing and subsequent cleaning steps. The use of finer particles (generated by the cleaning processes) in a fluidized bed is not possible due to bed "blow-out", since the coal particles would not have the requisite mass and density for successful fluidized bed operations.

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selected things and I was curious to see how this was addressed and was rather appalled to find out that it wasn't addressed at all. This was a review relative to the scoping comments and it was from Diane Escher (phonetic) from the Region Three EPA office. And under general comments, Brett, would you throw the next one up there that would --- she's chief of the environmental planning and assessment section. Thanks. We can go back to the other one.

Review of the estimated emission reductions, for example, 92 percent sulfur removal, has raised our concern that these emission reductions appear conservative. Now, this is someone from the EPA talking to someone from the DOE, has raised our concerns that these emission reductions appear conservative when considering proven emissions reductions at other cogeneration facilities. We are providing you with several reports, the attachments would suggest sulfur and nitrogen dioxide, particulates, mineral matter and heavy

(continued)

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D-71/13

KEYWORDS:

Emission reduction
Washed coal

Response: The net 227-MW circulating fluidized bed (CFB) boiler uses limestone injection and is capable of achieving at least a 92-percent reduction of otherwise uncontrolled sulfur dioxide (SO₂) emissions. A 92-percent reduction may be conservative, representing the minimum reductions that may occur. The estimated emissions from such a reduction were used to assess the impact on air quality. The reduction may prove to be greater than 92 percent but that (more favorable) assumption is not made when impacts have been analyzed in this EIS. DOE's need for the proposed project is to demonstrate the commercial viability of using electric utility-scale atmospheric CFB technology with in-bed desulfurization in a cogeneration facility to generate electric power and steam. Demonstrating CFB technology did not require coal cleaning to meet the Agency's need. Other projects within the Clean Coal Technology (CCT) program (e.g., the Custom Coals, Shade Township project) demonstrate specialized coal cleaning technologies.

It is also important to note that a "percent reduction" number may not be the most appropriate parameter to evaluate the impact of a particular technology on the environment. One needs to include in the analysis the amount of sulfur in the feedstock. For instance, a facility using a 4-percent sulfur coal and having a 95-percent removal efficiency may emit substantially more sulfur to the atmosphere than a plant utilizing 2 percent sulfur coal and having a 92-percent removal efficiency.

The acceptability of the 92-percent sulfur removal will be made through the Prevention of Significant Deterioration Permit Application submitted by the Industrial Participant to PADER. This application contains BACT findings (based on analysis of information in a clearinghouse database) and the basis by which they were determined. Also see the response to Comment D-70/25 concerning the washing of coal.

(continued)

1 metal emissions could be greatly reduced
2 through the, quote, washing, unquote, of
3 the coal before it's burned. By
4 demonstrating the value of using clean
5 coal in addition --- using cleaned coal in
6 addition to the demonstrating the large
7 scale circulating fluid at the
8 cogeneration technology, this project
9 could go one step further in satisfying
10 the objectives of the Department of
11 Energy's clean coal technology program.
12 It's been my feeling all along as an
13 individual citizen looking at this with
14 the additional incentive, financial
15 incentive, that there's all kinds of
16 possibilities for really doing a slick job
17 on this thing and making it a real
18 demonstration instead of providing a
19 reward.

20 This is not addressed at all
21 within the EIS. This whole letter is
22 omitted. And, Dr. Wachter, you had a
23 letter to her responding to this letter
24 but you didn't include her letter. And to
25 me, that looks very suspiciously like

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D-72/3

KEYWORDS:

Clean coal
Letter inclusion

Response: Please refer to the response to Comment D-61/1 concerning the general philosophy for including agency correspondence in the DEIS. The specific letter cited is now included in Appendix E in the FEIS. The issue of using "cleaned" coal has been addressed in the response to Comment D-70/25. Issues related to project need and alternative technologies are addressed in the responses to Comments D-39/13 and D-37/16, respectively.

D-72/22

KEYWORDS:

Letter inclusion
NEPA

Response: Please see the responses to Comments D-61/1 and D-70/25. The letter is contained in Appendix E of the FEIS.

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ensorship.

BILL LAWSON:

Dr. Clark, could I ask you to quickly summarize your remarks, please?

RICHARD CLARK:

Yes. Here is a letter from Dr. Rekos. And it's September 1994. There's a statement here, has the DOE conducted --- this is a question that I asked Dr. Rekos. Has the DOE conducted a search with regard to this particular technology and this particular scale up or larger? And as a result of this search, can you state unequivocally that there's no other project using the technology of a comparable size or larger in any stage of development anywhere else in the world?

And Dr. Rekos' response was, DOE has recently completed such a search for the CMP technology, see table one. In the United States, the largest current operation units are 150 megawatt units located in Robertson County, Texas. The largest unit planned for construction is the YCEP, 250 megawatt Foster Wheeling

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D-73/6

KEYWORDS:
Commercialization
status

Response: DOE is acquainted with the potential Pyropower project in Poland. At the time of the September 1994 letter to Mr. Clark, Pyropower would not confirm that the project was going forward. Pyropower has subsequently confirmed that the project in Poland will indeed proceed. Please refer to Section 1.3.1 of the FEIS, which includes a listing of the largest existing and planned circulating fluidized bed combustors (CFBCs) in the world and references the planned Pyropower project in Poland. Pyropower has plans to construct two 135 megawatt electricity [1.47 million pounds per hour (MMlb/hr) of main steam at a pressure of 1,985 psi and a temperature of 541 °C (1,005 °F)] CFBC units in Bogatynia, Poland. This compares to the York County Energy Partners, L.P. (YCEP) proposed unit's steam flow of 2.1 MMlb/hr of main steam at a pressure of 2,500 psi and a temperature of 541 °C (1,005 °F).

Please also see the response to Comment D-39/13.

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unit in York, Pennsylvania, scheduled to start in operation 1997. A 250 megawatt larger unit in Grenoble, France, is the world's largest operating unit. This unit started in operation early of this year. World-wide the largest unit under consideration for full construction is the 300 megawatt unit itself in Australia.

Then we go to table one, which gives you a run-down --- gives us all a run-down in terms of these are world units now of 200 on up. And I'll call your attention to the unit size here in megawatts. There's 250 scheduled for York, Pennsylvania. There's 250 in Grenoble, France, 250 in Turkey, 300 in Australia. And then if you can go to the next transparency please, I call your attention to something that was omitted, design of two 230 megawatt reheat circulating fluidized bed boilers for Torile (phonetic) power station in Poland. This is dated 1993 and if we can move down just a --- let's see. And the abstract says in July 1992 Pyropower Corporation

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was selected for the design, supply and erection of two 230 megawatt reheat coal-fired. And it's the same COP that we're talking about here.

Why were these omitted? That's a clarification question.

BILL LAWSON:

I don't know that we have a response to that, Dr. Clark. But we'll be ---.

GARY FRIGGENS:

I believe that we had somebody contact the Pyropower Corporation and they would not confirm for us at this point in time that the proposed project in Poland is still viable. We specifically asked them about that plan.

RICHARD CLARK:

The information that we have is that it is.

GARY FRIGGENS:

Do you have something beyond the 1990 --- this is part of a 1993 report?

RICHARD CLARK:

Yes, there is.

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GARY FRIGGENS:

Is there additional information that you could provide as to a source or something that we could go by?

RICHARD CLARK:

I would ask Representative Platts to address that.

BILL LAWSON:

We would be happy to get into that afterwards.

RICHARD CLARK:

I would call your attention to the Halstrom (phonetic) Firepower is a U.S. corporation, so in terms of U.S. technologies.

It just seems to me that the draft EIS has been hurried through and there's been a lot of things left out. And some of the things that have been left out suggest that they were --- hopefully, they were inadvertently left out rather than intentionally left out because if they were intentionally left out, this amounts to censorship. Thank you.

BILL LAWSON:

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D-76/16

KEYWORDS:

NEPA

Quality

Response: The DEIS was in preparation for approximately 12 months prior to its public release in November, 1994. DOE had attempted to generate a DEIS that was responsive to issues the Department identified and the relevant comments received during the public scoping process. Public and interagency review of the DEIS helped to identify areas requiring clarification in the FEIS. DOE strives to keep the level of response commensurate with the severity of impact and/or the degree of public concern or controversy. In response to public comments, DOE has generated a lengthy EIS. To keep the document manageable, the Department had to filter some of the less important, ancillary, or unsubstantiated information and data.

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Thank you, Dr. Clark.

TERRY PECK:

Good evening. Good evening concerned citizens of the Department of Energy, fellow trademen. My name is Terry Peck, I am vice-president of the York Building and Trades and business agent of Local 520 Plumber and Pipefitter Union. Local 520 has been in business for 80 years applying highly skilled trademen for these type of projects.

Pennsylvania building trades build every minor power station in the Susquehanna Valley, Peach Bottom Atomic Power Station, Brenner's Island, Save Harbor, York County Resource Recovery Units, among others.

Each of these plants are of a different design and all were completed on a timely schedule. The local building trades have the manpower and the experience and a record second to none. The single most community productive events of such a project is the initial construction, it must be demanded by all

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1 that the tradesmen from our area be the
2 tradesmen to erect such a project.

3 A verbal commitment by a York
4 County Energy partner has been made for
5 the local trademen. The jobs we plead for
6 are not glamorous, to hang from the steel
7 and the coal, the heat or the rain.
8 However, this is what we do for our
9 livelihood. Jobs for the Central
10 Pennsylvania building and construction
11 tradesmen will provide payroll and tax
12 revenues for our Commonwealth. The
13 building trades will have State and
14 Federal --- the building trades also have
15 State and Federal accredited
16 apprenticeship programs, pension plans and
17 health benefit programs. Together these
18 programs make Central Pennsylvania a
19 better place to live for all by providing
20 on-the-job training for the youthful
21 tradesmen, health care for the journeymen
22 and their families and pension for the
23 past workers.

24 This type of arrangement helps a
25 large cross section of Central

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1 Pennsylvania citizens. It also helps
2 avoid the flash in the pan job cycle. The
3 project is well planned and studied to
4 meet the needs for future power demands.
5 York County Energy Department is the
6 wholly owned subsidiary of Air Products
7 and Chemicals of Allentown, Pennsylvania.
8 Air Products is a very experienced company
9 of cogeneration. Currently Air Products
10 has six operating facilities. Air
11 Products has proven to be capable of
12 building and maintaining such facilities.

13 It is in our opinion that this
14 project will do very good for the local
15 economy and local tradesmen. Thank you
16 very much.

17 BILL LAWSON:

18 Mr. Robert Booker.

19 ROBERT BOOKER:

20 My name is Robert Booker, I'm
21 the President of the Community Empowerment
22 Organization, we are a public supported
23 foundation that provides pro bono
24 consulting for small business, start up
25 and expansion and limitation of home

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1 ownership for working women and men. We
2 have self-help responsibility and
3 emphasize non-victimization of all those
4 in our society. I stand in support of
5 this project. Without making a technical
6 assessment I'd like to support the
7 comments of Mr. Menzer from the City of
8 York to say that working women and men of
9 York City are active in ---. We have a
10 large working class population interested
11 in providing its goods and services to
12 this project. We view this project as an
13 entrepreneur to opportunities for existing
14 businesses. The poor people --- it could
15 also provide more jobs for lower income
16 working women and men. It also provides
17 an opportunity for increased
18 apprenticeship training which, of course,
19 is an excellent venue for going into small
20 business. Again, I stand in support of
21 the project as delimited and thank you for
22 the opportunity to speak with you.

23 BILL LAWSON:

24 Thank you. Jim Fritz.

25 JIM FRITZ:

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1 My name is Jim Fritz, I just
2 represent myself and my family. I wasn't
3 going to come here tonight to talk, I even
4 asked other people who opposed this
5 unfortunate enterprise if they would give
6 me something to read tonight. My thought
7 was that I had been at meetings and heard
8 references to chemicals and allowable
9 discharges into our air here in York
10 County and other things that I just wasn't
11 familiar with. I'm no chemical engineer.
12 I just don't understand those things. But
13 just before I came I sat down and tried to
14 pull together what it was about this
15 project that so disturbs me and my
16 neighbors. But right from the beginning I
17 have this problem. I heard that the cogen
18 proponents and the government got together
19 with a result after the first proposed
20 recipient of the grant in Florida didn't
21 work out, was the Federal transfer of
22 approval to these people without their
23 having to go through a competitive process
24 with competing companies. They kind of
25 smacked them a railroad job.

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D-81/17

KEYWORDS:
Site change

Response: The City of Tallahassee and the technology vendor, Foster Wheeler Corporation, contacted Air Products in 1991 as a possible host for the proposed project. Following this contact, DOE was requested to modify the Cooperative Agreement. DOE does not know if the City of Tallahassee contacted any of the original bidders to the Round I solicitation. Neither DOE nor the City of Tallahassee were required to make such contacts/offers.

1 Again, I heard that until
2 recently, maybe even now, the plant was
3 operating without a proper permit from the
4 State, good grief. If that's true the
5 ramifications are frightening, a plant the
6 size of a Glatfelter, permitted to
7 continue operation without an appropriate
8 permit.

9 These things bothered me because
10 they're just not right, they're flat wrong
11 and they shouldn't happen and we shouldn't
12 let them happen without some kind of a
13 protest. We're propagandized and this is
14 important because it's an issue of good
15 faith and how much trust you can put on
16 the word of the cogen folks and their
17 experts. We're propagandized by the
18 Glatfelter's plants public relation staff,
19 what a good thing this is. And good faith
20 is evidenced by their service to the
21 community, we can even fish down there by
22 the plant but you better not eat those
23 fish.

24 According to the newspapers the
25 State has repeatedly warned Glatfelter

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D-82/1

KEYWORDS:
Permits

Response: To the best of DOE's knowledge, the P. H. Glatfelter Company is currently operating within their required environmental permits. P. H. Glatfelter Company is in the process of preparing applications to modify some permits, based on new pollution reduction equipment that has been installed through their recently completed plant modernization project and Reasonably Available Control Technology (RACT) compliance efforts. They have also initiated a request to PADER for permitted authorization to incinerate sludge in their Number 5 Boiler, for which a public hearing was recently held (December, 1994) in Spring Grove.

With respect to P. H. Glatfelter Company's NPDES permit, P. H. Glatfelter Company filed an National Pollutant Discharge Elimination System (NPDES) permit renewal application on June 27, 1988. At that time, their existing NPDES permit was due to expire on May 22, 1989. This permit renewal application was filed to comply with the NPDES permit renewal requirements. P. H. Glatfelter Company received a letter from PADER's Bureau of Water Quality Management dated September 27, 1989. This letter described that PADER would be instituting a basin-wide permitting policy and was administratively extending the existing NPDES permit until September 30, 1991. In addition, in conversations between PADER (NPDES Division) and DOE in 1994, PADER stated to DOE that it had decided not to issue a new NPDES permit for P. H. Glatfelter Company's facility until revised in-stream toxicity criteria were available for application by PADER to all new NPDES permits (so as to minimize "rework" when these new criteria became effective). P. H. Glatfelter Company has been operating under this administrative extension since September 1991. PADER is currently finalizing this basin-wide permitting policy and is expecting to issue the NPDES permit renewal.

D-82/9

KEYWORDS:
NEPA
Quality

Response: Please see the responses to Comments D-82/24 and D-125/12.

D-82/24

KEYWORDS:
Toxicity
Violations
Water quality

Response: DOE has no authority to regulate the P. H. Glatfelter Company and cannot account for the company's actions or statements. However, the National Pollutant Discharge Elimination System (NPDES) permit is enforceable by both the Federal Government and the Commonwealth of Pennsylvania. The PADER Bureau of Water Quality Management submits a quarterly report to the EPA Regional Administrator that lists permittees who have violated final or interim requirements in their NPDES permits and states the nature of the violation, enforcement actions proposed or taken, and a brief description if appropriate of any circumstances which explain the violation. The responsibility for ensuring that dischargers comply with NPDES permits rests, in this case, with PADER and with EPA, Region 3. Both of these agencies have administrative and judicial enforcement authority. While criminal sanctions can be applied, the agencies use administrative enforcement actions more often. They can issue a warning letter that serves as a notice of violation; they can call administrative hearings; they can unilaterally issue orders that contain fines/penalties; they can issue a consent assessment (a penalty-only document); and they can issue a consent order and agreement that contains penalties for past violations, a schedule for compliance, and potential penalties for failure to comply with the order. Both PADER and EPA Region 3 use all of these options. The P. H. Glatfelter Company's NPDES permit is in the process of being renewed. The draft permit is expected to be issued in five to six months; a notice will then be published in the Pennsylvania Bulletin.

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about the toxicity of the water because of Glatfelter's violations. And when this is brought to their attention they said they never received the notices.

There's been a lot of talk about electricity, the need of the electricity that we produced by this project. And yet the daily newspapers we have here report that when that head was approached with this their response was, what, we never said this, it's untrue. We don't want it.

Remember the Glatfelter plant is a prime player in this, their statements and their undertakings in the Environmental Impact Study are major issues and so their honesty and their good faith are also at issue here. A good case can be made if those qualities, honesty and good faith, are in short supply over the Spring Grove.

As for the State, I was standing right there when the head of the State agency personally promised to have somebody go to my neighbor's house and verify that the terrible odor for Spring

(continued)

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D-83/5

KEYWORDS:

Energy management
Need for power

Response: There has been a documented need for power, as evidenced by reports issued by the Pennsylvania Public Utility Commission (PUC) and through Metropolitan Edison Company (Met-Ed) filings under Pennsylvania Code, Title 52, Sections 57.49 and 57.50. Based on DOE's independent analysis of available information (please see Appendix K of the FEIS), the need for additional power appears to be valid, given that a reserve margin of 22 to 24 percent is required for peak load periods. Assuming a base load growth rate of 1.85 percent, the reserve margin would be below 20 percent for all 16 years (1998 through 2013). Assuming a lower load growth rate of 1.5 percent, the reserve margin would still be less than 20 percent for 15 out of the next 16 years.

Met-Ed has various strategies and options that they could pursue, based on market conditions, to provide electricity to its customers. However, the PUC, which has a mandate to protect the consumer's interests, has approved this project and approved the signing of a power sales agreement between Met-Ed and York County Energy Partners, L.P. (YCEP).

The no-action alternative to the proposal to provide funding for the YCEP project is that the proposed project would not be built, and that the ramification of this no-action alternative would be that Met-Ed (or some other utility company) would require additional electrical generating capacity. A new scenario has been added under the no-action alternative in the FEIS which explores the environmental consequences if the proposed facility is not constructed and electrical demand is met by purchasing excess short-term electricity on the market. This alternative has been based on information received from Met-Ed during the public hearing process.

It should be noted that the proposed project's role in generating electricity to satisfy electrical demand is not synonymous with DOE's need for the proposed project. DOE's need, which is fully defined in Section 1.3.2 of the EIS, is for the demonstration of technology. The need for power is related more to the economic feasibility and viability of the proposed project from the industrial partner's perspective, rather than as a DOE prerequisite for funding. The existing need for power gives the proposed project economic feasibility and utility from the industrial partner's point of view.

Please see Sections 1.3.3 and 1.3.4 in the EIS for further information regarding YCEP and Met-Ed needs for the proposed project. The DOE analysis for power need is attached as Appendix K to the FEIS.

D-83/21

KEYWORDS:

Odor

Response: DOE recognizes that the emission of odors from the existing P. H. Glatfelter Company affects the existing environment of the North Codorus Site and needs to be considered in the FEIS. In addition, an investigation of the source of these odors is required in order to determine whether the compounds responsible for these odors could possibly be released to the atmosphere as the result of using the P. H. Glatfelter Company's wastewater as cooling water for the proposed project. Consequently, Sections 3.1.2 and 4.1.2.10 have been revised in the FEIS to incorporate a discussion of odors. The EPA has recognized concerns over foul

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Grove was as bad as alleged. That administrator, I think his name --- well, I won't state his name, either forgot his promise, he lied or was told to back out of it. Shame on the whole kit and caboodle. Shame on the State for not enforcing these regulations. Shame on Glatfelter for its willingness to poison our air and our environment and injure us and permanently injure York County which is responsible for their success. Shame on DOE for the manner in which they cleared the way for York County Energy Partners and they did all they could to impede the rightful input of concerned citizens.

What I've said up to now articulate some pretty, I think disreputable conduct by the cogens adherence, but that isn't why I'm here. Those things pale, they pale alongside what brings me to do what I did not intend to do tonight. I'm talking about hearing the physician who represents the York County Medical Association. And he'll

(continued)

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odors from pulp and paper mill operations, and has proposed rules (58 FR 66077) which, indirectly, should lead to reductions in emissions of total reduced sulfur compounds (TRS), which are responsible for the malodors often associated with pulp and paper production.

D-84/11

KEYWORDS:

Conduct
NEPA

Response: DOE believes that it has been responsive to concerned citizens, as evidenced by the Department's decision to hold both public scoping and hearing continuation meetings, as well as providing an extended written comment period. The Department has carefully followed its guidelines for execution of the National Environmental Policy Act (NEPA) process. As such, following the NEPA process has allowed for full public involvement and impartiality of treatment toward all participating in this process. DOE has addressed issues through an objective analysis of potential impacts, rather than on the basis of the relative popularity of the proposed project.

1 speak on their behalf says flat out that
2 if cogen goes through it's going to hurt a
3 --- seriously hurt people. Cogen's
4 chemical experts, who will gain if this is
5 approved, of course, disagree with those
6 doctors who say there are definite medical
7 considerations. They say it's going to
8 cause terrible disease and death and
9 unthinkable medical expenses that could
10 alter people's lives, maybe make them even
11 lose their homes. Glatfelter of York
12 Energy Partners where are your conscious.
13 The doctors say that little kids are going
14 to be poisoned by emissions if this goes
15 through. Gladfelter and York Energy
16 Department is --- where are your conscious
17 shame. I heard a representative from the
18 Cancer Association, one of the results of
19 the air pollution that this goes through,
20 what the hell are you trying to do? Shame
21 on you. And shame is why I decided to
22 speak here tonight, I had to.

23 Now, if the representatives of
24 the Cancer Association are telling the
25 truth, they're not lying, if the

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D-85/3

KEYWORDS:
Health effects

Response: In reaching its findings that the proposed project should pose no unacceptable risk to human health, DOE considered data provided by both proponents and opponents to the proposed project. With regard to estimates of air emissions, DOE relied on information submitted to PADER as part of the Prevention of Significant Deterioration permit application. DOE verified that PADER found no insufficiencies in the emissions data provided with the Prevention of Significant Deterioration permit application. With regard to potentially toxic emissions, the Human Health Risk Assessment conducted for the project did not indicate that emissions would be expected to adversely effect human health. However, because of the concerns over children, whose behavior could lead to different exposure pathways (for example, greater hand-to-mouth activity), DOE reassessed health risks to children for boiler stack and cooling tower emissions. DOE believes that the assessment was sound and that it was conducted consistent with applicable EPA risk assessment methodology. As such, the proposed project would not be expected to adversely effect the health of children due to toxic emissions.

D-85/23

KEYWORDS:
Health effects

Response: The American Lung Association and York County Medical Associations had specific comments regarding the DEIS, and these have been addressed under their specific comments in the FEIS. (Please see the responses to Comments D-241/17, D-241/24, D-242/11, D-242/15, D-242/23, D-243/2, D-243/7, D-255/11, D-256/1, D-256/19, D-257/4, D-257/9, D-257/18, and W-YCMS-1/30a through h.) In addition, Section 4.1.2.11 of the FEIS has been updated to include summaries of the information contained in the reports provided to DOE by the York medical communities.

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physicians that comprise the York County Medical Association are telling the truth, if they're not lying, I don't see how any person can work to further this enterprise and still term themselves people of integrity. Thank you.

BILL LAWSON:

Excuse me, Mr. Fritz, could we ask you a question, please?

JIM FRITZ:

Certainly you can and I hope I can answer it.

DR. JAN K. WACHTER:

During your presentation you mentioned that a plant was operating without an active permit and I wasn't clear on which plant you were referring to.

JIM FRITZ:

Sir, I was referring to the Glatfelter plant down there in Spring Grove.

DR. JAN K. WACHTER:

Thank you.

JIM FRITZ:

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1 And I should in all honesty say
2 that I don't know if that is --- of
3 course, I don't work for the State so I
4 can't say it was ever the truth but it was
5 not contested. And that was a situation
6 when this was discussed some months ago,
7 is it still the situation, sir, I don't
8 know, but even if it's not and was, it's a
9 damn shame.

10 BILL LAWSON:

11 Thank you. Mr. Blackwell.

12 WILLIAM BLACKWELL:

13 Good evening ladies and
14 gentlemen, I represent International
15 Brotherhood of Boilermakers, Local 13.
16 And on behalf of Boilermakers Lodge 13 and
17 924 members, we are brothers in the trade
18 that constructed every type of power
19 facility whether nuclear, gas, oil, hydro
20 or coal fire all over the Eastern United
21 States. This project employs the very
22 best in safety and advanced technology.
23 It will be beneficial to all concerned
24 both environmentally and economically.
25 This project will demonstrate, reduced

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1 emissions of particulates and oxides of
2 nitrogen during operations far above that
3 which is being generated down by the
4 number four boiler at Glatfelter
5 papermill.

6 In addition, it is well known
7 that every township within York County has
8 experienced population growth and
9 increased housing construction. This only
10 increases the need for more future energy
11 sources. This project will be part and
12 will meet part of the needs of this rapid
13 expansion. After reviewing the draft it
14 appears that all or most potential
15 problems have been addressed. There is
16 nothing to justify not approving this
17 project, it's safe and necessary.
18 Therefore, Boilermakers Lodge 13 and its
19 membership, many of which are residents of
20 York County and surrounding counties
21 approve and endorse this project
22 wholeheartedly. Thank you very much.

23 BILL LAWSON:

24 Thank you, Mr. Blackwell. Mr.
25 Leroy Stinsman. Is Mr. Stinsman not here?

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LEROY STINSMAN:

No, I'm here. I have nothing to say.

BILL LAWSON:

Thank you. Mr. George Woods?
Mr. Woods?

GEORGE WOODS:

Yes, the name is George Woods, I represent no one but myself and my family. As a long-time resident in York County I speak --- just to make a few brief comments about the quality of life that we have or don't have, which seems to be the --- would seem to happen most of the time nowadays. Whenever we pick up the paper we read about York County problems. We have Peach Bottom. We have superfund sites. We have a modern landfill. We have TMI. We have Glatfelter. We have Black Rock or Black Ridge Road incinerator. We have hundreds, hundreds of tractor-trailers coming south on 83 each day. If you want to know where York County is you follow the garbage trucks to York County, that's how you find us. So

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D-89/16

Response: Cumulative effects are addressed in Chapter 6 of the EIS.

KEYWORDS:

Cumulative effects

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in retrospect or as a final comment just a few brief words, York County isn't in need of a coal burner. York County does not want a coal burner. York County deserves better.

BILL LAWSON:

Thank you. Gerry Baker?

GERRY BAKER:

I'm Gerry Baker representing myself, I'm a very concerned citizen about this from day one. I live in the forest, Sherwood Forest Development, if we get all these wonderful fumes from P.H. Glatfelter, I have lived in the Spring Grove area all my life and I have accepted this because I thought there is no way, no way you can fight big business and you cannot fight somebody --- some politicians who are trying to buy their way in.

And the way I've heard most of these people say who are not concerned, they're only worried about their money in their pocket which I cannot understand this. I am doctoring for allergies and the last two times I have been in the

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D-90/2

KEYWORDS:
Project need

Response: As with all fuel conversion technologies, there are both advantages and disadvantages with coal-based technologies. The EIS explores these advantages and disadvantages for a particular technology considering specific site characteristics. The programmatic need for coal-based technologies is provided in Chapter 1 of the EIS. In addition, the Programmatic Environmental Impact Statement (*DOE, 1989a*) explores the impacts of the Clean Coal Technology Demonstration Program from an overall perspective.

1 Spring Grove --- in Spring Grove I
2 couldn't ---. I had to leave because of
3 whatever you were throwing out, I could
4 see it was coming down, you know, whatever
5 it was throwing out I had to go home
6 because it was draining down my throat and
7 out my nose and I don't know what it was.
8 But anyway, I have written to Tom Norris,
9 the president of P.H. Glatfelter, which I
10 guess maybe I should mention his name, but
11 I have the letter at home, he doesn't seem
12 to really care and I thought he was really
13 a friend of York County because he is
14 local. And I've also written to the
15 vice-president because when he went in
16 office he said his concern is the
17 environment. Now, they might boo me, you
18 know, but the vice-president said to me,
19 fight it all you can because you are
20 living in the environment and this is what
21 you're breathing.

22 I'm not concerned about big
23 money and I'm not --- and I'm not
24 concerned about holding back profits, but
25 profits has to be not at our expense of

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D-91/23

Response: Please see the response to Comment D-84/3.

KEYWORDS:

Air quality
Health effects

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what we're breathing only thinking of the money. This is what I cannot understand why money is brought into it. The man who just spoke, I think he said he represents the plumbers or the boilers. What does he care about we people living where that air is coming? And Tom Norris, he did not like it very well that I said --- I would not have written to him but I said, it has said in the paper that they were number one polluters or number three, I have to --- I have to bring his letter along, in Pennsylvania. Hey, and I have relatives working here and I don't say too much, you know, to them because they're in on this. And it's a big --- anyway, he said the only reason they are reported is because they tell the truth, can you believe this that they're the only ones --- that they're number one polluters because they tell the truth? That I can't believe. I'll have to bring the letter along with me. And I have to bring the vice-president's letter along. If you think I'm some kind of a nutty fool, well,

(continued)

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1 the vice-president didn't think so. Thank
2 you.

3 BILL LAWSON:

4 David Palmer?

5 DAVID PALMER:

6 I'm Dave Palmer, I'm
7 representing myself. I've been fighting
8 government corruption since 19 --- since
9 York County Incinerator started out. And
10 there's one question here that your
11 Environmental Impact has not addressed, I
12 would like to know how many hundreds of
13 square miles of oxygen this plant consumes
14 on a daily basis. We operate, ourself
15 live off the nitrogen and oxygen. The
16 plant itself cannot operate all --- what
17 comes out of the stack.

18 Also, I'd like to file
19 underneath Title 5 USCS 552 Freedom of
20 Information, I want proof that this plant
21 is going to cost exactly to the penny \$380
22 million tax exempt development bonds to
23 issue. Can you give me that information?
24 I want proof that this plant is going to
25 cost exactly, down to the penny \$380

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D-93/9

KEYWORDS:

Air quality
Oxygen

Response: Table 4.1-1, shows the maximum amount of air (using nitrogen gas as a surrogate for air consumed) consumed by the proposed York County Energy Partners, L.P. (YCEP) project to be 1,770,387 lbs/hour (i.e., 42,489,288 lbs/day). However, in order to translate an oxygen consumption of 42,489,288 lbs/day into "square miles" the following calculation can be made. The average pressure at the Earth's surface is approximately 14.7 pounds per square inch, representing the force exerted by the column of air above one square inch of the Earth's surface. Oxygen comprises about one fifth of that air column. This translates into about 10^{10} pounds of oxygen per square mile of the Earth's surface. In turn 42,489,288 lbs/day of oxygen translates into approximately 0.004 "square miles" of the Earth's surface per day.

Oxygen is the most abundant of all elements on Earth, and forms about one-fifth of the atmosphere. Since the carboniferous era some 300 million years ago, oxygen levels in the atmosphere have been maintained at a fairly fixed and constant level. Oxygen that is consumed by a variety of processes--that include breathing by life forms, and combustion--is replaced by natural cycling processes (e.g., expiration of oxygen by plants following absorption and conversion of carbon dioxide).

D-93/18

KEYWORDS:

Project costs

Response: York County Energy Partners, L.P. (YCEP) has not completed the detailed design necessary to provide the estimate to the accuracy requested.

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million.

BILL LAWSON:

If you would see us later we'd be happy to explain to you how to apply under the Freedom of Information Act for anything that you want.

DAVID PALMER:

I'll be glad to.

BILL LAWSON:

Thank you. Mr. William Shaffer?

And I'm sorry, Mr. Shaffer, I inadvertently went by your name here a couple of people ago, which was pointed out to me. My apologies.

WILLIAM SHAFFER:

I have a 9:30 meeting to go to so if you see me running through the door after this little statement is over, it's not because I'm afraid it's because I have other commitments.

My name is William Shaffer, I'm a member of the Isaac Walton League of America. I belong to the York Chapter Number 67. At the present time I serve on the National level as the elected regional

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1 governor or Region Six. It may not mean
2 much to you but my territory runs from
3 Maine down to the North Carolina boarder.
4 This boiler that you propose to put on
5 line is in my jurisdiction. I've stood
6 before you before and have spoken, made
7 several statements and I'd simply like to
8 say, to strive for the purity of water and
9 the clarity of air and the wide
10 stewardship of the land and its resources,
11 to know the beauty and understanding of
12 nature and the value of wildlife,
13 woodlands and open spaces, to this
14 preservation and man's sharing in it, I
15 pledge myself as a member of the Isaac
16 Walton League of America. We are 55,000
17 members strong. We've all taken this
18 pledge. Anyone, and I hope that these
19 people who are here this evening are newly
20 elected politicians as well as the old
21 politician, the Mayor who didn't see fit
22 to stick around and hear any comments, the
23 man that was in charge of the Plumbers
24 Local, the Boilermakers Local, et al. I
25 hope they heard what I read to you people

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1 because this is life. Everybody talks
2 about the big buck and that's what this
3 project is all about is big bucks.

4 It seems like, and I don't want
5 to be contradictory to your EIS, but it
6 seems like you folks already have it on
7 line and it's not.

8 Our motto of the Isaac Walton
9 League, we are defenders of woods, waters,
10 soil, air and wildlife. And it may sound
11 repetitious, I've said the same thing
12 twice just in a different tone and a
13 different terminology. But it's more to
14 life than just big bucks, if there is
15 life, after we've completely groomed our
16 environment and this we're well on our way
17 to do.

18 As I stand here before you this
19 evening and I wrote this speech before I
20 realized that we were granted an
21 extension, thank God for that because I've
22 been in Gaithersburg, Maryland for two
23 days with Henry Brelin (phonetic) who's
24 our conservation associate down there at
25 the National office and we were trying to

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D-96/4

KEYWORDS:
NEPA

Response: DOE has strived to generate an EIS that is comprehensive, objective, and in accordance with the requirements of the National Environmental Policy Act (NEPA). Both positive and negative impacts are presented in this Statement. No decisions regarding the outcome of this process have yet been made, since the Federal decision-making occurs through the signing of the Record of Decision after the issuance of the FEIS.

1 decipher and pull apart this document, I
2 read it in its entirety. And not being a
3 well learned individual, I have trouble
4 understanding what I read. After I got
5 finished I sit there and scratch me head
6 and my wife is sitting on the couch,
7 believe it or not I took it along on a two
8 weeks vacation and that's what I digested
9 in two weeks, and after I read it I didn't
10 know what I read.

11 We're having trouble trying to
12 get some of the material, I guess, in
13 shipping it to us or obtaining material to
14 prepare an adequate statement. And again,
15 I thank you for the extension to January
16 31st so that that can get to you people we
17 hope by the deadline.

18 We, the members of the York
19 Chapter have been before you, quite a few
20 of us, I won't mention the names but we
21 have been here. And we are opposed to
22 this project because the best technology
23 available were not used. We're opposed to
24 the project, we're not opposed to the
25 cogen but we're opposed to the project

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D-97/3

Response: Please see the response to Comment D-252/9.

KEYWORDS:

NEPA
Quality

D-97/11

Response: In order to address concerns on the adequacy of response times, DOE extended the comment period to January 31, 1995, and provided an additional opportunity for comment in a public forum (by conducting another public hearing on January 18, 1995). Problems with delivery of source documents to the public reading rooms were remedied when brought to DOE's attention or during DOE's audits of these rooms.

KEYWORDS:

Document availability
NEPA
Schedule

Please see the responses to Comments D-59/22 and D-60/2.

D-97/21

Response: Please see the responses to comments D-37/16 and D-100/9 for information on technology alternatives and the currency of atmospheric circulating fluidized bed (ACFB) technology.

KEYWORDS:

Alternate technologies

D-97/23

Response: Because of concerns for the health of children living in the area potentially affected by the proposed project, DOE reassessed risks to children potentially exposed to cooling tower and boiler stack emissions. The resulting assessment of foreseeable impacts to the health of children in the EIS did not indicate an unacceptable level of risk. For noncarcinogenic substances, the expected concentrations were below levels at which adverse impacts would be expected to result. For known and suspected carcinogenic substances, including radionuclides, the upper bound excess lifetime cancer risks were on the order of 3 in 1 million.

KEYWORDS:

Children
Government funds
Health effects

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because you're going to spend our \$75 million of my tax bucks and everybody's tax bucks in this room to put something up that's going to be detrimental to the health of our children. I was supposed to get to you a statement from Dr. Baker on the effects of mercury, she wouldn't sign it because it's not substantiated and the research is not in-depth enough to say that the fourth and fifth generations behind us will be suffering birth defects because of the mercury that this monster is going to throw into our environment and this is why you did not receive that statement. But we feel that there are better boilers out there. There are boilers out there that are more efficient. There are boilers out there with a lower pollution rate than the one proposed here for York County. And we would really like to see those considered if there has to be one. I thank you for your time. And just think of the children. Hey, most of us in the room, believe it or not, we're on the downside of the hill. It's the little

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This means that the chances of an individual developing cancer sometime during his or her lifetime because of exposure to substances emitted by the proposed project would be 3 in 1 million. (By comparison, the chances that an individual would die in an automobile accident during any 6 month period is approximately 1 in 10,000). Based upon the generally accepted methodology for assessing risks to human health due to exposure to potentially hazardous substances, the proposed project would not be expected to be detrimental to the health of children.

D-98/5

KEYWORDS:
Birth defects
Health effects
Mercury

Response: The effects of mercury emissions from coal-burning power plants are a matter of much research because of the potential for mercury to accumulate in the environment - particularly in fish. Moreover, because mercury is easily volatilized, current pollution controls on coal-burning power plants are less effective in reducing emissions of mercury when compared to other potentially toxic substances, such as lead. In assessing the impacts due to mercury emissions from the proposed project, the capture efficiency of the proposed air pollution control equipment was assumed to be zero. In other words, all mercury present in the coal was assumed to be released during combustion, and all mercury so released was assumed to pass through the baghouse filters and be released through the stack. These assumptions are consistent with recommendations by the EPA in estimating sources of mercury emissions (*EPA, 1993b*).

For the purpose of conducting a health risk assessment, mercury emissions from coal combustion can be accurately estimated based on the trace element analysis for the feed coal and the coal feed rate to the combustion chamber. The estimated annual mercury emissions from the proposed project are 0.127 tons/year (1×10^5 lbs/million BTU). As noted in the Prevention of Significant Deterioration (PSD) permit application filed with the PADER, the mercury emission rate for the proposed project would be lower than two other cogeneration facilities identified in the Best Available Control Technology (BACT)/Lowest Achievable Emission Rate (LAER) Clearinghouse database on which BACT determinations are based.

The lower mercury emissions for the proposed project are achieved through the quality of the feed coal. The resulting emission rate (1×10^5 lbs/million BTU) is approximately 30 percent lower than the uncontrolled mercury emission rates for coal-fired boilers as measured and reported by the EPA (*EPA, 1989c*). Mercury, as a trace element in coal, has a strong affinity for mineral matter contained in the coal (*Boron, 1990*). As such, mercury content in feed coal would be readily reduced by cleaning methods aimed at reducing mineral matter. The coal proposed for use at the proposed facility is washed coal with a sulfur content of 2 percent or less. The washing process designed to reduce sulfur-containing mineral matter would also be expected to reduce mercury concentrations. Thus, the estimated annual emissions rate of 0.127 tons/year for the proposed project appear to be reasonable and objectively estimated.

1 ones behind us that we got to be concerned
2 with. Thank you.

3 BILL LAWSON:

4 John Carlisle.

5 JOHN CARLISLE:

6 How are you doing? My name is
7 John Carlisle making a couple of short
8 comments. One, I think it's a really good
9 idea a power plant being placed where it
10 is, there's already a power plant there,
11 nobody wants one in their backyard, a
12 perfect spot for it. The people here
13 complain about pollution. I didn't notice
14 any horse and buggies when I pulled up
15 tonight, everybody drove here. I'd just
16 like to put my name in the public record
17 in support of the project. Thank you.

18 BILL LAWSON:

19 Those are all the speakers that
20 preregistered. Is there anyone who would
21 like to speak who has not yet spoken
22 tonight? Yes, sir?

23 WARREN EVANS:

24 My name is Warren Evans, I live
25 in Halm (phonetic) Township in York

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As noted in the comment, mercury is a concern because it can accumulate in the environment and, through the process of bioaccumulation, can essentially move up the food chain and ultimately effect humans. The maximum estimated mercury concentration predicted by an EPA-approved model is 0.000056 mg/L. This value refers to the estimated surface water concentration of a hypothetical lake located at a point of maximum impact from the proposed YCEP facility. As a comparison, the background concentration of mercury in freshwater is 0.000025 mg/L (*Ducatman, 1992*). In addition, the primary drinking water standard for mercury is 0.002 mg/L. The expected concentration from the proposed project is well below levels which would be expected to pose a risk to human health. The results of the risk assessment indicates that the risk from mercury from all ingestion and inhalation pathways would not be expected to adversely affect human health.

D-98/15

Response: Please see the response to Comment D-37/16.

KEYWORDS:

Alternative technologies

1 County, speaking as a private individual I
2 would just like to address the unions, ask
3 that they consider another aspect of what
4 they're saying. They're saying they want
5 to build a plant and they want to have
6 jobs, no one wants to deny anybody a job.
7 We all have to feed our kids and our
8 families. But there's no reason why we
9 can't build a good plant. Why do we have
10 to build a plant that, first of all, is
11 wasting taxpayers dollars because it's
12 already obsolete? We've already pointed
13 out to you that there are other
14 technologies that are already surpassing
15 this one. The pipefitters and the unions
16 can build those excellent new plants, why
17 do they have to build an obsolete plant?
18 The second thing is, they talk
19 about jobs, they think about their ---
20 only their own jobs, what about the rest
21 of us in York County who might suffer if
22 these pollution standards are not met as
23 you were saying and as you were being
24 challenged tonight? There are other
25 people who would like to go to work but if

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D-100/9

KEYWORDS:

Alternative technologies
Government funds

Response: There are other technologies in development comparable to atmospheric circulating fluidized bed (ACFB) technology as far as cost, efficiency, and environmental characteristics. ACFB technology has been widely demonstrated since the mid-1980s for smaller-scale units (35 to 70 MW) and is emerging as a possible choice for larger-scale production of electricity due largely to the fuel flexibility and reliability which have been proven for this technology at this smaller scale. DOE is promoting the development of several different clean coal technologies. ACFB technology is one of several technologies that DOE believes can be further developed to meet the reliability of and improve on the efficiency and environmental responsiveness of existing, widely-used technologies.

D-100/24

KEYWORDS:

Health effects

Response: Based on the information presented in the Environmental Impact Statement, the risk of adverse health effects to both construction and operation workers due to emissions generated by the proposed plant would be in an "acceptable" range.

As noted in the EIS, because of the curtailment of P. H. Glatfelter Company's Power Boiler No. 4 under a federally enforceable permit, a net reduction in oxides of nitrogen (NO_x), sulfur dioxide (SO₂), and particles would be expected to occur once the proposed project goes on-line. Because of these net reductions in those pollutants which could most directly affect the health of York County residents, economic impacts due to lost productivity would not be expected to occur.

1 they come down with sicknesses and
2 illnesses they will not be able to go to
3 their jobs. While the pipefitters may be
4 able to go to their jobs and maybe some of
5 them won't, maybe they're going to need
6 more medical benefits in their unions to
7 help pay for the diseases that might
8 result from this. I think that they need
9 to consider the whole picture not just
10 their own narrow picture. Thank you.

11 BILL LAWSON:

12 Anyone else that hasn't spoken
13 yet tonight that would wish to make a
14 comment? If not then, Mr. Klunk, I think
15 we'll recognize you.

16 JOHN KLUNK:

17 Thank you. Thanks very much. I
18 feel --- I'm really sad that I can't make
19 anymore comment on the draft EIS asked
20 than I was able to. Time has not allowed
21 me to address that. And I really do fear
22 and I didn't allude to this before that
23 there's a problem with this timing and the
24 fact that our written comments, they might
25 be submitted later, will not carry the

(continued)

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D-101/21

KEYWORDS:
Comments
NEPA

Response: From a mechanistic point of view, oral comments are translated into written comments (derived from public transcripts). These comments are added to the other written comments for resolution. The origin of these comments is immaterial to DOE. Please see the response to Comment D-61/23.

(continued)

1 same weight or be in the public record.
2 I'd like to go back to the --- one of the
3 items that I spoke about with respect to
4 the fogging. Could you tell me just what
5 you do --- regard as documentation on a
6 matter like that?

7 DR. JAN K. WACHTER:

8 There is a number of things we
9 can do, one is to look at the existing
10 weather stations around here,
11 meteorological reports, things like that.
12 We have to be careful for baseline,
13 environment and chapter you're talking is
14 Chapter Three an existing environment.
15 The interpretation of fogging and icing is
16 sometimes very difficult to allude to.
17 Okay. And typically it's meteorological
18 stations that provide us the information,
19 meteorological reports, have a tendency to
20 go to State agencies to get this
21 information. A lot of times it is not
22 available.

23 JOHN KLUNK:

24 Yes, I agree with that.

25 DR. JAN K. WACHTER:

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D-102/2

Response: Please see the response to Comment D-62/8.

KEYWORDS:

Air quality

Fog

1 But basically the analysis that
2 we did for the project, proposed project
3 itself, we looked extensively at fogging
4 and icing and plume shadowing of that
5 entity and we have our analysis in here.

6 UNIDENTIFIED SPEAKER:

7 I saw it.

8 DR. JAN K. WACHTER:

9 So and we have supporting
10 information.

11 JOHN KLUNK:

12 Supporting information which is
13 computer modeling?

14 DR. JAN K. WACHTER:

15 Yes.

16 JOHN KLUNK:

17 As far as I'm concerned that's a
18 bunch of mumbo jumbo. I do not understand
19 it. I don't have the expertise. I have
20 been told you can do anything with
21 modeling. And I find it just outrageous
22 that you don't want to consider
23 photographic evidence of the fact that it
24 does exist starting now. We will not have
25 videotape. I have additional photographs

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D-103/21

KEYWORDS:

Air quality
Fog

Response: Please see the response to Comment D-62/8. A videotape of the Spring Grove area made during the latter part of 1994 was received by DOE, and is discussed in the response to Comment D-153/15. Also, please see the discussion of fog and ice issues in Section 3.1.2 of the EIS.

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that I've taken since the batch that I sent to Dr. Van Ooteghem.

DR. JAN K. WACHTER:

We will take that again into the record with respect to revising Chapter Three, the baseline section to look at the question about fogging.

JOHN KLUNK:

The problem I have with it is, the fact that I've lived in the area I know what happens, I know the waste water treatment area is the one that creates the most fog. There are a lot of VOCs in the waste water. That fog drifts down Creek Valley. It's there many, many mornings. The facility you're proposing will evaporate that waste water just west of Kessler Pond, up to 2.8 billion gallons a day. That's going to place a tremendous amount of fog under certain weather conditions right in the complex area or right near that unconventional intersection, right where there are already a lot of accidents. I can say that I find the assumptions and the

(continued)

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D-104/9

KEYWORDS:

Air quality
Evaporation
Fog

Response: The Seasonal Annual Cooling Tower Impacts (SACTI) modeling was performed to help assess the potential for fogging or icing as a result of the proposed cooling tower associated with the York County Energy Partners, L.P. (YCEP) project (see Section 4.1.2.9 of the EIS). The results of the SACTI analysis predicted that operation of the proposed cooling tower would produce no off-site occurrences of fogging or icing. The model indicated that along York Road (Route 116), located 300 meters (915 feet) southeast of the proposed cooling tower, there would be no plume fogging or road icing (Section 4.1.2.9). The only areas where cooling tower-induced fogging and/or icing would be expected to occur would be to the southeast and south-southeast of the cooling tower within the site boundaries.

Any model is merely that--a model or a tool--that may be used to help make an assessment or decision in the most quantifiable or objective manner available in the absence of other quantitative metrics. To this end, models use the best available input data and assumptions to make their findings as sound as possible. As discussed in Section 3.1.2 of the FEIS, the best meteorological data available as weather input to the SACTI model was assembled by creating a hybrid meteorological data base from the wind speed, wind direction, and stability classifications collected at the West Manchester site, approximately 10 km (6 miles) to the northeast, for the 1-year period, January to December 1992, merged with the data recorded by the U.S. National Weather Service at Harrisburg 40 km (25 miles) to the north-northeast. The National Weather Service (NWS) Harrisburg site is located in the valley of the Susquehanna River and could be considered as a reasonable surrogate for the topography and fogging potential of the Spring Grove area. In addition, coincident mixing heights were derived by merging surface temperatures with the twice daily upper wind data obtained from Dulles Airport in Virginia. Dulles is the nearest site that collects wind data. The results of the SACTI modeling are considered to be sound within the context of the demands placed upon them to provide quantifiable information to decision makers.

Chloroform was the only volatile organic compound (VOC) identified above detection limits in the make-up water entering the proposed cooling tower. The chloroform concentration was estimated to be 0.081 mg/L. The maximum amount

(continued)

1 findings of that modeling just to be
2 absolutely ridiculous.

3 BILL LAWSON:

4 Thank you. Do you have some
5 further points?

6 JOHN KLUNK:

7 I have a gift for you, a
8 Christmas present. You gave us the draft
9 EIS, I have one for you. Please take it
10 back to Morgantown with you. From Santa
11 Claus, your lump of coal.

12 BILL LAWSON:

13 Are there any other speakers?
14 Can I ask you to hold your comment just
15 one moment while we change the paper up
16 here so we can have it for the public
17 record?

18 SHORT BREAK TAKEN

19 BILL LAWSON:

20 Yes, sir, we're ready.

21 WILLIAM BLACKWELL:

22 William Blackwell, Boilermakers
23 Local 13, I just want to make a statement
24 about boiler number four, to try and give
25 some people here a little bit of insight.

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of water supplied from the P. H. Glatfelter Company's wastewater treatment plant to the proposed cooling tower is estimated to be 4.67 million gallons per day. The chloroform emission rate is based on releasing 100 percent of the chloroform from the 4.67 million gallons per day supply. As discussed in Section 4.1.2.9 of the EIS, when conservatively high assumptions were applied, a total of 0.57 tons/yr of chloroform was estimated to be emitted from the cooling tower, and the expected maximum air concentration at ground level was estimated to be 3 nanograms per cubic meter.

Please see also the response to Comment D-62/8.

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There's approximately a dozen of my
colleagues here and there's some of my
brothers in the pipefitters trade here and
virtually everyone of us over the last 20
years have worked inside, outside or on
top of boiler number four at Spring Grove.
This 30 plus year old boiler and if you
--- if you could just get inside one
time, inside the duct work just one time
and see the patches on top of patches and
watch the dust come out at start-up, you
would know why that boiler has to come off
line. That's all I wanted to say. We'll
probably run less than two weeks a year
for shutdowns if that as opposed to 365
days a year. Count it up.

BILL LAWSON:

Yes, sir. Is there anyone else?

Yes, sir, please, go ahead.

WARREN EVANS:

Again, Warren Evans, Halm
Township. In your opening presentation in
the slide that was presented, in one of
the charts it said that under waste
generation, it said that there was

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D-106/1

KEYWORDS:

Air quality
Boiler No. 4

Response: The P. H. Glatfelter Company has recently installed low oxides of nitrogen (NO_x) burners on Power Boiler No. 4 at a cost of around \$1.2 million as required by the State Implementation Plan pursuant to the Clean Air Act (CAA). These burners are part of the continuous maintenance and upgrading of boilers by the P. H. Glatfelter Company. Furthermore, P. H. Glatfelter Company has stated that the boiler is in good condition and has an indefinite productive operational lifespan (i.e., 25 years) [see letter dated December 15, 1993, from R.W. Wand, Vice President of Administration, P. H. Glatfelter Company to Richard C. Kenner, Jr., York County Energy Partners, L.P. (YCEP)]. If the proposed project proceeds, Power Boiler No. 4 would be limited to 720 hours of simultaneous operation each year when the proposed project is on-line.

In addition, the P. H. Glatfelter Company's Power Boiler No. 4 is permitted and inspected pursuant to PADER regulations. Additional information has been provided in Section 2.1.3 of the FEIS regarding the history of operation for P. H. Glatfelter Company's Power Boiler No. 4.

D-106/22

KEYWORDS:

Disposal
Hazardous waste

Response: Please refer to Section 4.1.6.2 for a complete discussion of the hazardous materials that would be stored and used at the proposed facility. Briefly, the hazardous materials include oil and grease, diesel fuel, solvents (for degreasing equipment), caustics and sulfuric acid, water treatment chemicals, and aqueous ammonia. The degreasing solvents would be removed for recycling by the contracting firm supplying the materials. Approximately 70 percent of the spent solvents would be recycled, with the remaining 30 percent being incinerated at a permitted hazardous waste incinerator (e.g., oil and sediments sent to a cement kiln operation where it would be incinerated as part of a fuel augmentation program). The diesel fuel would be combusted for powering emergency equipment. The water treatment and pollution control materials would be consumed in the daily operations of the proposed facility, precluding the need for land disposal.

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hazardous waste generation. There were no details given on that. I looked through the report and could you refresh us on exactly what the hazardous waste is? The second question is, how will that waste be disposed?

(continued)

DR. JAN K. WACHTER:

The hazardous wastes tend to be things like degreasers and solvents and cleaning fluids, things like that. They should be very little volume wastes and ---.

WARREN EVANS:

What is low volume?

DR. JAN K. WACHTER:

I would have to look in here with respect to the numbers. I mean, in comparison to the tonnage of ashes it's fairly minor. The method of getting rid of the waste is through a hazardous waste landfill.

WARREN EVANS:

Where is that located?

DR. JAN K. WACHTER:

I do not know right now. I will

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D-107/10

KEYWORDS:
Hazardous waste
Volume

Response: As stated in Section 4.1.6.2, the proposed facility would be considered a small quantity generator of hazardous waste (i.e, less than 1,000 kg per month). It should be noted that the classification of materials as hazardous does not necessarily imply that those materials would, in fact, pose a hazard to individuals or the community. For instance, Federal statutes, such as the Resource Conservation and Recovery Act (RCRA) classify any material that is ignitable, caustic, toxic, or explosive as hazardous. However, many substances that satisfy this definition do not pose a threat to human safety when used properly. The gasoline routinely handled by millions of individuals for automobile fuel is an excellent example.

Most of the materials classified as being hazardous would be consumed by the process (such as fuel or water treatment chemicals), rather than resulting in the generation of a hazardous waste. The only hazardous waste that would be generated by the proposed facility would be 41 kg (90 lbs) of spent degreasing solvents which would be contained in an enclosed parts washing unit. Approximately 70 percent of these spent solvents would be recovered by an outside firm. The remaining residue (oils and sediments) would be incinerated by the outside firm in a permitted cement kiln. It is anticipated that no more than 11 kg (25 lbs) of residue per month would be incinerated.

D-107/19

KEYWORDS:
Disposal
Hazardous waste

Response: The verbal statement by DOE presented in the comment was erroneous; no hazardous waste landfills would be required for disposal of the hazardous waste generated by the proposed facility. As discussed in Section 4.1.6.2 of the FEIS, the only hazardous waste generated by the proposed facility would be spent solvents that would be handled by a private vendor (e.g., Safety Kleen). This vendor would recycle the solvents and incinerate the residual oils and sediments in a cement kiln in accordance with applicable permits.

Please see also the response to Comment D-108/10.

1 have to get back to you.

2 WARREN EVANS:

3 Well, shouldn't that have been
4 specified in the report? Why was that
5 unspecified in the report?

6 JIM JOHNSON:

7 I can look at information up for
8 you.

9 WARREN EVANS:

10 Do the people that live near
11 that hazardous dump know that this waste
12 is going there?

13 BILL LAWSON:

14 It's something we'll have to go
15 back and address, sir.

16 WARREN EVANS:

17 Is it in the report? Is any of
18 that information in the report, those
19 details?

20 DR. JAN K. WACHTER:

21 I would refer to Section 4162.
22 And I think it gives you the amount of
23 information with respect to the amounts of
24 wastes that will be generated from the
25 project.

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D-108/3

Response: Please see the response to Comment D-107/19.

KEYWORDS:

Disposal
Hazardous waste

D-108/10

Response: As explained in the response to Comment D-107/19, no hazardous waste landfills would be used to dispose of the sediments and oils associated with the spent solvent wastes.

KEYWORDS:

Hazardous waste
Residents

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WARREN EVANS:

Are they carcinogenic wastes?

DR. JAN K. WACHTER:

Looking at them, they tend to be toxic wastes.

WARREN EVANS:

Are they carcinogenic?

JIM JOHNSON:

Not that I believe looking at this right now. You're talking about some sulfuric acid, caustic ammonia, things like that, chlorine.

WARREN EVANS:

No carcinogens.

DR. JAN K. WACHTER:

I cannot say that right now looking at the information.

WARREN EVANS:

Has anyone brought any data to you saying that there would be carcinogenic agents in there?

DR. SUELLEN VAN OOTEGHEM:

Could you just give us your comments because we really want to be able to respond to you.

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D-109/2

KEYWORDS:

Carcinogens
Hazardous waste

Response: The Hazardous Substance Database (HSDB) maintained by the National Institute of Health, National Library of Medicine, was searched for the materials expected to be stored at the proposed facility, as described in Section 4.1.6.2 of the EIS. In addition, trace constituents of low volume solvents used in degreasing operations were searched for health impacts. The HSDB provides ratings of chemicals by EPA and the World Health Organization (WHO). EPA and WHO have not rated sodium hydroxide (NaOH), propane, alum, 1,1,1-trichloroethane, ammonia, hydrated lime (calcium hydroxide), or petroleum naphtha for carcinogenicity. Sodium chlorite (NaClO₂), sodium hypochlorite (NaOCl), hydrochloric acid (HCl), xylenes, and toluene are rated Class D: not classified as carcinogenic to humans due to insufficient evidence linking these chemicals to cancer. Sulfuric acid's (H₂SO₄) rating indicates occupational exposure to strong-inorganic-acid mists is carcinogenic to humans. Benzene is rated Class A: a human carcinogen. This rating, however, does not indicate a level of carcinogenicity for benzene, only that evidence suggests the chemical is a probable cause of cancer in humans. All of the substances listed here would be present at the York County Energy Partners, L.P. (YCEP) facility in very limited quantities (see Section 4.1.6.2 of the EIS), would not be generated by the proposed facility, and would be stored and handled in accordance with OSHA guidelines to prevent exposure to YCEP personnel and the general public.

D-109/19

Response: Please see the response to Comment D-109/2.

KEYWORDS:

Carcinogens
Hazardous waste

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BILL LAWSON:

We aren't going to be able to do it on the conflict. And that isn't the intent here. But if you have a concern about that you should enter it into the record.

WARREN EVANS:

I was a former cancer researcher at the National Cancer Institute so I am concerned about the production of any carcinogens, whether liquid, solvent or ---.

DR. JAN K. WACHTER:

They are not produced by the plant. It's typically cleaners and cleansers and the like things which are --- cleaners are the typical ones.

WARREN EVANS:

The cleaners can be carcinogenic?

DR. JAN K. WACHTER:

Yes, but I do not believe that the proposed project is denaturing them in any way. If you introduce them as chemicals which happen to be cancer

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D-110/8

Response: The only hazardous wastes expected to occur are spent solvents, which would be containerized and disposed of by the commercial supplier of the solvent.

KEYWORDS:

Carcinogens
Health effects

Other known or suspected human carcinogens (such as chloroform) would be released as emissions to the ambient air. As detailed in the Human Health Risk Assessment (Section 4.1.2.11), these substances would not be expected to pose an unacceptable risk to the exposed population. Please see also the response to Comment D-109/2.

D-110/19

Response: Yes. The solvent is a petroleum naphtha with trace (< 1 percent) concentrations of solvents such as xylene, toluene, 1,1,1-trichloroethane, and benzene (which is the component suspected to be a human carcinogen).

KEYWORDS:

Carcinogens
Cleaners
Hazardous wastes

1 causing chemicals and the process does not
2 denature them.

3 WARREN EVANS:

4 One last question. What was the
5 peer review as we know anybody who's a
6 scientist which I am, I have a Ph.D. in
7 biochemistry, anybody who's a scientist
8 just knows that there should be proper
9 peer review of any scientific data and it
10 should be done by people who are not
11 connected with the project that's being
12 reviewed. Who are the peer review people
13 that you used for your scientific data
14 with regard to the toxic conditions? Who
15 generated the data and who reviewed it?
16 Is that in the report?

17 DR. JAN K. WACHTER:

18 The methodology by which we
19 generate the information and validate the
20 information is not explicitly in the
21 report. Basically what we do is we have a
22 number of different people in groups
23 validate the information, we have like
24 three or four full redundancy. We have
25 contractors working for us. We have a lot

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D-111/12

KEYWORDS:

NEPA
Quality
Review

Response: Please see the response to Comment D-125/12 for an explanation of the processes for information generation and review. Authors of information are cited where appropriate in the EIS and included in Chapter 10, References.

Please see the response to Comment D-112/15.

1 of government agencies working for us. We
2 have contractors working for other
3 government agencies working for us. We
4 have people in headquarters, three tiers
5 of review there who overlook the
6 information within this EIS. So there is
7 a lot of people, and actually different
8 agencies, in fact, who look at this and do
9 quality control checks for us.

10 WARREN EVANS:

11 Now, when I submitted a paper
12 from the National Cancer Institute on the
13 Keyner (phonetic) research it usually took
14 one year to review that process, to review
15 that paper. What was the time period that
16 was allowed for this review process?

17 DR. JAN K. WACHTER:

18 I would say that --- again, it's
19 extrapolating to a different situation
20 your review was probably --- was probably
21 a research effort, this is a compilation
22 of impact analysis which is slightly
23 different. From start to finish, I mean
24 we really started the development of this
25 EIS a year and a half ago and during that

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D-112/15

KEYWORDS:

NEPA
Review
Schedule

Response: The review process for information generated for the EIS began in October 1993 with the sufficiency review of the Draft Environmental Information Volume (EIV) for the Proposed York County Energy Partners Cogeneration Facility (North Codorus Township, PA) by the Morgantown Energy Technology Center (a field office of DOE), the Army Corps of Engineers, and their support contractors. This review process identified informational deficiencies and supplemental information needs. Sufficiency review of subsequent draft supplemental information began in January 1994 and continued through November 1994, but varied for each document. All source documents were reviewed in parallel with their composition, as opposed to in a serial manner upon their completion. Thus, finalization of a document includes the successful passage of the document through the sufficiency review process.

The length of review time varied with respect to the document received (e.g., document length; complexity of document; criticality of document in providing information), when it was received, and how many people were reviewing the document. Since time logs were not specifically kept with respect to the amount of hours spent reviewing each source document, it is difficult to provide precise time measurements for this request. However, DOE is confident that the multiple reviews instituted for review of these documents (by various contractors and agencies) ensured that quality reports were generated.

Also, please see the response to Comment D-125/12.

1 year and a half review process we have
2 continual review of the information, it's
3 not like the end product is reviewed.
4 Okay. But the quality control checks
5 happen along the way as opposed to the
6 vital product like in your case.

7 WARREN EVANS:

8 Can you give me a specific
9 amount? What was the time that was
10 allowed for these facts at issue? How
11 much time was allowed for their review?

12 BILL LAWSON:

13 Excuse me. This is not getting
14 us to where we need to be which is --- we
15 understand your comment but we are ---.

16 WARREN EVANS:

17 What I'm addressing is the haste
18 in which this was done, was adequate time
19 in your opinion, and I'd like to hear each
20 one of you, in your opinion do you think
21 adequate time was given for peer review of
22 the data, for the toxics at issues?

23 BILL LAWSON:

24 I would say that right now that
25 is an unfair question. If you want to

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D-113/8

Response: Please see the response to Comment D-112/15.

KEYWORDS:

NEPA
Review
Schedule

D-113/17

Response: Please see the response to Comment D-112/15.

KEYWORDS:

NEPA
Quality
Schedule

1 discuss this with us afterwards I think
2 that's fine. If Jan wants to respond I
3 pose no objection, but I don't think
4 that's very realistic question.

5 DR. JAN K. WACHTER:

6 All I know is based on my
7 experience with respect to how much
8 information and peer review and redundancy
9 we do to develop either an Environmental
10 Impact Statement or are we talking about
11 ---?

12 WARREN EVANS:

13 I'm talking about this one.

14 DR. JAN K. WACHTER:

15 This one we have probably
16 generated more environmental information
17 for review and review and review than
18 probably most projects I've ever worked on
19 just because of the public sensitivities.

20 WARREN EVANS:

21 The question was time, it was
22 not the amount.

23 DR. JAN K. WACHTER:

24 We have been doing reviews on
25 this for a year and a half.

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WARREN EVANS:

A year and a half?

DR. JAN K. WACHTER:

Yes.

WARREN EVANS:

so you've reviewed the data, you have reviews, people reviewing this for at least a year, the toxic emission data?

DR. JAN K. WACHTER:

I can't segregate one section because we do it in batches, it's hard to say.

BILL LAWSON:

Right now you don't have an answer to that?

DR. JAN K. WACHTER:

And right now we would not have an answer. Thank you.

BILL LAWSON:

Thank you. Mr. Platts.

TODD PLATTS:

They're not as developed as some of my thoughts, I'm trying to concentrate on specific areas in adequately reviewing Draft EIS. First, it's a question about

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D-115/6

KEYWORDS:
NEPA
Review

Response: DOE believes that the review times allocated for specific types of information were sufficient for the types of information being reviewed. It should be noted that the aggregate amount of manhours used to review information, rather than the duration of time passage required for completion of review, is probably a more accurate indicator of the sufficiency of review.

D-115/25

KEYWORDS:
Comments
NEPA

Response: The public hearing transcripts have been made available to the public in the public reading rooms. These transcripts are presented in their entirety in the FEIS. The specific comments contained in the oral testimony are presented and addressed in the FEIS. Written communications (comments) provided during the comment period (November 25, 1994, through January 31, 1995) are part of the public record and are included in the FEIS along with DOE's responses to specific

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procedure and the comments that are being submitted here today as well as the written comments, once the deadline closes January 31st, am I accurate that we will as members of the public have access to any of the comments that are made, any hearings, as well as all the written comments that are submitted pursuant to the hearings?

DR. SUELLEN VAN OOTEGHEM:

They will all be published in the text of the EIS, along with responses to questions and concerns.

TODD PLATTS:

And that will include the written comments as well?

DR. SUELLEN VAN OOTEGHEM:

Absolutely.

TODD PLATTS:

How about the written comments pursuant to the scoping hearings last year?

DR. SUELLEN VAN OOTEGHEM:

Those are not part of the comment on the EIS itself.

(continued)

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comments contained in the communications. For definition purposes, written comments are those related to the review of the DEIS on the York County Energy Partners, L.P. (YCEP) Cogeneration Facility and provided to DOE during the public hearings or sent, according to pre-established procedure, during the public comment period, to Dr. Suellen Van Ooteghem at the Morgantown Energy Technology Center, DOE, between November 25, 1994, and January 31, 1995. However, to the extent practicable and to the degree that comments would aid in the understanding of relevant issues associated with the proposed project, some written comments submitted before and after the comment period have been included for resolution in the FEIS.

Please also see the response to Comment D-125/15.

D-116/15

KEYWORDS:
Comments
NEPA

Response: All written communication (as defined in the response to Comment D-115/25) has been included in the FEIS. Specific comments have been extracted from all written communication, and these comments have been addressed through DOE responses in the FEIS.

D-116/20

KEYWORDS:
Comments
NEPA

Response: Written comments pertaining to the scoping meetings held in August and October 1993 are not considered to be part of the written communication related to the review of the DEIS. As such, these written comments are not contained in the FEIS. However, written comments and comments made during the scoping meetings for both the West Manchester and the North Codorus sites were the basis for much of the content of the DEIS. If a commenter who believes that the DEIS failed to adequately address a comment provided during the public scoping process communicated this deficiency to DOE during the public hearing period, the comment is contained in the FEIS for resolution.

Please see the response to Comment D-61/14.

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TODD PLATTS:

So if there was submitted comments or submitted writing, there's no freedom of information allowance to get those written comments from the scoping process?

DR. SUELLEN VAN OOTEGHEM:

I don't know how you would really do that right now.

TODD PLATTS:

That was a concern, a constituent brought to me. My understanding was some of the written comments with the scoping process were denied access to as not being available for you and it sounds like that's not accurate.

BILL LAWSON:

Anything that was written in that was submitted to us or that was in any of the scoping procedures was for the record and that is available for you.

DR. SUELLEN VAN OOTEGHEM:

I know of no situation where things were ever asked or ---.

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D-117/2

KEYWORDS:
Comments
NEPA

Response: As far as DOE is aware, all public scoping comments are and have been available to the public. Transcripts of the public scoping meetings were available in the public reading rooms. Written comments received during the public scoping process are part of the public record and would be available (barring inclusion of any proprietary information) to the public. A summarization of comments is contained in DOE's Implementation Plan for the preparation of an EIS for the Proposed York County Energy Partners Circulating Fluidized Bed Cogeneration Project (1994).

D-117/11

KEYWORDS:
Comments
NEPA

Response: Please see the response to Comment D-117/2.

1 TODD PLATTS:

2 That's my understanding from a
3 constituent. I will double-check but that
4 was the information I was given and it
5 might be a misunderstanding. A couple
6 other points that were made earlier is
7 about the energy needs in the EIS sites,
8 Met-Ed's need for electricity, two
9 important points about that in reference
10 to other comments tonight too, that a
11 number of speakers talk about the
12 brownouts last year we had in York County
13 and the need for some areas to be ---
14 brownouts. The House of Representatives
15 Consumer Affairs Committee did extensive
16 review and study of that issue of the
17 brownouts that occurred. And the findings
18 were not --- the recommendation was that
19 we should not build more fossil fuel power
20 generation plants because the problems
21 were that the oil couldn't get to the
22 plants because of frozen rivers with
23 transportation and highways and the coal
24 that was at the plants was frozen solid,
25 it could not be used. And it was

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D-118/17

Response: Please see the response to Comment D-83/5.

KEYWORDS:

Need for power

D-118/25

Response: Demand side management (energy conservation) is an important strategy in estimating the supply of electricity that would be required by utility companies, and is a typical component of most forecasts and plans. Natural gas facilities, depending on the availability of gas and its cost, are also viable options to providing additional electricity. Using coal as a component of the strategy for meeting United States' energy needs is described in Chapter 1 of the EIS.

KEYWORDS:

Energy management

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recommended the demand side management be better implemented but also that we look at other sources of power generation, natural gas being cited specifically. And as we know that certainly would be much cleaner once here. So in reference to those comments, brownouts, the recommendation of the State of Pennsylvania through the House of Representatives is not to build more plants of this nature. And also it is the fact that Met-Ed I don't think from my reading of the Draft EIS, maybe I missed it, but it's clear that this project was not welcomed by Met-Ed. In fact, Met-Ed opposed it and this project by going through the judicial order circumvented Met-Ed's competitive bid process for seeking out power supply. So this was not something welcomed by Met-Ed as fulfilling their power needs but circumvented the competitive process.

A question with the modeling on the air emissions, I'm not certain if I caught where the atmospheric criteria is

(continued)

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D-119/11

KEYWORDS:
Met-Ed

Response: Please see the response to Comment D-83/5. The mechanism by which the agreements were reached between the industrial partner and Metropolitan-Edison Company (Met-Ed) is beyond the purview of analysis in the EIS. An order was issued by the Pennsylvania Public Utility Commission (PUC) which made the proposed project feasible for the Industrial Participant. It should be noted that the Pennsylvania PUC has a mandate to protect the interests of consumers with respect to issues such as electric utility rates and the need for additional resources. Issues of public convenience and necessity, such as the competitiveness of the entire process or whether the facility is appropriate for Met-Ed customers, are subject to the Pennsylvania PUC's jurisdiction.

D-119/23

KEYWORDS:
Air modeling

Response: Please see the response to Comment D-155/11. Also, please see a discussion of modeling in Section 4.1.2.6 of the FEIS.

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being used, what site is it being used, is that the Harrisburg location for the base criteria in this ---?

And actually my question would be, where is it for the record and I recommend that it be specifically in Spring Grove in North Codorus Township so that the atmospheric criteria used for any modeling is truly the immediate area and the greater North Codorus Township area that's going to be affected by this plant. I remembered at the West Manchester site that there was some discussion about being either at the Harrisburg International Airport or even at the West Manchester site, both of which are not the site plant. And if it's not being used that --- consideration being given to make that change. The alternative technologies that are comparing under the no action alternatives, the use of a gas firing combined cycle facility or a twin boiler coal fire facility, both of them reject the possibility of steam, an industrial steam being a benefit of those facilities

(continued)

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D-120/19

KEYWORDS:

Alternatives analysis

Response: The no-action alternative in the EIS explores the most reasonably foreseeable courses of action that would occur if the proposed action is not undertaken. DOE has examined what has been judged to be the most probable actions that would result in the event of a decision not to co-fund the proposed project, as is noted in Section 2.2.4, "No-Action Alternative," of the EIS.

DOE has no knowledge of any plans to develop a gas-fired cogeneration facility and, therefore, has based the no-action alternative on the facilities which were previously and recently considered by the Metropolitan Edison Company (Met-Ed), which did not include cogeneration.

Please see the responses to Comments D-205/1 and D-205/17.

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and perhaps net reductions from an diesel plant such as is being proposed here with Glatfelter getting steam. We have evidence throughout the State, Air Products themselves, supply steam at other cogen facilities, produce electricity and supply steam to an industrial recipient or a commercial recipient which may afford reductions in that recipients air emissions, that's not given consideration in those alternative comparisons and I think it should be to have a true comparison of those emissions.

The alternative site references West Manchester Township, I find it amazing that we've taken an alternative site then to be located there, we'd have to violate the local ordinance for stack height. That's not even a legal siting as our laws existed in West Manchester Township, that's probably --- you're using it maybe more as a general locality. But I found it funny that the site you chose is one that does not currently under their existing ordinances allow this type of

(continued)

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D-121/14

KEYWORDS:

Alternative site
Ordinances

Response: The West Manchester Site was selected as a comparable alternative in this analysis for various reasons: (1) it was the initial location selected by the Industrial Participant in York County for the proposed project; (2) a significant amount of site-specific environmental information had been recently gathered for this site, including a realistic assessment of potential impacts expected to result from a similar facility; and (3) the site was in close proximity to the currently proposed site, and presented a similar "affected environment," from which comparisons of impacts could be made. The baseline existing resource and socioeconomic conditions such as ambient air quality, geology and soils, climate and topography, transportation and infrastructure, land uses, cultural resources, and population/economic conditions were very similar for both sites.

The township ordinance controlling the height of new facilities (such as stack height) does not invalidate the inclusion of this alternative for analysis or the projection of potential environmental impacts that could occur if a facility of this nature were to be sited there. In preparation of environmental impact statements, it is usual and customary to evaluate a proposed project's potential environmental impacts prior to acquisition of necessary permits and regulatory agency/authority approvals.

In the case of the West Manchester Township site, York County Energy Partners, L.P. (YCEP) was pursuing the possibility of obtaining a zoning variance from the West Manchester Township Board of Supervisors for stack height, a legal and not entirely uncommon practice for businesses to pursue. Simultaneously, YCEP was in the process of completing the environmental information assessment for the project. This is not to say the West Manchester Township Board of Supervisors would have ultimately granted YCEP a variance, but neither does it invalidate the site as a viable alternative.

For these reasons, the West Manchester Site remained a viable alternative for comparison purposes in the EIS, and presented the reviewing agencies and public a more comprehensive picture of potential alternatives to the proposed action.

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facility to be built.

The final point would be concerning the electric corridor for the transmission lines. I know the Army Corp of Engineers is involved in this and I appreciate their reference in carefully reviewing the different alternatives. In the Draft EIS, the language is repeatedly used preferred corridor, not the best corridor but the preferred corridor and I think the weight should be given to what is the best environmental corridor given all the different aspects and not necessarily what's the cheapest because when I read some of the Draft EIS, some of the alternatives, and one of the letters that was referenced by Dr. Richard Clark, the Game Commission analysis of the initial corridor of recommendations is another alternative, The Meco corridor was the recommended one and that's dismissed in the Draft EIS because of some possible location to properties and residences. And that may be accurate but the Draft EIS doesn't address whether those residents

(continued)

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D-122/2

KEYWORDS:Land use
Routes
Utility corridor

Response: Various routes were analyzed by the Industrial Participant for location of the electrical interconnection. These are outlined in Chapter 2 of the EIS. A comparison of these routes for criteria such as siting guidelines, affected vegetation, visual impacts, and construction access road impacts is also contained in Chapter 2. DOE reviewed these routing options, visited these sites, and reached the conclusion that the Flood Control Property (FCP) route (the route that was the most extensively analyzed in the EIS) was the preferred corridor.

This preference was based primarily on the following four major considerations: (1) achieve Metropolitan-Edison Company's (Met-Ed's) siting guidelines for new electric transmission lines, (2) satisfy land use objectives, (3) minimize environmental impacts, and (4) provide accessibility for construction and maintenance. The construction "cost" of the corridor alternatives was not a criterion in DOE's analysis. The Pennsylvania Game Commission initially questioned the choice of the FCP route as the preferred alternative from an environmental point of view. Following initial consultations, Game Commission personnel inspected each of the alternative alignments in the field and completed their own evaluation of potential impacts. A meeting among DOE, York County Energy Partners, L.P. (YCEP), and the Game Commission was held in January 1995 to discuss the findings of the Commission's field evaluation. The Game Commission's issues were largely resolved through their own site evaluation. Also, the "Section 4f" evaluations originally thought to be required were determined to be unnecessary, because the electrical interconnection does not involve actions regulated by this section of the U.S. Department of Transportation Act of 1966 (amended in 1968). Acknowledgement of this condition is made in recent correspondence from the Game Commission.

With respect to the potential "Rails to Trails" recreation trail that is proposed for this section of York County, the FCP route (preferred route) parallels the proposed trail alignment for approximately 0.8 km (0.5 mile). This is the minimum distance (0.8 km) of parallel alignment of any corridor alternative terminating at the Bair Substation. The Maryland and Pennsylvania Railroad (MPR) route and the other three variations of the FCP route also approximate this same distance and impact. The Met-Ed Trolley Line (MECO) corridor alternative would provide the greatest distance of parallel alignment and potential impact, due to its location paralleling the trolley line route for approximately 4 km (2.5 miles). The Western Maryland Railroad (WMR) corridor alternative would produce the least impact on the proposed Rail/Trail, because this utility corridor route terminates at the Jackson Substation, and it only parallels the old trolley route for less than 0.8 km (0.5 mile). The "Section 4f" evaluations referred to with respect to Army Corps of Engineers lands leased to the Game and Fish Commission, also are not applicable for the proposed trail route.

1 would be interested in selling,
2 relocating, so that those corridors were
3 viable and less harming to the
4 environment. And I think that the Game
5 Commission letter and analysis points out,
6 Dr. Clark referenced that the Section 4F,
7 I believe since this land is classified
8 that way, recreational use as well as I
9 would imagine the trolley line will be if
10 there's a bike trail planned for it, only
11 if there is no other reasonable or
12 feasible alternative route should it be
13 used. And I think great weight should be
14 given to that in the Draft EIS that there
15 are other feasible routes, it may cost
16 more money than proponents but that
17 doesn't mean they're not feasible. And
18 the Draft EIS doesn't seem to give strong
19 weight to that as I gather from my
20 interaction with the Game Commission and
21 other officials. That's all I have for
22 now. I again appreciate the chance to add
23 some comments.

24 BILL LAWSON:

25 Yes.

(continued)

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Each route evaluated in the EIS was determined to be feasible. However, based on the preferential siting criteria, the preferred alternative remains the best choice. This recommendation is further strengthened by the independent, on-the-ground site review completed by the Pennsylvania Game Commission. In addition, this was the best route to meet Met-Ed's siting guidelines, which is necessary for a utility route to be considered feasible. Displacement of residences and/or interference with current land uses due to acquisition of easements could be viewed or resolved in economic terms; however, both the DOE and YCEP viewed this as a substantial negative impact to local residents, and unnecessarily disruptive. In the final analysis, the DOE determined that the FCP route was the preferred route, based in large part on environmental considerations such as minimal disruption to local residents, minimizing loss of wildlife habitat, concerns about potential EMF effects, visual impacts, and effect of corridor placement on (the function of) restricted units being very important criteria in reaching the decision.

Information in Chapter 2 of the DEIS centered around the number of residences, easement requirements, and visual considerations. This information has been expanded to provide more detail on environmental topics, such as the amount of influence each alternative route imposes on the Rail/Trail bike route. In addition, the potential effects of the proposed electrical interconnection on the use of the bike trail are also included in Chapter 4 of the FEIS.

The effects of use of Game Commission recreational lands have been analyzed in the EIS. There is some loss of habitat related to the placement of the electrical interconnection across lands leased by the Game Commission from the Army Corps of Engineers. Mitigation of this loss of habitat would be required and is noted in Section 4.1.14.5 of the FEIS.

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DR. SUELLEN VAN OOTEGHEM:

Sir, could I ask you who testified ---?

TODD PLATTS:

It's the rail trail in York County, probably Tim Fulton --- well, I think probably through the County Commissioners, they can supply exactly who might be a good contact for that. But the gentleman, Tim Fulton is, I think one of the leading organizers of that effort. And my understanding it is planned, the further stages are along that route that you're looking at using for the utility corridor.

BILL LAWSON:

Thank you, Mr. Platts.

TODD PLATTS:

Thank you.

BILL LAWSON:

Are there any other speakers?

Yes, sir?

RICHARD DABB:

I have a question. I'm Richard Dabb, a physician in the community. The

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1 question I have is if I speak now can I
2 still give a prepared speech on Friday?

3 BILL LAWSON:

4 Yes, sir.

5 RICHARD DABB:

6 I'd like to speak as a physician
7 and as a member of the community, not as
8 my position necessarily as president of
9 the County Medical Society, I reviewed the
10 statement and we've honestly tried to
11 review and look at this ever since it
12 entered West Manchester Township. I think
13 one of the comments that was made earlier
14 that you did not adequately respond to,
15 which was the nature in which this
16 research was carried out, it not only was
17 carried out and was reviewed. It's very
18 inherent in this discussion and it's been
19 very inherent in the discussion of this
20 committee from day one that we organized
21 over a year and a half ago, and that was
22 the scientific nature and merit of the
23 studies and the way they would be applied
24 to this community.

25 If I can go back to when many of

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D-125/12

KEYWORDS:

NEPA
Quality

Response: Information was both reviewed and specifically generated for development of the EIS. The industrial partner developed much of the specific information through the use of contractors. In most cases, the statements or scope of work for these actions were developed in response to DOE request, input, or commentary.

There are many layers of review of this information: the Industrial Participant, the Morgantown Energy Technology Center (a field office of DOE) and EG&G, Inc. (its site support contractor), the Army Corps of Engineers and its contractor, Dynamac Corporation (who have oversight and review responsibilities for the development of the EIS) and DOE, Headquarters, Washington, DC (whose review team includes three different offices). In addition, much of the information that has been generated for use in the EIS has dual use for regulatory purposes. Regulatory agencies also review (much of the same) information for sufficiency and accuracy. In particular, PADER as a regulatory agency has reviewed much of the information that has been used as source material in the EIS's section on air quality.

The development of an EIS tends to have similarities, yet distinct differences, from the writing of peer-reviewed journal articles. The main generic difference between the two processes is that the development of an EIS relies primarily on information gathering and analysis skills, while scientific articles typically rely on information synthesis and comparison with existing precepts. The quality assurance and control needs for these two processes could be different.

Chapter 11 of the EIS contains the list of preparers as well as their qualifications. This list indicates the years of diverse expertise that have been used for preparation of the EIS.

1 my patients who were sitting in this room
2 were acting somewhat hysterical, shall I
3 say, at the meeting at West Manchester.
4 And we offered our services to try to give
5 some objective data or in some objective
6 look at this work, in terms of what we
7 thought the health impact might be. I
8 remember being presented with a very, I
9 apologize, flashy study with the computer
10 generated slides, which in my mind as a
11 physician and specialist and previously
12 physical chemist. I sought no academic
13 credibility. And then a year later, well,
14 this study wasn't completed and then we'll
15 give further data. And then we got
16 another study to review. I must admit
17 spending approximately two to four hours
18 per night, one night a week reviewing this
19 with a group of eight other specialists, I
20 do believe we had better things to do for
21 this community than to continue to review
22 this different type of data. But I do
23 have concerns in the true ability of our
24 governmental agencies and the sincerity on
25 the scientific merit basis of how this

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D-126/22

Response: See the response to Comment D-125/12.

KEYWORDS:

NEPA
Quality
Review

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data was generated and how it was actually reviewed and indeed data that would be generated by a primary sponsor of such a product and the primary authors of such data be working for these groups can have the same kind of scientific merit that we would want to make a truly objective data. I pledged myself a year and a half ago to try to be objective and the more I got into this the less objective I personally found myself being because I felt that, at least as a physician and a specialist with an interest in cancer, with an interest in congenital anomalies that quite honestly we were talking about the --- we made a statement previously these type of hearings that, you know, I'm representing the committee and I'm not speaking in those terms just for myself, I'm representing the committee who represented 600 physicians in the community and that committee who had represented 600 physicians of at least each time we presented --- had presented to us had not been convinced by any statement or the

(continued)

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structure of these reports, which I do believe it is the onus of this project to do to prove to us that this would not have a negative impact on our community's health.

I've seen the report, I've seen the statements so far and I still do not believe that this organization has shown us that they're not going to further impact on what we believe to be an environmentally impaired community. I went to a meeting with Dr. Archer (phonetic) and Dr. Archer suggested to me that we write the Secretary of the Department of Health and Dr. Noonan. And I wrote him our concerns. Quite honestly, it was rather disconcerting to me that within four days of when I wrote the letter I had a four-page letter back. In my wildest imagination I couldn't generate that letter in that speed and I don't believe that a serious committee could have unless the answers were already written. And the thing that was interesting to me is the data was still

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D-128/1

KEYWORDS:
Health effects

Response: Information contained in Chapter 4 of the EIS, specifically Section 4.1.2.11 - Health Risk Assessments, indicates that the proposed project should not have a negative impact on human health. In addition, articles received from York County's medical societies have been incorporated and analyzed in this revised section. The expanded, revised Section 4.1.2.11 in the FEIS provides additional clarifying information to help ensure a better understanding of the findings presented in this section.

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coming in.

So I really have concerns about the credibility of this. I don't have a clear scientific opinion. But I also don't believe that we're looking focally at this particular community. We're looking at does this fulfill the EPA requirements and we clearly know what Harvard Six studies and other studies that the EPA requirements in many areas may not be a protection to the health of the community. They show --- that study showed that multiple cities in this country, that cities that function at 60 percent of EPA standards where it required pollution levels people were dying at a higher rate than they should.

We know as practicing physicians hands-on in this community that we have many asthmatic children, extremely recalcitrant compared to other centers. We've had Professor Meritus of Child's Health (phonetic) and specialist from Pediatric Allergy tell us the only truly recalcitrant asthmatics that he had in his

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D-129/2

Response: Please see the response to Comment D-125/12.

KEYWORDS:

NEPA
Quality

D-129/6

KEYWORDS:

EPA standards
Health effects

Response: DOE has reviewed the health effects and/or epidemiological literature supplied through the York County Osteopathic Medical Society, the York County Medical Society, and the EPA (Region 3), including the Harvard Six City study. This information generally indicates that there is a positive relationship between increases in air pollution levels and increases in mortality levels. In particular, this association was found to be more prevalent and/or statistically robust for total suspended particulates and/or particulate matter (PM₁₀), rather than other pollutants such as sulfur dioxide (SO₂). In addition, there seems to be enough information to indicate that the effects of particulates tend to be acute in nature.

Chapter 4.1.2.11, Health Risk Assessments, has been rewritten to reflect the summarization of these articles and the effect of the information on the health effects analysis. Two tables have been incorporated into this section which reflect the new information (Tables 4.1-17 and Table 4.1-18). The most pertinent information criteria from these articles for application to assessing population risk to the proposed Cogeneration Facility were: dose-response curves (concentration of pollutant versus observed effect) and threshold pollutant concentrations in the ambient environment (the lowest concentration for which an effect was observed).

Even with this new information, the contribution of the highest modeled 24-hr particulate matter (PM₁₀) concentration (above background levels) due solely to the proposed project would be ~1 µg/m³, which is ~0.7 percent of the 24-hour National Ambient Air Quality Standard. The effect of this increment on mortality would probably not be easily measurable or discernible based on the concentration levels referenced in the epidemiological studies provided to DOE for review. The highest cumulative ground level concentration of particulate matter (proposed project + background) would be approximately 60 percent of the 24-hour standard. It should be noted that these analyses did not incorporate the reduction in particle loadings attributed to the curtailment of P. H. Glatfelter Company's Power Boiler No. 4 (based on analysis of permitted levels), since there should theoretically be a net improvement in air quality due to particle removal from the York air basin.

D-129/18

KEYWORDS:

Children
Health effects

Response: DOE has reviewed all relevant health data submitted to it. While comments such as this one suggest a reason for concern, the Department can find no health data on which to base a conclusion that the population in York County is at a higher risk of respiratory problems than either the state or national populations at large.

1 practice came down the road from York.
2 Why? We have a dirty community. We have
3 an industrially dirty community. I've
4 been accused of being anti-business, I'm
5 very pro-business. We don't work either
6 if the business in York isn't viable. We
7 don't work either. We don't collect fees
8 either if the pipefitters aren't working.
9 But I think we have to look at the long
10 term impact, 45 percent of our communities
11 are agricultural and we don't even have a
12 clear statement or understanding of what
13 the heavy metal deposition in this region
14 and a very heavily agricultural dairy
15 farming region is going to do the food
16 chain in this area because as we know this
17 is experimental in terms of the magnitude
18 of this project. I'm still very
19 uncomfortable as an individual. And you
20 have known --- and someone who's looked at
21 this very seriously have an improvement to
22 make.

23 I sat two days ago and told one
24 of my best friend's who is --- became my
25 friend as a major burn patient 12 years

(continued)

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In its Breath in Danger II report, the American Lung Association (ALA) identified populations which are at higher risk of lung disease because these populations live in areas which are in nonattainment of National Ambient Air Quality Standards (NAAQS) for at least one of the six criteria pollutants. Populations deemed "at-risk" by the ALA include pre-adolescent children, the elderly (age 65 or older), pediatric asthmatics, adult asthmatics, and those suffering from Chronic Obstructive Pulmonary Disease (COPD). With respect to York County, these respective populations (as reported by the ALA) are:

pre-adolescents:	64,755
the elderly:	44,443
pediatric asthmatics:	4,738
adult asthmatics:	9,338
COPD:	19,381.

The data provided by the ALA indicated that 66 percent of the U.S. population is "at-risk". York County is in a nonattainment area for only one criteria pollutant (ozone) and nonattainment is only marginal. Thus, it does not appear that the York County population would be at greater risk than other populations cited in the ALA report.

This information has been added to Section 3.1.6.1 of the FEIS.

D-130/9

KEYWORDS:

Agriculture
Heavy metals

Response: The Human Health Risk Assessment (*Environ, 1994b*) conducted for the proposed project estimated the concentrations of heavy metals and other potentially hazardous substances that would be expected to occur in agricultural products (vegetables, milk, beef) as a result of the proposed Cogeneration Facility. The effects of these concentrations in agricultural products on human health are summarized in Tables 4.1-20, 4.1-21, and 4.1-23 in the EIS.

The uptake of metals in vegetables considered uptake through both leaves and roots based on the atmospheric deposition of metals at the point of maximum modeled air concentrations. The estimated mercury concentration in leafy vegetables resulting from the proposed facility would be 8.3×10^{-4} micrograms per gram. This is less than 1 part per billion. The maximum concentration of lead in leafy vegetables would be expected to be 9.5×10^{-6} micrograms per gram. This is approximately 10 parts per trillion. Concentrations of other heavy metals were also assessed in a similar manner.

1 ago, working on a project like this, he
2 was going to die of malignant melanoma, an
3 environmental caused skin cancer. One in
4 80 Americans by the year 2000 are going to
5 succumb to malignant melanoma, one in 80
6 of skin cancer. If they move to Patogonia
7 where we've lost the ozone layer, and she
8 would have cataracts, all five year olds
9 have to wear sunglasses to avoid getting
10 cataracts. Incidents of skin cancer is
11 probably, I don't know what the exact
12 number is, but it's so common it's
13 staggering. I don't understand our lack
14 of perception.

15 The very first meeting in West
16 Manchester Township I asked the panel
17 whether they read a book by Leonard Slane
18 (phonetic), co-art in physics. I don't
19 know if you remember that or not, you
20 probably don't. Leonard Slane is a very
21 interesting man, he's a general surgeon
22 and he's an artist and also has an avid
23 interest in physics. And he wrote a
24 fascinating book which documented clearly
25 that two to three years prior to every

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The expected concentration of heavy metals in beef and milk were estimated using biotransfer factors recommended by the EPA in their guidance documents. The expected concentrations of heavy metals in beef and milk which would be expected to result from the proposed project were included in the Human Health Risk Assessment. The maximum expected mercury concentration in beef resulting from the proposed project would be expected to be 6.5×10^{-2} milligrams per kilogram. This is less than 10 parts in 100 million. The maximum mercury concentration in milk resulting from the proposed project would be expected to be 1.5×10^{-4} milligrams per kilogram. This is less than 1 part per billion. Expected concentrations of lead in beef and milk resulting from the proposed project would be 6.2×10^{-6} milligrams per kilogram and 6.5×10^{-6} milligrams per kilogram, respectively. Both of these concentrations are less than 10 parts per trillion.

1 great scientific discovery, an artist
2 expressed that in his painting or work of
3 art or sculpture. If you look at cubism
4 theory with Christ on the crucifix, cubism
5 is a perfect description of the fourth
6 power, mathematically, it was done two
7 years before it was described
8 mathematically. You can go through
9 multiple things. But the point I want to
10 make is, in this community the physicians
11 are the artists in terms of taking care of
12 people. We still care about our people
13 here. We still care about the population
14 here. We're not --- maybe it's hung up in
15 numbers that is assigned us like from an
16 IH. But we do have a pulse in our
17 community, we are very worried about our
18 community. And I think quite honestly we
19 know better than do numbers and I think we
20 know better than Dr. Noonan in Harrisburg.
21 And I don't think the numbers speak what's
22 going on here. And you haven't proven to
23 me that this isn't going to make matters
24 worse. And we will hopefully, the medical
25 society will give a formal statement, this

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D-132/21

KEYWORDS:

NEPA
Quality

Response: The EIS was based on numerous source reports with very specific information contained in each report. DOE attempted to utilize quantitative analyses whenever possible to describe a situation or impact. If the numbers provided did not describe the situation or impact accurately to the commenter, then specific comments are required to reanalyze the specific numbers in question.

Depending on the specific topic, there are both positive and negative aspects associated with the proposed Cogeneration Facility. It is not expected nor has it been portrayed that the proposed facility would make matters entirely better or worse.

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is a personal statement, it's not from the medical society.

But I think those physicians in this community and I think the majority of the 600 physicians in this community are concerned, some of them have expressed they don't feel like any other group. But we have a committee of specialists, gastroenterologists, pulmonary specialists, communicating crew, the American Lung Association, looking at our own numbers, looking at our own patient populations. All I know is everyone on that committee is scared to death of what this may do and we don't accept it.

What I wish you were doing up here is coming in and picking apart this community and cleaning it up rather than making it dirty. I think that's your responsibility as our representatives and government.

And what makes this so desirable and so potent that we can really advance economically on an industrial base that's realistic where our kids may still be able

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D-133/8

Response: Please see the response to Comment D-85/23.

KEYWORDS:
Health effects

1 to live here, I truly predict that they'll
2 be multiple families with asthmatic
3 children that will leave town, who'll need
4 to. I truly believe, again, this is a
5 personal opinion and I believe here too, I
6 truly believe that the streets --- like I
7 have one patient on where 37 percent of
8 the population has soft tissue cancers
9 will increase. The EPA's response to one
10 woman on that street, by the way, when I
11 asked her to call and see what the status
12 of her groundwater was, yes, we have heavy
13 metals in water, but don't worry dear, if
14 you've lived here 20 years, more than 20
15 years it doesn't matter and they've all
16 lived there more than 25 years. Most of
17 that street is down from the present
18 incinerator.

19 So I think you can do an awful
20 lot with the data, awful lot with how many
21 hundred pages we have here. And we've
22 looked at it, we've reviewed it, I've
23 reviewed it and you haven't convinced us.
24 And I also think the existing problems we
25 have, like the persistent dioxin warning

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D-134/24

Response: Please see the response to Comment D-266/9.

KEYWORDS:

Dioxin

Water quality

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on Cordorus Creek, is unacceptable. How can you possibly bring an additional structure in until we resolve the existing problems that are here? Resolve those and then we might listen to alternatives but I don't see any of this resolving that problem. So I just --- and from what we've understood it would make it worse. There are things that have been blatantly ignored. What I felt was good, employees that worked for them, a lot of them are my patients and they're great people and they worked hard and the company does very well by them. And I think they have a sincere concern, but I do not believe in this particular issue it's realistic for the community as a whole.

BILL LAWSON:

Thank you, Dr. Dabb. Is there anyone else that wishes to speak? Yes, sir?

DICK CLARK:

Again, my name is Dick Clark and I would like to follow up and I appreciate the opportunity to follow up on some

(continued)

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1 things. In the EIS there is a reference
2 made an independent study that the DOE did
3 on the need for electricity and I would
4 like to ask for a copy of that. With
5 regard to following up on the Draft EIS I
6 would reiterate what Representative Platts
7 has mentioned relative to the
8 consideration, adequate consideration of
9 alternate corridors for the transmission
10 lines.

11 With regard to feasibility of
12 using the waste water as a coolant, have
13 there been --- has this been done before
14 or is this something new? That was a
15 question. With regard to the use of the
16 waste water for the coolant process.

17 DR. SUELLEN VAN OOTEGHEM:

18 What we will do is we will
19 respond to the questions rather than just
20 extemporaneously giving you a response and
21 then ---.

22 DICK CLARK:

23 So you put it in the record and
24 then I'll get a response later.

25 DR. SUELLEN VAN OOTEGHEM:

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D-136/1

Response: The results of this independent analysis by DOE are included in Appendix K of the FEIS. This analysis has also been provided directly to the commenter.

KEYWORDS:

Need for power

D-136/4

Response: Please see the response to Comment D-122/2.

KEYWORDS:

Routes

Utility corridor

D-136/11

Response: At least one other facility, the Cedar Bay Cogeneration Plant, is known to use wastewater effluent from a paper mill for its cooling tower make-up. Furthermore, as described in the Wastewater Reuse Feasibility Study, York County Energy Partners, L.P. (YCEP) conducted a pilot plant study and laboratory studies to assess the suitability of P. H. Glatfelter Company's secondary effluent as recirculation water in the cooling tower and to determine if additional treatment would be needed before reusing the wastewater. A technical analysis was also conducted to determine the expected impacts of wastewater reuse to in-stream water quality of Codorus Creek. Please also see Section 4.1.4.2.5. of the EIS.

KEYWORDS:

Cooling tower

Wastewater

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If you would we'd appreciate it.

DICK CLARK:

Okay. Thank you. With regard to something that was omitted in the consideration of the Draft EIS, absolutely nothing was said about the independent task force report that was produced by the York for the York Area Chamber of Commerce. This is known commonly as the Out of Labor Court, IOSUE, and I feel that that needs to be addressed in the final statement. Comment was made earlier about the two for one trade-offs in terms of auto emissions and that was called for in the IOSUE report that that report was totally admitted from the Draft EIS.

With regard to the economics of the electricity would like to see that addressed, I think it's most appropriate under the socioeconomic aspects.

Being more specific addressing the question of whether if this proposed project is built, whether the Met-Ed rate payers are apt to get as good a deal from this plan which Representative Platts

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D-137/3

KEYWORDS:
Iosue Report

Response: The "Recommendation Made to the York Area Chamber of Commerce on the Construction of a Cogeneration Plant by Air Products by the Independent Task Force to Study the Proposal," commonly known as the Iosue Report after the name of its principal author, is not a binding document to which DOE, York County Energy Partners, L.P. (YCEP) (Air Products), or any other organization, governmental agency, or corporation must adhere. It is a recommendation to the York Area Chamber of Commerce on the terms by which the Chamber should support construction of the proposed facility. The Iosue Report focuses on extra-governmental "environmental tariff[s], a set of conditions that must be met by Air Products..." for Chamber approval. While these environmental tariffs are well-intentioned, and if enforced, may produce "a discernable improvement in the area's environment," as the task force hopes, DOE cannot make adoption of these tariffs a condition of funding the proposed project (unless it is decided by DOE that an adverse impact requires mitigation of the kind presented in this report). That the Iosue Report's recommendations admittedly exceed "governmental standards [that] are the ... minimum threshold conditions," is precisely why DOE cannot enforce these tariffs. On the other hand, DOE has accepted the report as public testimony as part of the scoping process. Thus, while specific recommendations cannot be adopted, the issues (e.g., water quality, air quality) raised by the Iosue Report were incorporated into the Implementation Plan for the EIS. Therefore, while the Iosue Report is not specifically referenced by name, the concerns of the task force as conveyed by the report have been addressed in the EIS.

It should be noted, however, that in the December 1994 issue of News & Views, the York Area Chamber of Commerce stated:

"A large number majority of the Chamber's members support the project and the Chamber believes the planned construction of the \$380 million facility complies with the findings of an independent task force appointed by the Chamber in 1992."

D-137/17

KEYWORDS:
Electric utility rates
Energy economics

Response: Section 4.1.12.3 on utilities (under Public Services) in the FEIS has been modified to describe, in general terms, the expected effect of the proposed project on the economics of electricity or electric rates. The principal reason the discussion must be general in nature is that it is extremely difficult, if not impossible, to accurately predict the future effect of a proposed project on local electric utility rates in any specific area. Rapidly changing externalities, such as future energy market supply and demand conditions throughout the grid, prices of various fuels, inexpensive hydropower from Canada entering the northeastern United States, and the like, could all have an influence, and would be needed for a definitive analysis of future electric rates. An attempt to make such predictions would be outside the scope of this EIS. The Pennsylvania Public Utility Commission (PUC) has jurisdiction to ensure that Met-Ed's residential electric utility rates are in the public interest. DOE has reviewed the PUC's decision in which the York project was approved, and the Department finds that decision to be reasonable.

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mentioned earlier totally circumvented a competitive procurement, program that was before the PUC, or could they do better by both purchasing it, say, in the open market.

Dr. Van Ooteghem might remember in a letter that you had addressed relative to a sufficiency review of the EIV for West Manchester, you had indicated that with regard to the weather being collected --- weather data was being used from a remote facility relative to the West Manchester and we have the same thing, you had indicated that there probably was not adequate, would like to see a comparison made between the, perhaps only a couple of weeks of the weather exists at the proposed site as compared to Harrisburg or Dulles Airport, there is other places where the weather data has been taken. Thank you very much.

BILL LAWSON:

Thank you. Is there anyone else that would like to make a comment? Is there anyone else before I give Mr. Klunk

(continued)

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D-137/21

KEYWORDS:

Energy economics
MET-ED

Response: Please see the responses to Comments D-137/17, D-119/11, and D-83/5. The Pennsylvania Public Utility Commission, which approved the power purchase agreement for the proposed project, has the mandate to look out for the consumers' interest with respect to electric utility rates.

Questions relative to the competitiveness of the power purchase agreement process are not part of the National Environmental Policy Act (NEPA) process. DOE notes the wholesale price for electricity has gone down since the York County Energy Partners, L.P. (YCEP) contract was signed.

D-138/6

KEYWORDS:

Air modeling
Meteorological data

Response: As discussed in responses to Comments D-62/8, D-154/17, and D-155/11, the upper air and ground-level meteorological data used for modeling were determined to be appropriate.

1 his third time? Mr. Klunk?

2 MR. KLUNK:

3 Thanks very much for letting me
4 get up here again.

5 BILL LAWSON:

6 Yes, sir.

7 MR. KLUNK:

8 YCEPs extensive site search
9 lasting more than one --- I want to have
10 this in the record, lasting more than one
11 and a half years began in early 1990, it
12 is described in the Draft EIS as resulting
13 from a Met-Ed power generation
14 solicitation. During that time period the
15 City of Tallahassee was to be the
16 recipient of the cooperative agreement.
17 Was Air Products and Chemicals searching
18 for a site to build a cogeneration
19 facility without any Federal monies being
20 involved? May we assume then, that Brad
21 Hahn of YCEP was correct when he stated
22 this project would go forward without the
23 \$75 million?

24 Our group has asked during the
25 scoping period and once again when

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D-139/17

Response: Please see the responses to Comments W-MK-12/21d and D-42/17.

KEYWORDS:

Alternative site
Government funds

Based on conversations between DOE and York County Energy Partners, L.P. (YCEP), the proposed circulating fluidized bed (CFB) cogeneration project at the North Codorus site would not proceed without the \$75 million from DOE. Air Products can pursue in the future other cogeneration options without DOE involvement. However, due to diminished economic incentives (to offset technological risk), the project is not expected to proceed with the proposed technology at the proposed site with the existing industrial partner without the \$75 million of DOE funds.

D-139/24

KEYWORDS:

Coal mining
Coal washing
Transportation

Response: Generally speaking, the impacts resulting from the use of "commodity"-type resources are not included in an EIS as a connected action, if the proposed project would not have an appreciable effect on the operation of an industry in general (e.g., coal mining) or on the specific and/or exclusive operation of a known operator included in that industry (e.g., a specific coal mine). According to 40 CFR 1508.25, actions are connected if they: 1) automatically trigger other actions which may require environmental impact statements; 2) cannot or will not proceed unless other actions are taken previously or simultaneously, and 3) are interdependent parts of a larger action and depend on the larger action for their justification. Using this definition, the effects of coal mining would not be deemed a connected action due largely to the lack of dependence on the "larger action" for their justification.

For the proposed project, it is anticipated that actual coal consumption would be roughly 800,000 tons/year. This represents approximately 6 percent of the 13 million tons/year of coal currently mined from CONSOL's Bailey/Enlow mines (which comprise the largest mining operation in Pennsylvania) and 0.08 percent of the 1 billion tons/year of coal mined domestically. It should be noted that with respect to the Bailey/Enlow mine, there are a number of existing coal customers which purchase far more coal from the mine than would York County Energy Partners, L.P. (YCEP). Additionally, it is probable that some portion of the YCEP coal requirement would be procured from a secondary source, reducing YCEP demand from the Bailey/Enlow operation to less than 800,000 tons/year. Thus, the Bailey/Enlow mine would not depend on the proposed project to justify its existence.

On an industry basis, roughly 474 billion tons are currently recognized as the "U.S. Demonstrated Coal Reserve Base." Of this, 265 billion tons are considered "recoverable." It is important to note that all of the coal consumed by the YCEP facility in its 25-year life would represent only 0.0075 percent of current recoverable U.S. reserves. Thus, the proposed project would not have an appreciable effect on the industry as a whole.

Nonetheless, the commenter indicated correctly that the DEIS inconsistently treated the effects of mining operations which have been deemed as being non-connected. For this reason, the information related to the 424 jobs being created due to mining operations (Section 4.1.12) has been removed.

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commenting on the implementation plan that pollution resulting from mining and washing transportation of nearly one million tons of coal per year from the 25 years be included in the EIS. If DOE can cite the studies stating that, quote, an indirect, positive impact for this project would be realized in the coal production industry as a result of 424 jobs being provided annually throughout the 25 year length span of the project. Then we certainly estimate the resources committed to the transportation of the coal, limestone and ash by-product and the constant pollution of these activities, including the mining and the cleaning of the coal. It is interesting to note that in a letter from Heather Harvey of the Allegheny National Forest to DOE which was included in the agency coordination section of the Draft EIS, she expresses a similar desire. She states, quote, there needs to be an acknowledgment in the analysis that the real environmental impacts of the project are in the area

(continued)

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D-140/17

Response: Please see the response to Comment D/139-24.

KEYWORDS:
Coal mining

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that's producing the 2,400 tons of coal per day needed to power the project, end quote.

A phase one archeological investigation is currently underway for the electrical interconnection, the Draft EIS, EIS states, quote, the phase one results of the investigation are expected to be submitted to the State of Pennsylvania Bureau of Historical Preservation in the fourth quarter of 1995, wouldn't this be too late? I'm not expecting this for response now, this is just to go in the record.

It is unfair to use the West Manchester site as an alternative site. Again, it seems this project is being fast tracked with the local community being a loser. For purposes of the EIV, the West Manchester and the North Cordorus sites were lumped together as one project. DOE allowed this most likely to save time, cite the specific meteorological studies were not required at the North Cordorus site. The data collected at West

(continued)

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D-141/4

KEYWORDS:

Archaeology
Utility corridor

Response: The Phase I archaeological investigation report for the preferred electrical interconnection has been reviewed by the Pennsylvania Bureau for Historic Preservation. The Bureau determined that the report met their standards and no further archaeological testing is necessary in the project area (letter from B. Barrett to S. Van Ooteghem, dated April 14, 1995, which is contained in Appendix E of the FEIS). Section 4.1.14.11 of the FEIS describes the results of the Bureau's review.

D-141/15

KEYWORDS:

Alternative site
Meteorological data
NEPA

Response: The West Manchester and the North Codorus sites were analyzed separately in both the Environmental Information Volume and the EIS. Time savings were not considered in reaching the determination that the West Manchester site was an alternative for consideration in the EIS. The main reason that the West Manchester site was included for analysis was due to the fact that at one time, this site was the industrial partner's preferred site for this proposed project and, as such, represents a reasonable alternative for comparison with the North Codorus site.

Please see the response to Comment D-155/11 regarding the application of meteorological data for the West Manchester site to the North Codorus site, and response to Comment D-121/14 regarding West Manchester Township as an alternative site.

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Manchester was allowed to be used instead, shortchanged again in the DOE's mad rush to get this EIS completed before this technology has been demonstrated at this scale in the United States as it has been in other countries.

Under the no action alternative, it should be assumed that new power generation facilities would be built --- let's back up there. I misread. It should not be assumed, I'll start over.

Under the no action alternative it should not be assumed that new power generation facilities would be built. Met-Ed has short fall in electrical generation in 1994 and 1995. However, by the time this proposed facility would be built there would be no need ---.

I have one other item, I know that I have very little time to study any of the document or the supporting documents because they got to me pretty late in the process, although I asked for them months ago. But I found it interesting that table four that's made

(continued)

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D-142/12

Response: Please see the response to Comment D-83/5.

KEYWORDS:

Need for power
No action alternative

D-142/24

Response: In order to be immediately responsive to the commenter's request for a copy of the wastewater feasibility study, Dr. Wachter made a copy of his personal marked-up copy of the report (unbound) that was being used as a resource for developing appropriate sections of the Draft Environmental Impact Statement. Pages were apparently missing from Dr. Wachter's copy of the report or misordered as a result of its use in the DEIS review process in an unbound form. DOE's contractor subsequently provided a complete version of the report, containing Table 4, to the reading rooms for public use.

KEYWORDS:

Document availability
NEPA

1 reference to in the waste water
2 feasibility study, it's not even present
3 in that study. And Dr. Wachter, you've
4 really rapidly gave me that copy when we
5 had written some letters noting that it
6 was not present in the reading rooms. And
7 I questioned how could you possibly have
8 done a good review on this when your
9 document and the document that we
10 eventually were supplied to the reading
11 room at Spring Grove had a table missing
12 which should cover the projected breakdown
13 of waste water constituents before and
14 after the plan and parts per million and
15 pounds per day. I find that really
16 disturbing that you could put together a
17 Draft EIS, EIS with the supporting
18 document that has pages missing from it.
19 That's all I have to say at this time.
20 Thank you.

21 BILL LAWSON:

22 Thank you, Mr. Klunk. Are there
23 any other speakers? Mr. Platts?

24 MR. PLATTS:

25 As we continue this evening with

(continued)

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1 other comments it triggers my memory from
2 things I've seen in the EIS and didn't
3 have time to get in my prior remarks. Two
4 of them had come up with recent speakers,
5 one, is the Met-Ed, the contract
6 concerning the need for the money and it's
7 referenced in the Draft EIS, EIS that this
8 project can't go forward if the money is
9 not provided because its provisions in the
10 PUC order in which Met-Ed was ordered to
11 purchase electricity. I would like to
12 contend that that's irrelevant to your
13 review because your review is whether the
14 project warrants Federal funding not what
15 happens to the project specifically, not
16 that the funding is contingent on the
17 funding you've received, in other words,
18 the Met-Ed contract, because it's a
19 circular argument. The project proponents
20 went to the PUC saying, unless you give us
21 an order to having Met-Ed buy the
22 electricity we won't get the funding. And
23 now they're saying to you, unless you give
24 us the funding we can't comply with the
25 order. So we've gone around in a circle

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D-144/3

KEYWORDS:

Government funds
Met-Ed

Response: The availability of government funds for the proposed project was a factor in arriving at a power purchase agreement between York County Energy Partners, L.P. (YCEP) and Metropolitan Edison Company (Met-Ed) for the proposed project. The Pennsylvania Public Utility Commission-ordered agreement between YCEP and Met-Ed is contingent upon the availability of DOE funds. Having a power purchase agreement in hand by the industrial partner is an important aspect of the proposed project in terms of project feasibility and obtaining financing.

1 using that issue and I think as far as the
2 merits whether the findings are given or
3 not, that shouldn't be relevant because
4 that's something --- if the funding is not
5 provided that's up to Met-Ed and YCEP then
6 whether the project goes forward or
7 whether a new solicitation occurs and
8 that's separate from your review. I don't
9 think that's clear in the Draft EIS, EIS.

(continued)

10 And the final point with the
11 timing, there is comments, Dr. Wachter,
12 that the final EIS may be out as earlier
13 as March and the ROD as early as April. I
14 have to encourage you to be very
15 deliberate not to stall but to give as
16 thorough review as absolutely necessary
17 and that the time frame of the proponents
18 is not relevant to NEPA and your review of
19 this project. And I express concern
20 because of two comments that were in the
21 local paper quoting you, Dr. Wachter, and
22 the one is a front page story in the
23 Sunday paper, quote, we're definitely
24 feeling pressure from the companies to get
25 the --- parenthetical, cogeneration

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D-145/13

KEYWORDS:

NEPA
Schedule

Response: There are many stakeholders in the National Environmental Policy Act (NEPA) process, such as the public, the industrial partner, and DOE. The Department tries to balance the needs of all stakeholders when it develops schedules. While there has been some pressure to maintain the schedule for this project, a driving force to the process is the Secretarial Policy on the NEPA (dated June 1994) which encourages the completion of a FEIS within an average of 15 months of the issuance of the Notice of Intent. To achieve a 15-month schedule, the quality of the DEIS must be maintained, and the opportunity for the public to fully participate in the NEPA process must be provided. DOE has responded to the public's concern about adequate review times by extending the comment period as well conducting another public hearing on January 18, 1995.

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non-hypothetical, project moving. In that same article is your statement that, quote, we are conscious of the time table but we are also committed to producing a quality EIS. I would emphasize the second half of that second, quote, quality EIS and the time frame of the proponents is not relevant to the public's warranting a clear and in-depth and deliberate review. And their time frame is set by their own actions and their moving this project, once here in York County it's part of why there is a time crunch and the burden should not be --- or the shortcuts shouldn't be on the public's side, it should be on their side since they are the ones that caused some of the delays themselves and hope that their pressure does not factor into the timing and that adequate time is given. And once the final EIS is prepared that there is some time to actually read it and review all the comments before there's a record of decision. Thank you and I think I'm done for the evening.

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BILL LAWSON:

Thank you, Mr. Platts.

RICHARD DABB:

I just have one other comment and this is not medically related and this is to Mr. Platts' comments. I just think it's important you know Mr. Platts was just re-elected in this community. I'm not in his district but he won his election by 75 percent of the population of his district. Also, I think personally won it in the hearts of the rest of his community for his interest and involvement very much related to this project. I truly believe represent in most spirit and souls at least 75 percent of the population of this region. Thank you.

BILL LAWSON:

Thank you. Yes, ma'am.

GERRY BAKER:

Since he brought up ---.

BILL LAWSON:

Just so we get the record straight, would you state your name so we get it.

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GERRY BAKER:

I'm Gerry Baker. I also said Platts won it by 75 percent but I was very, very upset when I went to the first meeting, and I know that Michael Bortner (phonetic) really represented West Manchester Township. But when he came to Spring Grove and P.H. Glatfelter helped him probably to support him, I don't know, you see how he lost but maybe that was the only thing he could do with it, I don't know. But one thing I have to do is write to that Mayor. I was very upset when I read to him what I read in the paper he said, the Mayor of Spring Grove, I wish he would be here he probably wouldn't have time to stay. He said it was West Manchester's loss and Spring Grove's gain because of all the taxes and I couldn't believe that. When I specified it's all about money, that's what I sort of referred to, that man, I don't think he has the smarts and that can go on the record.

BILL LAWSON:

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Thank you. Yes, sir?

WARREN EVANS:

Warren Evans of Halm Township again, this is a procedural question. Would you explain to us again just how is it that we will get feedback on the questions that were asked tonight, in what form will that take and how soon will we get that back for the people that have asked questions including myself about the carcinogenic ---?

DR. SUELLEN VAN OOTEGHEM:

There will be a final EIS which will have, you'll have the comments of the meetings both oral and written, each one of them will be indicated and there will be an answer or a response to each one or a location in the document where that issue is addressed.

WARREN EVANS:

That will include Mr. Clark's and Mr. Platts?

DR. SUELLEN VAN OOTEGHEM:

Every comment.

WARREN EVANS:

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D-149/5

Response: Responses to the substantive comments received during the public hearings have been provided in the FEIS. Testimony is "broken down" into specific comments, and written responses are included in the FEIS.

KEYWORDS:

Comments
NEPA

1 Every comment. And who will be
2 responsible for answering those questions?

3 DR. SUELLEN VAN OOTEGHEM:

4 The Department of Energy.

5 WARREN EVANS:

6 So your staff?

7 DR. SUELLEN VAN OOTEGHEM:

8 The Department of Energy, yes.

9 WARREN EVANS:

10 Thank you.

11 BILL LAWSON:

12 Are there any other ---? Yes,
13 sir.

14 RICHARD CLARK:

15 This will be my last time too.
16 We commend the Department for looking at
17 alternative technologies, you've got the
18 door open with the gas fire and the double
19 boilers and I would ask that Alternative
20 Technologies consider also the
21 pressurized, fluidized technology, your
22 programatic Environmental Impact
23 Statement, for example, indicates that
24 there be a ten percent greater reduction
25 of not using that over the atmospheric.

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D-150/19

KEYWORDS:

Alternative technologies

Response: Please see the responses to Comments D-37/16 and W-RJC-1/30d. In addition, recent comparisons of emissions between a pressurized fluidized bed combustor project, included under Round V of the Clean Coal Technology Program, with the proposed atmospheric fluidized bed project indicate that the proposed project has lower emissions for most key pollutants.

1 Also, there's been literature, there's
2 been the literature, there's an indication
3 that the pressurized get produced
4 electricity cheaper than the atmospheric,
5 so that a couple of good factors for
6 addressing thoroughly, giving a full-blown
7 addressing to that technology as well.
8 Thank you.

9 BILL LAWSON:

10 Dr. Clark, would you state your
11 name for the record?

12 RICHARD CLARK:

13 Yes, Richard Clark.

14 BILL LAWSON:

15 Thank you, sir.

16 RICHARD CLARK:

17 One other comment I'd like to
18 follow up on is Dr. Dabb's comments. He
19 didn't mention that, number one,
20 Representative Platts has been openly in
21 opposition to this project because of the
22 many reasons that we have given tonight.
23 He carried in every district including the
24 Bureau of Spring Grove, so I think that's
25 worth noting.

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BILL LAWSON:

Thank you. Are there any other commenters? Yes, sir?

ROGER BAKER:

My name is Roger Baker and I want to go on record that I am very much not in favor of this project. I've spent 68 years of my life in this area, in fact, I've even worked for Spring Grove. I've known what's going on in the creek and I see what's going down in the creek today, the bed of the creek is green and yellow and purple, what have you. And somebody had mentioned about Glatfelter is taking care of the environmental, I have five grandchildren and I would not want to put anyone of them in the hands of Glatfelter in given the option of 500 --- or taking care of my children because I know exactly what would happen. I've lived here too long, I see the problem and I do know that birds of the feather flock together and I am a little suspicious of you people. I really am. I see you're very disgusted sitting on that dioceses up there. I

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1 think you've had enough of it. I think
2 tomorrow morning you ought to go back and
3 resign and join us. Thank you very much.

4 BILL LAWSON:

5 Do we have any other commenters
6 tonight? If we do not --- if we run out
7 of commenters for the appointed hour I
8 will recess this either until we have
9 commenters or until we --- until 10:30.

10 Mr. Klunk?

11 SHORT BREAK TAKEN

**DOE believes the speaker
of record for this section
was actually "John Klunk,"
not "John Clark."**

12 JOHN CLARK:

13 For the record I'm not sure
14 whether the way I couched my question
15 earlier would serve that purpose. Will
16 your agency consider photographing
17 evidence of fogging in the Spring Grove
18 area from the Glatfelter? I have
19 additional photographs from the --- in
20 addition to the ones that I have supplied
21 by way of certified mail last year. And
22 also have some videotape, it's homemade
23 but it does illustrate the fact. I had
24 often wanted to find a morning that I
25 could rent a plane and get some shots but

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D-153/15

KEYWORDS:

Air quality
Fog

Response: Photographs taken in the vicinity of Spring Grove area and P. H. Glatfelter Company's plant on four days in the winter of 1994 were addressed in the response to Comment D-62/8. Please also see the response to Comment D-154/17. DOE has reviewed the video and summarized its findings in Section 3.1.2 of the FEIS.

The videotape noted in the comment records the conditions around the Spring Grove/Creek Valley area in the early morning hours of 9/21/94, 10/12/94, 10/13/94, 10/17/94, and 12/3/94. Each record shows fogging along the Creek Valley in the approximate time frame 7-8 A.M. In the absence of any presupposed causative connection with the operation of the P. H. Glatfelter Company plant, review of these videos is consistent with the characteristics of ground fog formed in the cold morning hours along the base of a river valley when winds are light or calm, and where a temperature inversion may exist. These were the general conditions that prevailed at the nearest National Weather Service (NWS) station in Harrisburg: on those dates, wind speed ranged from calm to 5 knots/hour and early morning fog was reported at Harrisburg on 9/21/94, 10/13/94, and haze on 12/3/94. These videos provide an excellent record of fogging in the Spring Grove/Creek Valley area, conditions that are consistent with the nearest regional meteorological records that are available from the Harrisburg NWS station, and the topography of the Creek Valley area. If a causal relationship is assumed between the operations of the P. H. Glatfelter Company plant and the fog recorded in these videos, review of these videos indicates some inconsistencies with that assumption. The plume of "steam" emissions observed from the P. H. Glatfelter Company plant (which is prominent due to thermal buoyancy) and the wastewater treatment plant appear to rise or penetrate through the fog layer, i.e., they appear to be decoupled (not connected); and the fog appears to form upwind as well as downwind of these potential sources, also evidence of decoupling. These plumes appear to be able to disperse at a higher altitude and had relatively flat tops--consistent with local and temporal inversion conditions. In addition, there was observed to be a lack of "tailing" from the tops of the plumes, consistent with calm or light wind speeds. A review of the video indicated that the fogging events recorded were characteristic of ground fog formation. This type of fog occurs when the radiative temperature balance (i.e., the balance between incoming radiated heat from the sun and outgoing radiated heat from the ground) is such that the ambient air temperature drops below the dewpoint temperature. This type of cooling can extend many feet above the ground resulting in shallow layers of fog. Frequently the observer will see clear blue sky above the fog layer. Normally with the return of incoming solar radiation (usually by the morning), the fog is "burned off" and disappears.

1 I have to work for a living, it's a little
2 expensive renting planes. But I did the
3 best I could I think you --- since you
4 told me you would need documentation I
5 feel you should accept it. I'll give you
6 the videotape that I have, whether you'll
7 look at it or not I don't know, if you
8 don't it's \$4 my time down the drain. But
9 I have some other photographs that I will
10 show you but I don't have additional
11 copies made yet, if you're interested.
12 Thank you.

13 BILL LAWSON:

14 Thank you. Yes, sir?

15 MR. SCHELTEMA:

16 My name is Mr. Scheltema, that's
17 S-C-H-E-L-T-E-M-A. I would think there
18 would be a fairly simple matter to get the
19 ceiling records from the two airports that
20 you're using in comparison for Spring
21 Grove weather and see whether John Klunk's
22 fog matches that of the two airports, if
23 it doesn't I would say there's strong
24 evidence that Spring Grove is in a hollow
25 and that these other stations cannot be

(continued)

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D-154/17

KEYWORDS:

Air quality
Fog

Response: The response to Comment D-62/8 provides an assessment of the weather station data at Harrisburg for the dates of the subject photographs (1/15/94, 1/21/94, 2/18/94, and 2/20/94).

At the Philadelphia National Weather Station (NWS) that is referenced in Section 3.1.2 of the EIS as 175 km (107 miles) east of the proposed site, on 1/15/94 and 1/21/94, no fog was reported; on 2/18/94, fog was reported at 7 A.M. with 9.7 km (6 miles) visibility, haze was reported from 10 A.M. to 1 P.M. with 8 to 9.7 km (5 to 6 miles) visibility; and on 2/20/94, fog was reported at 4 A.M. to 7 A.M. with visibility ranging from 4 to 9.7 km (2.5 to 6 miles), and haze was reported at 10 A.M. with 8 km (5 miles) visibility.

As discussed in responses to Comments D-62/8 and D-155/11, the meteorological observations from Harrisburg and West Manchester provide reasonable surrogate data for assessing the fogging potential of the Spring Grove area. There appears also to be a fairly strong correlation between the meteorological records of fog and visibility collected at the Harrisburg NWS site, and the fogging shown in the referenced photographs.

(continued)

1 used for the weather.

2 Furthermore, I live in a hollow
3 myself, it usually doesn't fog up. I hear
4 from Harrisburg the temperature this
5 evening is going to be 20 degrees, it's a
6 clear night, below cold we get ten
7 degrees. We've had as low as 26 below
8 zero, that is right, about six miles away
9 from Spring Grove.

10 So you have to take into account
11 my --- I cannot see how you can possibly
12 estimate the weather in Spring Grove from
13 flatland airports. You cannot do modeling
14 over a flatland area and use it in a
15 hilled area. I used to work for the State
16 of Maryland and we have had these
17 exercises for town disasters and they used
18 the modeling and I found it was very, very
19 deficient. It just did not work. They
20 did not take into account in many cases
21 that you would have trees which have
22 hills. For instance, the atomic energy
23 plant and along the Chesapeake Bay, they
24 didn't take into account that the wind
25 would go over the edge of a cliff and

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D-155/11

KEYWORDS:

Air modeling
Air quality
Meteorological data

Response: The impact on air quality associated with the proposed York County Energy Partners, L.P. (YCEP) project was modelled for purposes of New Source Review and Prevention of Significant Deterioration (PSD) for all appropriate criteria pollutants [particulate matter (PM_{10}), sulfur dioxide (SO_2), oxides of nitrogen (NO_x), carbon monoxide (CO), and lead (Pb)] (see Section 4.1.2.6). The topography around the proposed YCEP facility incorporates hills, a creek valley, and several significant terrain features such as the nearby Pigeon Hill. Therefore, in order to emulate the features of this topography, air quality dispersion models were used which predicted ambient concentrations for complex, intermediate, and simple terrain. A simple terrain model, the Industrial Source Complex (ISC2) model, was used to model building downwash, and simple point source emissions from stacks and other point sources. The BOWMEN's BEE-X model was used for intermediate terrain modeling analysis. This model is approved by the EPA. The hourly meteorological data that were used for the ISC2 and BEE-X models consisted of surface data that were collected at West Manchester for the 1-year period, January through December 1992. Selection of these data sets is consistent with EPA recommendations, and was approved for use in the air quality modeling by PADER in November 1993. In addition, the CTSCREEN model was used as a screening model for unstable conditions in complex terrain. The CTSCREEN model uses an extensive array of predetermined meteorological conditions, and is designed to predict "worst case" or upper bound ambient concentrations. The predicted concentrations in the Spring Grove area described in the EIS (see Sections 4.1.2.6 and 4.1.2.4) were derived using the BEE-X or CTSCREEN models that incorporated the features of hilled terrain.

The Seasonal Annual Cooling Tower Impacts (SACTI) model, described in Section 4.1.2.9 of the EIS, was run to help assess the potential for fogging or icing as a result of the proposed cooling tower. In this case, the best meteorological data available as weather input (i.e., the meteorological driver) to the SACTI model, were assembled by creating a hybrid meteorological data base from the wind speed, wind direction, and stability classifications collected at the West Manchester site, approximately 10 km (6 miles) to the northeast, for the 1-year period, January through December 1992, merged with the data recorded by the U.S. National Weather Service (NWS) at Harrisburg 40 km (25 miles) to the north-northeast. The NWS Harrisburg site is located in the valley of the Susquehanna River and is considered a reasonable surrogate for data needed to model fogging potential of the Spring Grove area. In addition, coincident mixing heights were derived by merging surface temperatures with the twice daily upper wind data obtained from Dulles International Airport in Virginia. Dulles is the nearest site that collects upper wind

(continued)

1 swirl around. So modeling is a very poor
2 substitute for actual measurements. Thank
3 you.

4 BILL LAWSON:

5 Thank you, sir. Do we have
6 others who wish to comment? Excuse me, I
7 think the lady in the back
8 got there first. And then I'll be happy
9 to recognize you.

10 MARY COLLINS:

11 Hello, my name is Mary Collins
12 and I'm just sitting in the back watching
13 the proceedings and one comment I would
14 like to make is, for you all on the panel
15 to go back and look at the videotape, the
16 only time your faces really change and you
17 can see that you drop the facade of what
18 you're getting paid to do is when the
19 Doctor made his personal comments about
20 what will go in your mouth and what will
21 happen to you later. And I suggest,
22 please, look at what your heart says and
23 not what the dollar is saying, what
24 someone is telling you to do with them.
25 Thank you.

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data. It should be noted that upper wind data is independent of surface features, is consistent over large regional areas, and is only measured by the NWS from a limited number of sites in the United States. The use of the Dulles upper wind data is considered to be appropriate. The use of this meteorological database is consistent with recommendations in Section 6.6 of U.S. EPA's On-Site Meteorological Program Guidance for Regulatory Modeling Applications, 1987. Consideration of the local topography was incorporated to the extent that the local topography was reflected by the stability classifications in the nearby West Manchester meteorological database which formed a component of the meteorological driver to the SACTI model. PADER considers that the West Manchester Township should represent the key parameters required for air dispersion modeling at the North Codorus site and that topography is not a dominant influence at either site (letter from PADER to Roy F. Weston, February 9, 1994; Appendix E, Agency Coordination Letters).

Modeling is preferred to actual measurements due to the ability of models to predict area effects, rather than point source effects. Using models that have been approved by the EPA, a large database of information can be generated and analyzed. Before EPA validates models for general use, the model is tested by collection of actual measurements over time. Actual measurements can be used to validate models; however, it should be recognized that analytical information is typically constrained to analyzing point sources. In addition, when proposed actions are in the design phase, actual measurements can give you information on background conditions, but not the actual effects of the proposed project.

1 RICK BROWN:

2 My name is Rick Brown and I'm
3 not sure of the gentleman's name but as
4 far as the modeling company I'm a little
5 ignorant on how you ended up doing your
6 modeling. Did you make the assumption
7 that you're modeling on a flat level plain
8 as opposed to a valley, is that my
9 understanding? Because as far as this fog
10 situation we live in Spring Grove and
11 there's at least three incidents this fall
12 that we will open up that will be totally
13 enclosed in fog that drift about a mile
14 out of town, it's been a bright beautiful
15 day. It does when we have inversion what
16 I call an inversion, it does hold
17 everything down in that valley. It is in
18 a valley, it is not up on the flat plain.
19 So, you know, I'm not sure how your model
20 is taken, I certainly hope that it wasn't
21 taken with a flat level plain situation.
22 But anyway, there appears to be a fog
23 there right now and I'm sure that we're
24 adding additional cooling tower where fog
25 --- it's just going to be that much

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D-157/6

KEYWORDS:
Air modeling
Fog

Response: The Seasonal Annual Cooling Tower Impacts (SACTI) model, described in Section 4.1.2.9 of the EIS, was run to help assess the potential for fogging or icing as a result of the proposed cooling tower. As discussed in the response to Comment D-155/11, to the extent that stability classifications from the nearby West Manchester monitoring station formed a component of the meteorological driver to the SACTI model, consideration of the local topography was incorporated.

The reference to "incidents this fall" presumably refers to videotape recordings of the conditions around the Spring Grove/Creek Valley area in the early morning hours of 9/21/94, 10/12/94, 10/13/94, 10/17/94, and 12/3/94, that were submitted to DOE by Mr. John Klunk. A discussion of these tapes can be found in the response to Comment D-153/15.

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worse. That's it.

BILL LAWSON:

Thank you. Are there further comments? Mr. Klunk?

JOHN KLUNK:

I know that I didn't have the opportunity to read the full draft Environmental Impact Statement, but there was a lot of data. But something that was never mentioned smell, stink. We can all relate to that and I believe that's an important aspect of people, concerned people that live in the area. We already know what we experience and from the Glatfelter mill and with --- evaporated more water. I mean, you're modeling and projections can give an idea of what's going to happen chemically to the waste water. But I think it was a real failure to even recognize that there's going to be additional odor generated because of the evaporation of waste water. I believe that's probably all I have, I hope so.

BILL LAWSON:

Thank you, Mr. Klunk. Are there

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D-158/9

KEYWORDS:

Evaporation
Odor

Response: The EPA has recognized that pulp and paper mills are a significant source of community odors, and has proposed guidelines (58 FR 66077) which should indirectly reduce the emissions of Total Reduced Sulfur (TRS) compounds, which are responsible for the malodors often associated with pulp and paper production. These TRS compounds are of low molecular weight, have limited solubility in water, and are easily volatilized. The EPA cites process wastewater as a potential source of TRS emission from pulping processes. Therefore, the use of process wastewater would be a concern if the evaporation of that wastewater would increase the emission of malodorous substances.

Wastewater from the P. H. Glatfelter Company's pulping process is subjected to both primary and secondary treatment prior to delivery to the wastewater settling pond. Much of the odor-producing sulfide compounds are released during aeration during the primary treatment stage. During secondary treatment, the wastewater passes through a two-stage clarifier and undergoes three stages of aeration. Therefore, odor-producing reduced sulfide-containing compounds would not be expected to be present or released as a result of using aerated wastewater as cooling tower make-up water.

As part of the Wastewater Reuse Feasibility Study conducted for the proposed project, the treated wastewater from the P. H. Glatfelter Company was analyzed. The results of these analyses do not indicate the presence of compounds which would be expected to result in increased emissions of foul odors. PADER has undertaken an independent sampling and analysis of P. H. Glatfelter Company's wastewater. DOE will review these results prior to issuance of a Record of Decision on the proposed project if there is reason to suspect the presence of potential odor-causing compounds.

1 any other commenters at this time? This
2 hearing will stand in recess until either
3 other speakers have registered at the desk
4 or until we reach the end of this
5 evening's appointed time.

6 SHORT BREAK TAKEN

7 BILL LAWSON:

8 There being no further
9 commenters, let me remind you that
10 tomorrow night there will be another
11 public hearing and the night following
12 another public hearing at 7:00 until
13 10:30, same location. This night's public
14 hearing is closed.

15 * * * * *

16 HEARING CONTINUED AT 10:30 P.M.

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C E R T I F I C A T I O N

I hereby certify that the foregoing is a true and correct transcript of the notes taken by me at the hearing in this matter.

Dec 28 94
DATE

Christine E. Lazusky
REPORTER

•PITTSBURGH
•ERIE
•SOMERSET

•HARRISBURG
•INDIANA

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BEFORE THE UNITED STATES
DEPARTMENT OF ENERGY

IN RE: Proposed York County Energy Partners
Cogeneration Facility

BEFORE: Roy L. Eiguren
Gary Friggens
Jim Johnson
Dr. Suellen Van Ooteghem
Dr. Jan K. Wachter
Phoebe Hamill
Louis Salvador
Charlie Seehorn
Dr. Bill Lawson
Nelson Rekos

HEARING: Thursday, December 15, 1994
7:00 p.m.
York Fair Grounds
334 Carlisle Avenue
York, PA 17404

513 ALLEGHENY ST.
HOLLIDAYSBURG, PA. 16648

116 SOUTH ALLEGHENY STREET
BELLEFONTE, PA 16823

THE ATRIUM
665-PHILADELPHIA STREET
INDIANA, PA. 15701

17TH FLOOR ALLEGHENY BLDG.
PITTSBURGH, PA 15219

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137 WEST MAIN STREET
SOMERSET, PA. 15501

26 SOUTH SECOND ST.
CLEARFIELD, PA. 16830

31 NORTH MAIN STREET
GREENSBURG, PA 15601

12 EAST NINTH STREET
ERIE, PA 16501

SPEAKERS: Martin Reed
Glen Wilt
Harry Smith
Phil Goldberg
Randall Patterson

* * * * *

REPORTER: Christine E. Lazusky

* * * * *

513 ALLEGHENY ST.
HOLLIDAY:PLRG, PA. 16648

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I N D E X

Opening Comments	164 - 187
Public Comments	187 - 211
Certificate	212

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P R O C E E D I N G S

ROY FIGUREN:

1 Good evening, I'd like to
2 welcome you to this public hearing this
3 evening. This a public comment hearing
4 being held by the United States Department
5 of Energy. It's officially designated as
6 the hearing for the United States
7 Department of Energy at York County Energy
8 Partners Cogeneration facility Draft
9 Environmental Impact Statement being held
10 --- this hearing is being held on the
11 15th day of December 1994, at the York
12 Fair Grounds located at 334 Carlisle
13 Avenue, York, Pennsylvania.
14

15 Today's hearing is one of three
16 being held in this particular series.
17 This evening's session will be given with
18 a brief presentation of the Draft
19 Environmental Impact Statement, that will
20 take approximately 15 minutes and
21 following that I will briefly review the
22 procedures that we will follow during the
23 formal comment portion of the meeting. We
24 are scheduled to conclude this session at
25

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10:30 tonight.

My name is Roy Eiguren, I'm the moderator for this hearing. I'm a partner with the law firm of Givins, Persly (phonetic) and Huntley, in Boise, Idaho. And I will note for the record that I was to have been moderator last night but due to problems with snow in the West, I could not be here in time to conduct the hearing.

In addition to my work as a lawyer, I also serve as a technical facilitator for the Department of Energy under contract. I serve as a hearing's officer and moderator and as a facilitator in environmental matters. This public comment meeting is being held as part of a process prescribed under the National Environmental Policy Act or NEPA as it's known. NEPA is our basic National charter for evaluating potential environmental impacts of Federal activities. NEPA procedures are designed to make environmental information available to public officials and citizens before

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1 decisions are made and before actions are
2 taken. Under NEPA Federal agencies must
3 prepare an Environmental Impact Statement
4 or EIS for any major action which could
5 have significant environmental impacts.
6 In keeping with that requirement the
7 purposes of this public hearing are to
8 present background information on the
9 results of the draft Environmental Impact
10 Statement and to answer questions which
11 the public may have and most importantly
12 to obtain comment from members of the
13 public.

14 I've been asked by the
15 Department of Energy to conduct this
16 comment hearing as an independent unbiased
17 third party moderator. Please note that
18 neither the Court Reporter who is here nor
19 I are employees of the Department of
20 Energy or any of its contractors. None of
21 us accordingly are advocates for or
22 against any party, nor are we for or
23 against any position taken by any party
24 during this hearing. I have one primary
25 purpose and that is to ensure that all

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1 individuals and organizations here who
2 wish to comment on the Draft Environmental
3 Impact Statement have a fair opportunity
4 to do so in keeping both the spirit and
5 letter of the Environmental Policy, the
6 National Environmental Policy Act.

7 The Court Reporter's purpose is
8 to create a complete and accurate
9 transcription of this hearing. The
10 Department of Energy is providing several
11 opportunities to members of the public who
12 wish to comment on this Draft
13 Environmental Impact Statement during the
14 comment period which will run through the
15 31st day of January 1995. You may make
16 comments here tonight on the record or you
17 may provide to me or someone at the
18 registration table your written comments.
19 I would stress both oral and written
20 comments receive exactly the same weight
21 are treated identically in the record of
22 this proceeding. In addition to that you
23 may mail your comments, your written
24 comments to the Department before the
25 close of comment at an address that you

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1 have provided at the registration table.

2 The format for this hearing as
3 well as the others being held here in York
4 is to give as many people as possible the
5 opportunity to comment, including those
6 who do not wish to make formal comments.
7 We're going to take your formal comments
8 here because I mentioned if you'd like to
9 have written comment you may leave it
10 either with me or at the registration
11 table here at the side of the room.

12 A verbatim transcript will be
13 made of all the oral comments that are
14 received at this hearing as well as the
15 other two hearings. That transcript will
16 be included in the Department of Energy's
17 record of these proceedings. The
18 Department will make copies of that
19 transcript available to the public at a
20 later date.

21 After the Department has
22 reviewed, analyzed and considered all of
23 the comments received at these comments
24 hearings as well as the comments received
25 in writing, that will be compiled into the

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official record and that from the record the Department will prepare the final Environmental Impact Statement. In a few moments I am going to review the procedures we're going to be following in conducting this hearing, but at this point for an overview of what was contained or what the impacts are that are derived from this Draft Environmental Impact Statement, I'd like to introduce to you Dr. Jan K. Wachter, who is the Director of Environment Safety --- the Environment Safety and Health Division of the Department in Morgantown, West Virginia office.

DR. JAN K. WACHTER:

Thanks, Roy. Basically I'm going to take about 15 minutes to go over a cursory review of the major impacts associated with the proposed cogen plant. The first item is the visual impacts of the plant, again, this is a condensation of a lot of information in the Draft EIS, it's not totally inclusive, all the information, so, please, refer to that to

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get a total picture of the impacts.

For the visual impacts there would be structures which would alter the visual quality of the area but these would be in keeping with the existing industrial setting. There would a tall structure, the tallest would be a 395 foot stack. A visual impact to the Lion's Club picnic and fishing area would result due to the proposed cogen plant.

When we had our scoping meetings last year in August and October, it was clear from the public that the major areas of concern were air emissions and the effects of these air emissions on health effects. We extensively analyzed these in a Draft EIS. The primary emissions from the proposed plan would be things like sulfur dioxide, oxides of nitrogen, particles and carbon monoxide.

Just looking at the plant itself the increase in ambient concentrations of these pollutants would not exceed allowances under two important laws, one is the PSD which is Prevention of

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1 Significant Deterioration as well as the
2 National Ambient Air Quality Standards.

3 Due to requests from the
4 National Park Service we've looked at the
5 effects of the proposed project on the
6 Gettysburg Military Park and this was from
7 the point of view of the potential effects
8 of sulfur dioxide on statues in this area.

9 We came to the conclusion in the
10 report that the impacts would be minor on
11 this park as well as the closest National
12 Park Class One area, which is the
13 Shenandoah National Park.

14 As part of the proposed project
15 there would be curtailment of the P.H.
16 Glatfelter number four boiler due to the
17 receipt of steam from the proposed plant,
18 this is the cogeneration part of the
19 plant. In addition the proposed project
20 due to the Clean Air Act would require
21 offsets for NOx, that's oxides of
22 nitrogen. If you look at the total
23 picture, the proposed project in concert
24 with the curtailment of the P.H.
25 Glatfelter number four boiler, if you

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1 looked at the permitted maximum allowances
2 you will see that there will be a net
3 reduction in the area of approximately
4 2,400 tons per year of sulfur dioxide and
5 at least 217 tons per year of oxides of
6 nitrogen and 65 tons per year of what's
7 called PM10, that's for particulate matter
8 which is a very small size.

9 We also looked at fogging, icing
10 and plume shadowing due to the proposed
11 project because there would be a cooling
12 tower associated with it. And we found
13 that there will be no adverse impacts
14 associated with that.

15 The next category that we looked
16 at was health effects, we analyzed the
17 effects of the potential release of some
18 hazardous air pollutants and these
19 included things like acid gases, which are
20 sulfur dioxide; toxic metals such as lead
21 and mercury, radionuclides; volatile
22 organic compounds such as benzene;
23 polycyclic hydrocarbons such as
24 benzopyrene and chloroform.

25 We conducted four different

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1 types of health risk assessments, one on
2 the stack emissions, one on the cooling
3 tower emissions. We looked at
4 radionuclide releases from the proposed
5 plant, as well as looking at scientific
6 studies such as physiological effects in
7 animals, human epidemiological studies and
8 controlled physiology studies.

9 Our conclusions were tiered into
10 two different ways, we looked at cancer
11 effects and non-cancer effects. We
12 determined that the lifetime excess cancer
13 rate for potential exposure to air
14 emissions from the proposed project would
15 be less than one in one million, which is
16 below the generally accepted lifetime
17 cancer risks by the Environmental
18 Protection Agency.

19 We also looked at non-cancer
20 health effects and came to the conclusion
21 that the proposed project would not be
22 expected to generate any or measurable
23 effects for non-cancer health effects.

24 The next area that we looked at
25 was water quality and the effects of the

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1 proposed project on this resource. On the
2 average the facility would withdraw
3 approximately 4.1 million gallons per day
4 of P.H. Glatfelter treated wastewater and
5 of that we consumed 2.5 million gallons
6 per day via the cooling tower and you're
7 going to have the evaporative losses of
8 this water of approximately 2.5 million
9 gallons per day. The remainder, 4.1
10 subtracted 2.5, would be recycled as
11 wastewater back into the P.H. Glatfelter
12 plant.

13 The ramifications of this
14 evaporative loss would mean that during
15 normal flow situations the Codorus Creek
16 in that area would be reduced in flow from
17 87 cubic feet per second to 83 cubic feet
18 per second. During a low flow condition
19 it's Q 7-10, basically that's the lowest
20 weekly average flow over a ten-year
21 period, so you're talking about a worse
22 case condition. The decrease in flow
23 would be from 58 cfs cubic feet per second
24 to 54. The loss is attenuated in the
25 river basin, which means downstream there

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1 is make-up of this deficiency. But the
2 facility would still mitigate the
3 consumption of the water during low flow
4 periods by releasing water from existing
5 storage or private reservoirs in the area,
6 not Lake Marburg, which was a concern that
7 was raised during the public scoping.

8 Due to the evaporative aspect of
9 this project with respect to water, the
10 concentrations of species in the P.H.
11 Glatfelter wastewater being discharged
12 into the creek would increase but the mass
13 loadings would not, meaning the weight of
14 species like sodium and calcium would not
15 increase, but due to the fact that you're
16 evaporating water the concentrations of
17 these species would increase.

18 During worse case kenadditions
19 (phonetic) this translates to a 9.6
20 increase in effective concentrations of
21 dissolved species in the creek immediately
22 downstream, of course, during low flow
23 kenadditions. However, due to the
24 proposed projects requirement for
25 additional treatment of this wastewater,

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1 there are various parameters in the
2 wastewater that would actually decrease,
3 these are things like suspended solids,
4 biochemical oxygen demand and heat load.
5 And the latter two items, the biochemical
6 oxygen demand and heat load, their
7 decreases could actually improve oxygen
8 levels in the creek and that translates as
9 being a more conducive environment for
10 biological life in the stream.

11 We looked at in-stream EPA acute
12 and chronic ambient water quality criteria
13 and they would be met in both low and mean
14 flow situations except for chloride which
15 would exceed the chronic standard under
16 low flow conditions by factor of 1.1,
17 meaning that exceedences would be
18 approximately ten percent of the standard.
19 We analyzed this effect in the Draft EIS
20 and came to the conclusion that there
21 would be relatively minor effects.

22 The next thing we looked at was
23 noise. During the construction phase of
24 this project there would be short term
25 noise impacts associated primarily with

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1 the purging of dirt and debris from steam
2 lines. The minimization measures could
3 possibly be required to reduce this noise.
4 Since the proposed plant would be in close
5 proximity to existing industrial noise
6 such as the P.H. Glatfelter plant, changes
7 in the noise environment would not be
8 readily discernible from the existing
9 sound levels in the area.

10 Noise reduction measures would
11 be employed to minimize any background
12 noise increases during the operation of
13 the proposed plant. A vent silencer would
14 be installed to lessen the noise
15 associated with the steam release.
16 Looking at traffic and assuming a worse
17 case analysis, which is assuming the lack
18 of a ride share program. Traffic during
19 the construction of the plant would
20 increase by approximately 712 vehicles per
21 day and by 125 vehicles per day during its
22 operation and this would degrade traffic
23 flow in both the a.m. and p.m. peak hours.
24 During operation this translates as
25 approximately a five percent increase in

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traffic and key intersections during peak hours.

The intersection of York Road and Colonial Valley Road would continue to operate at what's called acceptable levels of service. But delays would be expected because two key intersections, which are the York Road, Jefferson Road, Lehman Road and the York Road/Roundwood Facility Access Drive do not have signals at these locations. Already the current baseline is that the York Road, Jefferson Road and Lehman Road intersection is operating at an unacceptable level currently.

Potential mitigation was considered, such as putting in traffic lights, lane improvements and additional storage queues for the log trucks at the Roundwood plant. It should be noted that improvements at the York Road/Roundwood Facility Access Drive would be expected to occur, but also needs to be understood that any of these changes would need to be approved by the Pennsylvania Department of Transportation.

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The next area we looked at was solid waste. The major solid waste generated would be ash and ash by-product. However there will be some lower amounts of municipal types of wastes, sanitary wastes and hazardous wastes associated with this project. The volumes are outlined in the Draft EIS.

An important part of the project is the ash by-product would be hauled 70 miles to the Harriman Coal Corporation mines where it would be used for mine reclamation by reducing the effects of acid mine drainage.

We looked at floodplains and wetlands. There would be portions of the proposed project would be located on a floodplain. However, no major impacts are expected to occur due to the effects on a flood event such as diverting the flood flow or the dynamics of the flood due to the small affected area and the nature of the structures to be built.

There would be small areas of identified wetlands approximately 0.7

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1 acres which would be unavoidably traversed
2 near the footprint of the plant.
3 Mitigation would be required for this
4 habitat.

5 One of the things we looked at
6 also is the electrical interconnection
7 corridor which would span from the
8 proposed site to Bair Substation. It
9 would cross the Codorus Creek three times.
10 It would traverse Army Corps of Engineer
11 flood control lands affecting
12 approximately 17 of the 1,700 acres. It
13 should be noted that this land has been
14 principally leased to the Game Commission
15 for the conservation of wildlife. Most of
16 the lands affected is cultivated land.

17 The affected Game Commission
18 habitat would include about 0.9 acres of
19 riparian habitat that is what habitat
20 surrounds banks and rivers. 0.36 acres is
21 what's called in the wire zone, when you
22 put in a utility line you have an edge
23 zone, a wire zone and an edge zone and
24 approximately 40 feet of the wire zone
25 would be sort of clear-cut in order to not

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1 allow the interference of trees into the
2 lines above. 1.2 acres of wooded uplands
3 would also be affected with 0.36 acres in
4 the wire zone, this translates 0.36 plus
5 0.36. Approximately 0.72 acres of habitat
6 would be consumed by this project. These
7 numbers are draft. We have new numbers
8 that show a slightly less amount of
9 acreage would be affected.

10 Mitigation of the 0.36 acres of
11 riparian habitat could be required.
12 However, talking to some hunters in the
13 area and some other agencies, there could
14 be some benefits associated with this
15 utility line going through these lands.
16 One is the increases in biodiversity,
17 they're changing the habitat.
18 Biodiversity is an important thing in
19 order to make more stable habitats in the
20 area. And also it could be an access way
21 to hunters to gain access into this area.

22 These are some of the many
23 conclusions and impacts which are in the
24 EIS. There are some positive advantages
25 which I have not mentioned, such as

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1 increases in jobs, increases in tax base
2 for this area. Please read the executive
3 summary of the EIS for a better
4 encapsulation of those effects, as well as
5 the entire report.

6 The future schedule of NEPA
7 events, as Roy has stated before, comments
8 will be due by January 31st, 1995, it's a
9 three-week extension to the original
10 comment period of January 10th. It is
11 anticipated that we will generate the
12 final Environmental Impact Statement based
13 on the comments we have received during
14 the public comment period and that should
15 be issued sometime during the March time
16 frame. A record of decision for this
17 project, whether it's favorable or
18 unfavorable or favorable with mitigation,
19 meaning that we would have to do something
20 to minimize the impacts of this proposed
21 project. This record of decision should
22 be available sometime around April 1995.
23 Thank you very much for your time.

24 ROY EIGUREN:

25 Thank you. At this time I would

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1 like to introduce the members of the panel
 2 who are here in the front of the room with
 3 me, their purpose in being here is to
 4 listen to public comment and as
 5 appropriate ask clarifying questions of
 6 the comment that is given to us this
 7 evening. To my right is Dr. Suellen Van
 8 Ooteghem, who is the environmental project
 9 manager at the Morgantown Energy
 10 Technology Center; next to her is Jim
 11 Johnson, who is with the NEPA Compliance
 12 Office, the U.S. Department of Energy's
 13 Headquarters in Washington D.C.; and Mr.
 14 Gary Friggens to my left, who is with the
 15 Clean Coal branch of the Morgantown Energy
 16 Technology Center in Morgantown, West
 17 Virginia. Again, their purpose in being
 18 here is to listen to your comment. They
 19 are the Department of Energy officials
 20 responsible for completing this
 21 Environmental Impact Statement. And so
 22 they will have a first-hand opportunity to
 23 listen to comment, as I mentioned, ask
 24 clarifying questions.

25 What we'd like to do at this

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1 point is turn to the most important part
2 of this evening's hearing and that is to
3 take comment from members of the public.
4 There are a few simple procedures that we
5 have for this as well as the other
6 hearings, we ask that if you're going to
7 speak that you would register at the
8 registration table to my right, to your
9 left. The order of speakers will be that
10 any Federal, State or Local public
11 officials will be accorded the first
12 opportunity for comment, as well as any
13 Federal, State or Local agencies, then
14 following them we'll receive comment from
15 members of the public.

16 The order of public speakers is
17 basically a first come first serve basis,
18 pre-registered commenters will have a
19 choice of speaking times. Speakers are
20 limited to five minutes per night, that is
21 to say you may speak if you like on all
22 three nights of our hearing, but you're
23 limited to five minutes per night.

24 We do have a signaling device
25 here in the front of the room, the green

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1 light indicates that you're still within
2 your five minute allocation time. I
3 believe the yellow light indicates that
4 there's one minute remaining and the red
5 light indicates that your time has
6 elapsed. However, we're following fairly
7 informal procedures here and so we're not
8 cutting speakers off right at five
9 minutes. If you have something further to
10 say, please continue to go on and give
11 your comment, but when I do ask you to
12 start wrapping up your comment I would
13 respectfully request that you do so.

14 We're going to be here until
15 10:30 this evening and so we will go ahead
16 and receive comments in the order with the
17 way speakers present themselves. In the
18 event that we don't have enough speakers
19 to last us all the way to 10:30, we'll
20 still be here in the event that someone
21 should come in later and would like to
22 have the opportunity to comment. We're
23 not going to cross examine speakers.
24 Basically we're here to hear your comment,
25 but members of the panel here with me in

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1 the front may ask clarifying questions to
2 make sure that they fully understand the
3 comment that you're providing for the
4 record.

5 As I mentioned earlier, we do
6 have a Court Reporter who is with us, she
7 is to my left, to your right, she is
8 making a verbatim transcript of everything
9 that is said here, so this is almost like
10 a Court proceeding within which everything
11 that is said is recorded and will be
12 contained in the record and it will be
13 used by the Department of Energy in the
14 development of final Environmental Impact
15 Statement.

16 I have just a few administrative
17 items. There are fire exits here, both in
18 front to either side of the hearing table,
19 there's also one in the back. There are
20 restroom facilities that are located at
21 the back of the room outside the exit. We
22 do have a public address system that we're
23 using, so when I call your name, we would
24 ask that you would step forward either to
25 this podium here or to this freestanding

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1 mike and give us your comment. When I
2 call your name, please give us your name
3 for the record as well as if you're
4 speaking on behalf of an organization,
5 please identify the name of the
6 organization that you're speaking on
7 behalf of.

8 So with that we'll begin
9 receiving public comment. We do have two
10 individuals that are pre-registered to
11 comment this evening, the first is the
12 Honorable Todd Platts, who is a
13 Representative of the House of
14 Representatives of the State of
15 Pennsylvania. Representative Platts? He
16 is not here at the moment so we'll call
17 his name again later. We'll call Mr.
18 Martin Reed. Good evening and welcome.

19 MARTIN REED:

20 Good evening. My name is Martin
21 Reed, R-E-E-D. I'm a resident of the
22 North Codorus Township, also a member of
23 STOP and SPEAC the two significant
24 opposition groups throughout this project.

25 Primarily here this evening I'd

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1 like to express these view points as an
2 individual as opposed to a member of
3 either group. I'd first like to express
4 my regret that the hearing has to move
5 ahead so quickly following over the
6 holiday season, so as to circumvent a lot
7 of individuals that may have wanted to be
8 a part of this and just couldn't.
9 However, there may have been others that
10 had a chance to brief through the Draft
11 EIS and as a result of such conclusive
12 results or findings felt that maybe there
13 was just no reason to come to the
14 hearings. I questioned that myself. I
15 think the York County Energy Partners
16 should be pretty pleased with those
17 results. I don't think they could have
18 written anything more pro-planted if they
19 had done it themselves.

20 I've done a lot of soul
21 searching over the past several months as
22 this project seemingly has moved ahead.
23 And I really can't blame Air Products or
24 York County Energy Partners or Glatfelter
25 for not acting as the good neighbors that

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D-188/3

Response: Please see the responses to Comments D-31/22 and D-32/13.

KEYWORDS:
Schedule

1 we the opposition had challenged them to
2 because it's my feeling that they're
3 businessmen first, businesspeople and big
4 business, has a tremendous amount of
5 control over an individual. It's sort of
6 squelching what the individual on a
7 personal level might feel about their
8 neighbors and their environment. I guess
9 I know that because I've been in big
10 business for quite a number of years
11 myself.

12 In light of this what we must
13 have is a government that acts responsibly
14 to keep business and individuals under
15 control so that they are responsive to
16 their neighbors in the environment.
17 Unfortunately, I don't feel that we have
18 that here today. We don't have it on a
19 local level. We don't have it on a State
20 level and we certainly don't have it on a
21 Federal level by the results or the
22 experiences that we the opposition have
23 gone through over the past two years.

24 There are a few exceptions,
25 there are people like Todd Platts, the

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1 local legislation and State that has had
2 the courage to stand up to the system and
3 I think everybody should applaud that.

4 My opposition doesn't center
5 around the technology, although I
6 challenge why, at this time this, plant
7 should move ahead using Federal money
8 which means that the taxpayers have to
9 contribute this \$75 million to a project
10 that is touted as experimental technology
11 on a utility scale when, as I'm speaking
12 here, there are other projects of similar
13 size that have already been approved and
14 are moving ahead. I don't challenge the
15 potential need for the electricity
16 sometime over the proposed life of this
17 plant either. What I do challenge is the
18 location chosen, the proximity of the
19 proposed site to dense populations, the
20 fact that over 3,000 children go to school
21 during school hours within a mile of the
22 proposed site. When you consider the
23 infrastructure in the York area being so
24 overburdened and obviously that the
25 Pennsylvania Department of Transportation

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D-190/5

Response: Please see the response to Comment D-39/13 for a discussion of this issue.

KEYWORDS:

Commercialization
status
Government funds

D-190/17

Response: While the commenter's concern for schoolchildren is noted, the proposed site is zoned industrial by the North Codorus Township and is surrounded by existing industrial use. Please refer to Section 4.1.2.11 and Table 4.1-21 in the EIS for a discussion of the health risk assessments related to the proposed facility. Note in particular that the excess cancer risks for children are considered negligible based on EPA protocols (1×10^{-7} , 2×10^{-7} , and 5×10^{-8} for air, soil, and food pathways, respectively). (Note, a 1×10^{-7} risk is equivalent to 1 in 10 million). Also, all Hazard Indices for children, as well as adults, are less than 1, indicating no increased risk of adverse impacts as a result of boiler stack or cooling tower emissions of acid gases, particulate mater, toxic metals, radionuclides, volatile organic compounds, polyaromatic hydrocarbons, chloroform, or cyanide. In addition, a study of the effects of sulfur dioxide emissions from the proposed facility on sensitive receptors (which included schools and churches) was conducted. The results, summarized in Table 4.1-19 of the EIS, indicated that maximum sulfur dioxide ground level concentrations (which are still below the threshold response level for humans except for severe asthmatics) occurred at two abandoned schools and one church. Furthermore, the results suggest that sensitive receptors (such as active schools) would not be subjected to maximum concentrations and would easily comply with the National Ambient Air Quality Standards. Please note that the sensitive receptor analysis was worst-case, and did not include the overall reduction of sulfur dioxide (SO₂) emissions in the York air basin as a result of curtailing operation of P. H. Glatfelter Company's Power Boiler No. 4.

KEYWORDS:

Children
Land use

1 doesn't have any near-term goals set to
2 solve these problems, we can't even solve
3 the problem on the Route 30 bypass, much
4 less the inference in this Draft EIS
5 indicating that there is studies underway,
6 at least my understanding in reading it,
7 of a Hanover bypass.

8 There was also a question in my
9 mind and I asked it in the past and I
10 think there were two opportunities we had
11 to address DER. And the question I had,
12 was in terms of air simulations, the air
13 movement. When you consider this proposed
14 site sits in a valley with 700 or 800 foot
15 high hills basically perpendicular to
16 prevailing winds, it was my understanding
17 that the modeling of the air currents was
18 done in the Harrisburg area as opposed to
19 this area where the topography with these
20 hills is vastly dissimilar.

21 It just seems to me that in this
22 vast United States when this Clean Coal
23 Program was set forth that this particular
24 project could have gotten a much more
25 favorable site chosen, if there wasn't

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D-191/2

KEYWORDS:
Transportation

Response: The evaluations of impacts from either the proposed facility or the alternative project on the transportation infrastructure of York County in Sections 4.1.8, 4.1.14.8, 4.2.8, 4.3.1.8, and 4.3.2.8 did not assume that planned PennDOT road improvements would be completed. The discussion of planned roadway improvements is merely to acknowledge foreseeable changes in traffic patterns and assess their consequence to the project. As stated in Section 6.5.5, the Hanover Bypass was identified in PennDOT's Twelve Year Transportation Program as a preliminary candidate project that may be implemented between 1992 and 2004.

D-191/13

KEYWORDS:
Air modeling
Air quality

Response: Please see the response to Comment D-155/11.

D-191/24

KEYWORDS:
Alternatives
Site selection

Response: Please see the response to Comment W-RJC-1/30m.

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opposition like there was in Tallahassee and like there was in West Manchester the project could have moved ahead in a timely fashion and they could have taken advantage --- we as citizens could have taken advantage at least --- if we were going to have to pay this money as taxpayers at a time when the technology was still experimental and at this point eight or ten years later.

In summary, my observations are that the Department of Energy has not acted as a good caretaker of the citizens of the United States here. Why is that, I think it's primarily due to the pressures of bureaucrats and politicians, influence peddlers, whatever you want to call them. I've contended since the beginning of this project that we as citizens have to force government to act responsibly in our behalf and I still believe that today. Unfortunately, most people feel they can't fight City Hall, they become cynical, they don't get involved, they don't vote and I think that's what's happened here with

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1 this project. Most of the people I've
2 talked to over the past two years, off the
3 record, no matter who they are, have
4 indicated they're really not in favor of
5 this but they just can't fight the system.
6 I just challenged those citizens and
7 citizens all over the United States to get
8 their act together and also challenge the
9 Federal agencies to do the same, see if we
10 can save this planet before it's too late.
11 Thank you.

12 ROY FIGUREN:

13 I don't believe Mr. Platts has
14 yet arrived. I would ask, is there anyone
15 in the audience who is not registered to
16 comment that would like to comment at this
17 point? If not, then we will stand in
18 recess --- yes, sir?

19 GLEN WILT:

20 My name is Glen Wilt, I'm just
21 speaking as a citizen of the area. I have
22 a question for the people on the Board
23 here. If your superiors would have told
24 you that if you'd recommend this, and I
25 think that it should go ahead, that you

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D-193/23

Response: Comment is noted.

Keywords:
General

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had to move your family and live for ten years within sight of this, would it have changed what you recommended in this?

ROY EIGUREN:

We will note that as a record --- as a question for the record, sir, and it will be responded to in the final EIS.

GLEN WILT:

Thank you.

ROY EIGUREN:

If there is no further comment at this point we'll stand in recess until either we have additional commenters or until 10:30. Thank you. Yes, sir? Keep the record open, please.

MARTIN REED:

I have a question it's of a technical nature in regards to the delivery of limestone which I think indicated that it was coming from a 40-mile radius and something in the neighborhood of 30 some truckloads a day and then the removal of ash going as far as 70 miles and that was either 30 or 40,

(continued)

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D-194/18

KEYWORDS:
Transportation
Trucks

Response: As discussed in Section 4.1.6.1, during operations, the facility would generate 41 truckloads of ash byproduct per day. Section 2.1.3 indicates that 31 truckloads per weekday would deliver limestone, with some delivery possible by rail. To be as conservative as possible, the transportation analyses assumed that separate trucks would be used to deliver limestone and remove ash. However, depending upon a number of factors, a portion of ash may be back-hauled using limestone supply trucks, reducing the facility's potential traffic impacts from those presented in Sections 4.1.8 and 4.2.8.

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I'm not sure which. The question is, are the same trucks that would be delivering the limestone, would those same trucks be hauling the ash away? They would be?

ROY FIGUREN:

Again, we're going to note that for the record and there will be a response in the final EIS.

MARTIN REED:

Because it seems to me going way back in this process when this question came up that it was written that --- or considered that that would be the same trucks and that was the way the count was derived and if that's not the case, you'd have to add another 30 or 40 trucks a day traveling in and out of a site.

ROY FIGUREN:

That will be noted as a question for the record and there will be a full response in the EIS and during the break I think Dr. Van Ooteghem will talk to you about that informally also.

MARTIN REED:

And also from my presentation I

(continued)

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1 would like the question of the simulation

2 ---

3 ROY EIGUREN:

4 Yes.

5 MARTIN REED:

6 --- as air currents are
7 concerned, be a question as to whether all
8 the modeling was done in Harrisburg as
9 opposed to simulations down at the
10 proposed site and if there were no
11 simulations done at the proposed site why
12 not?

13 ROY EIGUREN:

14 Do the panel members understand
15 the question? Very good. That will also
16 be included in the final EIS.

17 MARTIN REED:

18 Thank you.

19 ROY EIGUREN:

20 Thank you, sir. If there is no
21 other commenters for the moment --- yes,
22 sir? All right. I ask that you would
23 give your name for the record, sir.

24 HARRY SMITH:

25 I'm Harry Smith, I'm from Dover

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D-196/1

Response: Meteorological data were not collected at the proposed site. Other appropriate meteorological data were available as discussed in the response to Comment D-155/11.

KEYWORDS:

Air modeling
Meteorological data

1 Township, I represent not only myself but
2 I'm also president of the York Vista of
3 the United Methodist Men. I don't know
4 whether how many of you have seen the
5 article in the United States News Report,
6 but I'd like to read the fact from memory
7 that I have found, it might not pertain to
8 this hearing, but 88,000 pounds of salmon
9 were harvested in the year 1988, 20,000
10 pounds of salmon are harvested in 1993,
11 that's in the United States. The only
12 place where we're going to get salmon
13 after a while will be Alaska, will be the
14 primary supplier. I come from an area, I
15 was born in an area in Shickshinny that's
16 south of Wilkes-Barre. At that time we
17 had coal burning plants to supply
18 electricity and they were all along the
19 Susquehanna River. There are no pollution
20 restraining devices on these plants. The
21 streams were beautiful, we had a good
22 water supply. You could go to Shickshinny
23 and take the water and drink it and it was
24 fit to be --- it was really a good tasting
25 water. I even spent time during the war

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1 as a boy helping to clean out the
2 reservoir of that --- of the supply of
3 that water. Today they cannot use that
4 water. The Environmental Protection
5 Agency wasn't going to do anything about
6 it, everybody has to supply its own water
7 from --- some brought bottles of water
8 from somewhere, it's shipped in there for
9 drinking purposes only.

10 I'm really concerned about the
11 long range environmental effect of this
12 situation. I never thought I'd see the
13 day when the salmon would be curtailed to
14 such an extent. I never dreamed that an
15 area where eel walls were put up and
16 capturing eels and you can harvest as many
17 as you wanted, they no longer exist in
18 that stream. I think it's getting to the
19 point now where we have to reverse
20 ourselves in thinking about the
21 environment. Things up there were really
22 pointed out to me for a year, two years,
23 so many pounds, so many tons of pollutants
24 but you had to remember that this
25 pollutant would also go into the ground,

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D-198/3

Response: Comment is noted. Please also see Section 6.4 in the EIS for a discussion on the cumulative effects on water quality and quantity.

KEYWORDS:

Cumulative impacts

1 it would also go into the stream and it's
2 not just the immediate effect, it's what
3 our children --- when I'm gone it will be
4 children that come along later and you're
5 going to feel this, the children. I hate
6 to be in a position where I do not say
7 anything, but I am also concerned about
8 the work. I know we have to eat. I know
9 we have to have a lot of food. But
10 there's a cycle here that has to be
11 reversed and it has to be balanced out and
12 in effect that how much water will be
13 affected and how much will be pulled away
14 from our streams.

15 Right now I'm in Dover Township
16 and I thought that when they drilled
17 enough wells we would have enough water,
18 we have to now go to York --- York water
19 supply, York Water Company and obtain
20 water in order to curtail the usages not
21 available for supply of necessary water
22 that is not available at the moment. This
23 is to say that we have wells but the water
24 in such a short supply that it has
25 overburdened the system.

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D-199/10

KEYWORDS:

Water quality

Water use

Response: The Susquehanna River Basin Commission (SRBC) is charged with balancing the water consumption needs of both industry and municipalities against the "health" of the Susquehanna River basin. The SRBC has reviewed and approved a York County Energy Partners, L.P. (YCEP) Consumptive Use Permit application to operate the proposed facility. As discussed in Section 4.1.4.2.7 and Table 4.1-29, a U.S. Army Corps of Engineers computer model (HEC-3) shows that under normal flow conditions, the proposed facility would reduce average stream flows in Codorus Creek at Spring Grove by 4.9 percent and at York by 1.7 percent. Please see the responses to Comments D-200/3, J-32/25, J-179/19, J-176/18, and W-JK-1/28aa.

1 Well, I mean, the population has
2 become such that this --- we have to have
3 more water. What I'm concerned about is
4 whether this is all the water that is
5 here, we have no streams in our area,
6 they're not suitable for supplying water.
7 There are only a certain number of streams
8 in our area in York County as far as
9 they're concerned that we could tap off
10 that would be suitable for drinking. So
11 I'm just throwing this out as information
12 and I hope that you have taken this into
13 consideration also. Thank you.

14 ROY FIGUREN:

15 Thank you. Are there others
16 that wish to comment? Back here. Yes,
17 sir?

18 PHIL GOLDBERG:

19 My name is Phil Goldberg, I live
20 about five miles from the proposed
21 project. First I'd like to say that I'm a
22 bit dismayed about the lack of time giving
23 the people to prepare for this for public
24 comments. It seems to me if you're
25 willing to extend the written period until

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D-200/3

KEYWORDS:

Water quality
Water use

Response: As discussed in Section 3.1.12.3, the York Water Company, serving over three-fourths of water systems users in York County, is the major regional supplier of potable (fit for drinking) water. The York Water Company does not project any shortages of water resources suitable for municipal use through the year 2020 (Dwayne Close, personal communication, 2/3/95). The maximum of 2.8 mgd of water consumed by the proposed facility represents an extremely small fraction (on the order of thousandths of a percent) of the surface water available in York County.

D-200/21

KEYWORDS:

Schedule

Response: Comment is noted. Another public hearing on January 18, 1995, was scheduled in order to meet the public's need for more time to prepare oral comments. Please see the response to Comment D-31/22.

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January 31, there is very little reason to not extend the public comment portion also.

What I want to focus on is the no action alternative that was discussed in the Draft Environmental Impact Statement. It seemed to me that going through the Environmental Impact Statement there was a great amount of detail and objectivity or supposed objectivity given when you were discussing the project, but when it came to discussing the no action alternative we were left with reasonable assumptions without any basis given for those assumptions, without any support being given for those assumptions, they were merely conclusions.

And I would like to see some support for that or some references made to where support for some of those assumptions can be found. For example, one of the assumptions made was that Glatfelter will continue to operate boiler number four, that appears on page 2-71 of the draft. The draft points out that

(continued)

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D-201/4

KEYWORDS:

Alternatives Analysis
Assumptions
NEPA

Response: The Department has made conservative assumptions as to what is reasonably foreseeable under the no-action alternative. This alternative considers the environmental consequences of not undertaking the proposed action and is used as a baseline comparison to the proposed project.

DOE based its assumption that P. H. Glatfelter's Company's Power Boiler No. 4 would continue to operate (if the no-action alternative were selected) on information from the P. H. Glatfelter Company. The P. H. Glatfelter Company has stated that the boiler is in good condition and has an indefinite productive operational lifespan (i.e., 25 years) [see letter dated December 15, 1993 from R.W. Wand, Vice President of Administration, P. H. Glatfelter Company to Richard C. Kenner, Jr., York County Energy Partners, L.P. (YCEP) which is contained in Appendix E of the FEIS]. DOE considers this a reasonable assumption, particularly in view of the facts that P. H. Glatfelter Company recently invested \$1.2 million to install low NO_x (oxides of nitrogen) burners in Power Boiler No. 4 [as was required by the Pennsylvania State Implementation Plan pursuant to the Clean Air Act (CAA)] and that this boiler would be kept on hot standby to use as a backup for the proposed boiler if it is built. If the proposed project proceeds, Power Boiler No. 4 would be limited to 720 hours of concurrent operation each year when the proposed project is on-line.

It should be noted that DOE has no control over what happens if the proposed project is not funded. DOE is limited in its ability to project the impacts from the no-action alternative, and therefore relied on assumptions in its analysis.

Also, please see the response to Comment D-106/1.

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boiler number four which is proposed to be shut down, if this project goes forward, it was built in the 1950s with 1950s technology and 1950s material. This project itself is according to the Draft Environmental Impact Statement has a useful life of approximately 25 years using 1990 technology and 1990 materials. It seems to me that the 1950s boiler might be close to retirement. In fact, I think it was last night the head of the local pipefitters and boilermakers union stood up here and said based upon his personal experience having been in boiler number four that it is old and needs to be worked on or replaced.

So I think the assumption made that boiler number four will continue to operate is not reasonable. I think it's obvious that Glatfelter's interest in this, which given that there are businesses of profit interest, is that they want to avoid having to spend the money to replace boiler number four for themselves and rather have the cogen plant

(continued)

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D-202/4

KEYWORDS:

Alternatives analysis

Assumptions

Boiler No. 4

Response: As discussed in Section 2.2.4, based on claims made by P. H. Glatfelter Company (letter of December 15, 1993), DOE believes that it is technically possible for the boiler to continue operation indefinitely (e.g., another 25 years). Also, P. H. Glatfelter Company has recently invested \$1.2 million in low NO_x (oxides of nitrogen) burners, keeping Power Boiler No. 4 legally operational for anticipated future use (see also response to Comment D-106/1). Based on P. H. Glatfelter Company's statements and actions, there appears to be little basis to consider the possibility of P. H. Glatfelter Company replacing the boiler under the no-action alternative.

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go forward so that they can be spared that expense. It seems to me though that if the cogen plant does not go forward Glatfelter will be forced at some point to replace boiler number four or to upgrade boiler number four which will increase the sufficiency and most likely incorporate today's technology for pollution controls. So I think that the no action alternative has to consider what happens if boiler number four is replaced and therefore there will be a reduction in pollution from that replace --- as a result of the replacement boiler.

There is also an assumption made on page 2-70 that without the \$75 million the taxpayers money in this project will not go forward and the reason for that given on that same page is that Air Products current contract with Met-Ed renders the project economically unfeasible. However, on page 2. --- excuse 2-71, the draft states that if this cogen plant is not built Met-Ed will be required to negotiate a supply agreement

(continued)

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1 with some other generators. It would seem
2 to me that when Met-Ed --- if Met-Ed is
3 going to have to negotiate a contract with
4 other suppliers that --- the opportunity
5 would exist for Air Products to be able to
6 renegotiate their contract with Met-Ed at
7 this time or at some time in the near
8 future in order to make this plant viable
9 without receiving \$75 million in taxpayers
10 money. If other generators are able to do
11 that, to build a plant without taxpayer
12 money and negotiate a satisfactory
13 contract with Met-Ed, I would think that
14 Air Products could do so also.

15 It is also stated on page 2-70
16 at the draft that another site cannot be
17 considered for this project due to, quote,
18 timing considerations under the existing
19 Met-Ed agreement. Again, there is no
20 discussion in there why the agreement
21 cannot be renegotiated or extended or
22 efforts cannot be undertaken to do that to
23 give time to explore other locations for
24 this project.

25 In discussing no action

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D-204/1

KEYWORDS:

Government funds
Met-Ed

Response: It is within the right of Air Products to negotiate a contract through the Pennsylvania Public Utility Commission in the future with respect to actions the company views as being within their best interest, either from an economic or strategic planning point of view. However, York County Energy Partners, L.P. (YCEP) has continued to state that without the \$75 million of government funding, the proposed project is not viable.

D-204/15

KEYWORDS:

Met-Ed
Schedule

Response: Please see the responses to Comments D-119/11 and D-204/1. The existing agreement includes specific time constraints related to the delivery of power by York County Energy Partners, L.P. (YCEP) to Metropolitan Edison Company (Met-Ed). Met-Ed has the unilateral right to cancel the agreement if the availability dates are not met. Renegotiation of the YCEP/Met-Ed contract is not within the DOE's control and any assumptions made in that regard would be too speculative upon which to base any alternatives. Therefore, consideration of any alternative based on renegotiation of the contract is not practicable.

1 alternatives it is assumed on page 2-71 et
2 seq. That only gas fire and coal fire
3 alternatives were available, I would
4 question whether or not that's a
5 reasonable assumption, there are other
6 projects that are currently being planned
7 and proposed particularly, for example,
8 Kuss (phonetic) Run project on the
9 Susquehanna and York County, which is a
10 hydroelectric generated facility and there
11 are I believe other hydroelectric
12 generating facilities being proposed for
13 other places on the Susquehanna within the
14 Met-Ed grid. There is absolutely no
15 discussion of these alternatives to meet
16 the foreseeable energy needs.

17 Finally, it's also assumed on
18 page 2-71 that any alternative source of
19 electricity with, I believe the report
20 talks about a coal fire boiler or a
21 natural gas fire boiler would not have a
22 cogenerating aspect to that. I questioned
23 the reasonableness of that assumption. In
24 today's economics I think that any
25 generator building a plant these days is

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D-205/1

KEYWORDS:

Alternatives analysis
Assumptions

Response: There were many alternatives that could have been considered as a ramification of selecting the no-action alternative. Based on the predominant recent history of plants that have been constructed in the Mid-Atlantic region for generating electricity, the gas-fired and coal-fired boiler options seemed to be the most reasonable.

On a more specific basis, the gas-fired and coal-fired boilers were considered reasonable for the following reason. Based on Metropolitan-Edison Company's (Met-Ed's) 1993 Annual Resource Plan, Met-Ed projected to meet most of its future electricity requirements by purchasing power from new, non-utility generators. In 1992, Met-Ed sought bids for additional generating capacity within its operating region. A 150-MW gas-fired project, known as the Blue Mountain project, was selected from a pool of 39 bidders. Two other projects were selected from the "short-list" prior to final project selection. These projects were a 150-MW coal-fired circulating fluidized bed (CFB) combustor and a 200-MW natural gas-fired facility. While it is impossible to definitely predict how Met-Ed would meet the capacity void resulting from the no-action alternative, it can be assumed that Met-Ed could conduct a bidding process similar to the one conducted in 1992/93. Additionally, due to the fact that the selected gas-fired project and the "short-listed" coal-fired CFB were both proposed to be Exempt Wholesale Generators (EWG), which means they have no associated steam host, it is reasonable to assume that the facility selected to replace York County Energy Partners, L.P. (YCEP) capacity in Met-Ed's operating region could also be an EWG.

It should be noted that more recent information received from Met-Ed since the writing of the DEIS indicates the purchasing of excess electricity on the open market is a viable option for Met-Ed to pursue in order to meet capacity needs, at least in the short term. This option has been analyzed in the FEIS (see Section 4.3.3 of the FEIS).

D-205/17

KEYWORDS:

Alternatives analysis
Assumptions
Cogeneration

Response: Typically, cogeneration requires a particular steam host (such as a hospital, an industrial user, etc.), and since the analysis of these gas-fired and coal-fired boilers was very generic in nature and not site-specific, it would be very subjective to determine the amount of steam that the cogeneration plant would produce, since the recipient of that steam would be unidentified. Additionally, due to the fact that the selected gas-fired project and the "short-listed" coal-fired circulating fluidized bed (CFB) in the Metropolitan-Edison Company solicitation process were both proposed to be Exempt Wholesale Generators (EWG), which means they have no associated steam hosts, it is reasonable to assume that an alternative source would also be an EWG. Therefore, the main reason that a cogeneration aspect was not considered for determining those alternative technologies that could potentially provide electricity as a result of selecting the no-action alternative was because that component of the system is too dependent on site-specific factors. Also, please see the response to Comment D-205/1.

1 going to be looking around for partners to
2 buy what is essentially a waste of product
3 steam and therefore provide revenues to
4 help pay for that project. So again, I do
5 not think it is a reasonable assumption to
6 assume that there will not be a
7 cogeneration aspect of any alternative
8 generator.

9 Finally, I'd like to point out
10 at least one of the inconsistencies that
11 appear in the report, on table 2.3-1 which
12 begins on page 2-84, the comparison
13 impacts of the Air Products project and
14 alternatives. On page 2-92 when
15 discussing the transportation and traffic
16 aspects, the draft states that the
17 transportation and traffic impact for the
18 gas fire alternative no action plan
19 boiler, would be similar to that of the
20 proposed project in the draft at several
21 places, one, for example, page 4-122, the
22 draft states that the Air Products project
23 will use 70 limestone and ash trucks per
24 day and approximately 25 100 ton rail cars
25 per day. However, the draft fails to

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D-206/9

KEYWORDS:
Alternatives analysis
Transportation

Response: Table 2.3-1 and Section 4.3.1.8 have been updated to indicate the lesser impact to traffic associated with the operation of a gas-fired boiler. However, as Section 2.2.4.1 notes, in the event of an interruption of the gas supply, the backup fuel for a gas-fired facility would likely be fuel oil. An emergency supply of oil would be stored on-site with continuing supplies being delivered by tanker trucks, thus impacting transportation infrastructure.

1 recognize that the natural gas facility
2 will not be using 70 trucks a day to bring
3 in limestone, haul ash, nor will be using
4 25 100 ton rail cars a day to bring in
5 coal. So I don't think it is possible to
6 say that the traffic and transportation
7 aspects of an alternative gas fire boiler
8 would be similar to that at this cogen
9 plant.

10 Finally, my other point is that
11 there is absolutely no discussion when
12 we're talking about the visual impact of
13 this plan and the potentially sensitive
14 visual receptors. There is no discussion
15 whatsoever on the impact of a 395 foot
16 smoke stack on the environment and the
17 visual environment, I live approximately
18 five miles away from the Glatfelter plant.

19 And I can currently see their stacks,
20 this new stack will dwarf anything that
21 they have. And I think the last thing we
22 need is another Christmas tree on the
23 horizon. Thank you.

24 ROY EIGUREN:

25 Are there others that wish to

(continued)

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D-207/11

KEYWORDS:

Stacks

Visual impacts

Response: A discussion of the visual impacts of the proposed facility can be found in Section 4.1.1 and Appendix C of the EIS. Please see Table 2.3-1 in the FEIS for a summary of DOE's analysis, which recognizes that a visual impact would occur. Note that the current view from all of the visual receptor sites (and also from the residence of the commenter) is of the existing industrial setting of the P. H. Glatfelter Company's Roundwood Facility. Currently, there are two stacks, each 68.6 meters (225 feet) tall, at the Roundwood Facility. Therefore, the proposed facility would be in keeping with the existing setting. The fact that the boiler emissions stack would be 51.8 meters (170 feet) taller than any existing structure is noted, but it is unavoidable, since the height of the stack is a function of the surrounding building height in order to prevent adverse ground-level exposure due to the flue gases. A discussion on good engineering practice for determining stack height is presented in Section 4.1.2.5 of the EIS. Please also see the response to Comment D-208/11.

1 comment? Any of the gentlemen here --- I
2 take it back, I'm sorry. Go ahead, Mr.
3 Reed.

4 MARTIN REED:

5 In keeping with the topic of the
6 previous speaker and the visual impacts, I
7 found it really bizarre I guess that of
8 all the residences in the area that it's
9 my interpretation in reading the draft and
10 seeing in the handout and on the visual
11 here, that it seemed like the major
12 concern with visual impact had to do with
13 the degradation of the picnic area of the
14 Lion's Club as opposed to people living on
15 Rockery Road or people on York Road or
16 people living on Lehman Road, I just can't
17 quite understand this that the Lion's Club
18 is so important and the picnic area as
19 opposed to people and their residences.

20 ROY FIGUREN:

21 For the record that was Martin
22 Reed once again. Yes, sir?

23 RANDALL PATTERSON:

24 My name is Randall Patterson
25 representing Chainbrook (phonetic)

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D-208/11

KEYWORDS:

Residences
Visual impacts

Response: As discussed in Section 4.1.1, the Lion's Club is one of nine visual receptors used to assess the impact of the proposed facility on the physical setting of the surrounding area. The other eight visual receptors, all residences, are described in Appendix C of the EIS. In addition, two receptors (Receptor 8 -- residential area off Rockery Road and Receptor 9 -- residential area on Lehman Road) are new receptors that have been included in the FEIS.

The view from Receptor 8 is of trees in the immediate foreground. The mill pond and P. H. Glatfelter Company are visible in the distance to the northeast. From the distance of this receptor, the proposed York County Energy Partners, L.P. (YCEP) facility buildings would be of similar scale and visual character to the existing P. H. Glatfelter Company's mill buildings. The view from Receptor 9 is the P. H. Glatfelter Company's Roundwood Facility in the distance with the Lions Club pavilion in the foreground. There is some vegetative screening in the vicinity of Kessler Pond. The proposed YCEP facility (primarily the boiler building) would be a prominent feature in this viewshed. The visual change associated with the development of the proposed project would be the replacement of more distant views of an industrial setting (i.e., the P. H. Glatfelter Company's Roundwood Facility).

Recognizing the need to more clearly summarize the impacts, Table 2.3-1 has been revised in the FEIS.

1 Township. As far as the Kuss Run Project,
2 I'd like to point out that I don't think
3 this cogeneration plan produces enough
4 electricity to run the Kuss Run proposed
5 project because it uses 28 percent more
6 electricity than it can produce and needs
7 a coal fired plant or an atomic plant to
8 run it. Thank you.

9 ROY EIGUREN:

10 Thank you, sir. Further
11 comment? And if not then, as I mentioned
12 earlier and pursuant to the rules of this
13 proceeding we will stand in recess until
14 we have either additional commenters
15 present themselves here or until the hour
16 of 10:30. Thank you.

17 SHORT BREAK TAKEN

18 ROY EIGUREN:

19 If I could have your attention,
20 please, I'd like to formally go back on
21 the record, this is Roy Eiguren, the
22 moderator, and it's now approximately 9:00
23 p.m., at this point I would like to ask if
24 there is anyone in the room who has not
25 commented that would like the opportunity

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D-209/1

KEYWORDS:

Alternative technologies

Response: The Cuffs Run project essentially stores energy by using electricity that is not in demand at certain times of the day to pump water into a reservoir during these non-peak demand times. During times of high electrical demand, the water pumped into the reservoir is released from the reservoir, and electricity is generated to meet consumer needs. A direct connection between the proposed project and the Cuffs Run project is not anticipated.

1 to do so. Okay. If not we'll continue in
2 recess until we either have someone
3 present themselves to present comment or
4 until the hour of 10:30. Thank you.
5 We're off the record.

6 SHORT BREAK TAKEN

7 ROY FIGUREN:

8 If I could have your attention,
9 please, it's approximately 10:15 and I'd
10 once again like to reopen the record for a
11 public comment hearing here. Is there
12 anyone in the room that's not had the
13 opportunity to comment that would like to
14 do so? I would note for the record that
15 there is no one who is indicating the
16 desire to comment at this point. So what
17 I think I'll do is, we will be here for
18 another 15 minutes and at that time if
19 there are no individuals who present
20 themselves for additional comment we'll
21 simply consider the meeting closed and the
22 record closed at that point. Thank you.

23 SHORT BREAK TAKEN

24 ROY FIGUREN:

25 It's 10:30 p.m., I'll

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1 affirmatively go back on the record, this
2 is Roy Eiguren, the moderator, for a
3 public hearing being held in York,
4 Pennsylvania, December 15th, 1994. I
5 would ask once again, are there
6 individuals in the room who have not had
7 the opportunity to comment that would like
8 to do so? There being no one here present
9 and ready to comment, in pursuant to the
10 notice that was issued for this public
11 hearing that we would end our public
12 hearing at 10:30 p.m. on this date we will
13 formally do so at exactly 10:30. Thank
14 you and good night.

15 HEARING CONTINUED
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C E R T I F I C A T I O N

I hereby certify that the foregoing is a true and correct transcript of the notes taken by me at the hearing in this matter.

12-29-94
DATE

Christine E. Lazusky
REPORTER

•PITTSBURGH
•ERIE
•SOMERSET

•HARRISBURG
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•HOLLIDAYSBURG

•BELLEFONTE
•CLEARFIELD
•JOHNSTOWN

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BEFORE THE UNITED STATES
DEPARTMENT OF ENERGY

IN RE: Proposed York County Energy Partners
Cogeneration Facility

BEFORE: Roy L. Eiguren	Phoebe Hamil
Gary Friggens	Louis Salvador
Jim Johnson	Charlie Seehorn
Dr. Suellen Van Ooteghem	Bill Lawson
Dr. Jan K. Wachter	Nelson Rekos

HEARING: Friday, December 16, 1994
7:00 p.m.

York Fair Grounds
334 Carlisle Avenue
York, PA 17404

515 ALLEGHENY ST
HOLLIDAYSBURG, PA. 16648

116 SOUTH ALLEGHENY STREET
BELLEFONTE, PA. 16824

THE ATRIUM
665-PHILADELPHIA STREET
INDIANA, PA. 15701

15TH FLOOR ALLEGHENY BLDG.
PITTSBURGH, PA. 15219

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137 WEST MAIN STREET
SOMERSET, PA. 15501

26 SOUTH SECOND ST.
CLEARFIELD, PA. 16830

31 NORTH MAIN STREET
GREENSBURG, PA. 15601

12 EAST NINTH STREET
ERIE, PA. 16501

SPEAKERS: Mark Campbell
Dan Young
Dr. Carroll Messimer
Dean Snyder
Richard Dabb
Michael Menzer
John Klunk
Paul Shaffer
Joel Sears
Richard Clark
Dr. Warren Evans
Joel Goldberg
William Thompson
George Myers
George Stouch
Robert Ernest

* * * * *

REPORTER: Christine E. Lazusky

* * * * *

515 ALLEGHENY ST.
HOLLIDAYSBURG, PA. 16648

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I N D E X

Opening Comment	216 - 237
Public Comment	237 - 344
Certificate	345

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P R O C E E D I N G S

ROY L. FIGUREN:

Good evening. We'd like to begin now if we could, please. I would now like to formally go on the record and commence today's public comment hearing and welcome you to it on behalf of the United States Department of Energy. Today's hearing is officially designated as the public comment hearing for the United States Department of Energy's York County Energy Partners Cogeneration Facility draft Environmental Impact Statement. This hearing is being held on the 16th day of December 1994 at the York Fairgrounds located in York, Pennsylvania. We're commencing the hearing at 7:00 p.m. pursuant to notice. Today's hearing is one of three that are being conducted in this particular series.

This evening's session will begin with a brief presentation of the draft Environmental Impact Statement. That will take approximately 15 minutes.

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1 Following, that I will review the
2 procedure that we will be following during
3 the formal comment portion of the
4 hearing. That will begin immediately
5 after the overview presentation.

6 My name is Roy Eiguren. I'm the
7 moderator for this as well as the other
8 hearings in this series. I'm a lawyer
9 from the State of Idaho. I'm a partner in
10 the law firm of Givens, Pursely &
11 Huntley. In addition to my regular
12 practice, I provide technical
13 facilitation, moderation services and
14 serve as a hearing officer for various
15 departments of the government under a
16 contractual relationship.

17 Today's meeting is being held as
18 part of the process prescribed under the
19 National Environmental Policy Act or NEPA,
20 as it is known. NEPA is our basic
21 national charter for evaluating potential
22 environmental impacts of Federal
23 activities. NEPA procedures are designed
24 to make environmental information
25 available to public officials and citizens

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1 before decisions are made and before
2 actions are taken. Under NEPA, Federal
3 agencies must prepare an Environmental
4 Impact Statement, or as it's known, an
5 EIS, for any major Federal action which
6 could have significant environmental
7 impacts.

8 In keeping with that
9 requirement, the purpose of this public
10 hearing is to present background
11 information on the results of the draft
12 Environmental Impact Statement and answer
13 questions which the public may have, but
14 most importantly to obtain public comment.

15 I've been asked by the
16 Department to conduct this comment hearing
17 as an independent, unbiased neutral
18 moderator. Please note neither the Court
19 Reporter who is here to my left, your
20 right, nor I or employees of the
21 Department of Energy or its contractors,
22 none of us are advocates for or against
23 any party, nor are we for or against any
24 position taken by any party during today's
25 hearing. I have one primary purpose and

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1 that is to ensure that all individuals and
2 organizations who wish the opportunity to
3 comment formally on the record have the
4 opportunity to do so, in keeping both with
5 the spirit as well as the letter of NEPA.

6 The Court Reporter's purpose is
7 to create a complete and accurate
8 transcription of this and the other
9 hearings.

10 The Department of Energy is
11 providing several opportunities for
12 members of the public who wish to comment
13 on the draft Environmental Impact
14 Statement during the comment period which
15 will run through the 31st day of January
16 1995. You may make your comments here at
17 this hearing this evening by registering
18 to speak at the information desk over to
19 my right, to your left. You may also
20 submit written comments this evening,
21 please give them to me or leave them at
22 the registration table. Or if you'd like
23 to submit written comments after this
24 hearing, you may do so by mailing them to
25 an address that can, again, be provided at

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the registration table.

I've also been asked to announce that in response to a number of comments citing the lack of time to prepare informed oral comment to the draft Environmental Impact Statement and due to the apparent late arrival of certain supplementary documents in the reading room here, the Department has decided to conduct an additional public hearing in this particular series sometime in the month of January 1995. The date will be announced in the Federal Register and in local newspapers. All comments received at these hearings, including the one tonight as well as in January, will be considered in the record along with all other comments submitted during the comment period. If you should have any additional questions to relate to this new decision by the Department of Energy, Dr. Bill Lawson will be available during the break to answer your questions.

The format for today's hearing has been designed to give as many people

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as possible the opportunity to participate, including those who wish to not make formal comment, that is to say if you don't want to go on the record, we will be more than glad to receive your written comments. We will take formal oral comment in a few moments and we'll outline the procedures as how we're going to do that in just a few more moments.

A verbatim transcript of all the oral comments received today as well as the other hearings will be developed along with the written comment. And that transcript will be included in the Department of Energy's record of these proceedings. The Department will place copies of the transcripts of the comment hearings at reading rooms and information locations. Again, that information is available at the desk.

After the Department has reviewed, analyzed and considered all of the comments received at the comment hearings, comments made over the course of this particular proceeding as well as the

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written comments that are submitted during the comment period, the Department will then prepare the final Environmental Impact Statement.

At this time, we're going to have an overview of the draft Environmental Impact Statement which will last approximately 15 minutes. That will be given to you by Dr. Jan Wachter.

DR. JAN K. WACHTER:

There are a variety of impacts which are associated with the proposed cogen plant. I don't have enough time to document all of these impacts. I advise reading the executive summary to get a better feel for the breadth of the impacts as well as reading the EIS.

But in terms of a summary of the major impacts associated with the proposed project contained in the draft EIS, the first category we looked at was visual impacts. The structures which would be constructed would alter the visual quality of the region but would be in keeping with the existing industrial setting which is

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1 the P.H. Glatfelter site setting. The
2 tallest structure that would be erected
3 would be a 395-foot stack. We looked at
4 the visual impact of this and it was
5 determined that a visual impact to the
6 Lions Club picnic and fishing area would
7 result.

8 When we had our public scoping
9 meetings last year in August and October,
10 it became very clear to us that the two
11 categories that the public had most
12 concerns and issues about were related to
13 air emissions and the associated potential
14 health effects. When we did the analysis
15 on air emissions, the primary emissions
16 that we concentrated our effort on
17 analyzing were sulfur dioxide, oxides of
18 nitrogen, particles and carbon monoxide.

19 Basically, we looked at two
20 regulations, PSD prevention of significant
21 deterioration as well as the National
22 Ambient Air Quality Standard. Increases
23 in ambient concentrations of these
24 pollutants that were listed previously,
25 sulfur dioxide, oxides of nitrogen,

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1 particles and carbon monoxide, would not
2 exceed the allowances under these two
3 regulations.

4 There was also some commentary
5 from the National Park Service with
6 respect to the effect of the proposed
7 project on the Gettysburg Military Park,
8 in particular, the effect of sulfur
9 dioxide on statues in that area. In
10 addition, we analyze the effect on
11 Shenandoah National Park. The conclusion
12 was that there would be no significant
13 impact on air quality in these areas.

14 Due to the curtailment of P.H.
15 Glatfelter number four boiler which is
16 part of the proposed project, due to the
17 receipt of steam from the proposed cogen
18 plant to the P.H. Glatfelter site, the
19 following reductions in air pollution
20 based on permitted levels would occur.
21 Approximately 2,400 tons per year of
22 sulfur dioxide, at least 217 tons per year
23 of oxides of nitrogen and 65 tons per year
24 of what's termed PM-10, that's particulate
25 matter of very small size.

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1 Since there is a cooling tower
2 associated with the proposed project, we
3 determined that there would be no adverse
4 impacts associated with fogging, icing or
5 plume shadowing in the area.

6 We extensively analyzed health
7 effects in this EIS. In particular, we
8 looked at hazardous air pollutants that
9 included species such as acid gases such
10 as sulfur dioxide, toxic metals which
11 included lead and mercury, radionuclides,
12 volatile organic compounds such as
13 benzene, polycyclic hydrocarbons such as
14 benzoapryne, and chloroform.

15 We conducted four different
16 types of health risk assessments. One was
17 conducted on stack emissions, one on
18 cooling tower emissions, one on
19 radionuclides. And then we canvassed
20 scientific studies such as physiological
21 effects on animals, human epidemiology and
22 controlled human physiological studies.

23 Our conclusions were basically
24 in two broad categories, cancer effects
25 and non-cancer effects. It was determined

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1 that the lifetime excess cancer rate from
2 potential exposure to air emissions from
3 the proposed project would be less than
4 one in one million, which is below the
5 generally accepted lifetime cancer risk
6 deemed by the Environmental Protection
7 Agency.

8 Also, we looked at non-cancer
9 health effects due to the emissions based
10 on analysis of things called hazard
11 quotients and hazard indices which are
12 outlined in the draft EIS in great detail.
13 All these values were below the number of
14 one, which indicted that any non-cancer
15 health effects would not be expected or
16 measurable.

17 The next area we looked at was
18 water quality. On the average, the
19 facility would withdraw 4.1 million
20 gallons per day of P.H. Glatfelter treated
21 wastewater and, of that, consume on an
22 average basis 2.5 million gallons per day
23 via cooling tower evaporative losses.
24 That means the wastewater is recycled into
25 a cooling tower and 2.5 million gallons

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per day would be evaporated.

Due to the fact that this water is being evaporated, this translates ultimately in decreases in flow in the Codorus Creek. During normal flow conditions, the flow would decrease from 87 cubic feet per second to 83. During low flow conditions, the Q7-10 which is the lowest weekly average flow over a ten-year period, a very rare event, the flow would decrease from 58 CFS to 54.

These losses, it was determined, would be easily attenuated in the river basin but the facility would mitigate consumption of water during low flow periods by releasing water from existing storage reservoirs or private reservoirs, not Lake Marburg, which was one of a category of public scoping concerns that we heard last year.

Due to this evaporative loss for most species, concentrations in P.H. Glatfelter wastewater being discharged would increase due to evaporative losses. However, the mass loadings which is sort

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1 of the weight of the material in the
2 wastewater would not increase. Simply,
3 you evaporate water, you increase the
4 concentration. During low flow
5 situations, this translates to a 9.6
6 increase in effective concentration of
7 dissolved species in the Codorus Creek
8 immediately downstream.

9 However, due to some of the
10 enhanced treatment which would be required
11 due to the cooling tower, there would be
12 decreases in P.H. Glatfelter effluents
13 parameters such as suspended solids,
14 biochemical oxygen demand and heat load.
15 These latter two parameters could actually
16 improve oxygen levels in the Codorus Creek
17 and, thereby, enhance biological life in
18 the stream.

19 We also looked at in-stream EPA
20 acute and chronic ambient water quality
21 criteria. And these would be met under
22 both low and mean flow conditions, except
23 for chloride, which would exceed the
24 chronic standard under low flow by a
25 factor of 1.1 which is an exceedence of ten

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1 percent. We analyze the effect of this
2 excedence in the EIS and came to the draft
3 conclusion that there would be very little
4 impact.

5 Noise. During the construction,
6 there would be short-term impacts
7 associated with the purging of dirt and
8 debris from steam systems associated with
9 the proposed site. Minimization measures
10 could be required.

11 However, since the proposed
12 facility is in close proximity to existing
13 industrial noise sources, changes to the
14 environment with respect to noise levels
15 would not be easily discernible during the
16 operation. Noise reduction measures would
17 be employed to minimize this background
18 noise increase during the operation. Vent
19 silencers would be installed to lessen the
20 noise associated with the steam release
21 events.

22 We looked at transportation and
23 traffic. Doing very conservative analyses
24 such as assuming the lack of a ride share
25 program for the proposed site, vehicular

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1 traffic would increase by 712 vehicles per
2 day during construction and by 125
3 vehicles per day during operation which
4 would degrade traffic flow in both the
5 a.m. and p.m. peak hours. This translates
6 to approximately a five percent increase
7 in traffic at key intersections during the
8 peak hours.

9 It should be noted that the York
10 Road/Colonial Valley Road intersection
11 would continue to operate at acceptable
12 levels of service. However, delays would
13 be exasperated because two key
14 intersections, York Road/Jefferson
15 Road/Lehman Road and York Road/Roundwood
16 Facility Access Drive do not currently
17 have traffic lights associated with them.
18 The York Road/Jefferson Road/Lehman Road
19 intersection already is at unacceptable
20 conditions.

21 There are certain potential
22 mitigation that could occur such as
23 traffic lights and lane improvements and
24 additional storage queues for log trucks
25 at the Roundwood site. It should be noted

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1 that improvements at the York
2 Road/Roundwood Facility Access Drive are
3 anticipated due to this proposed project.
4 But it should be also noted that the
5 Pennsylvania Department of Transportation
6 would need to improve any potential
7 mitigation measures which are included in
8 the draft EIS.

9 Solid waste. The major solid
10 waste product would be ash. However, this
11 project would also generate some other
12 types of waste such as sanitary waste and
13 hazardous waste. The volumes of these
14 wastes are outlined in the draft EIS.

15 On a positive note, the ash
16 byproduct would be hauled 70 miles to the
17 Harriman Coal Corporation mines where it
18 would be used for mine reclamation and to
19 reduce the effects of acid mine drainage.

20 Flood plains and wetlands.
21 There are certain portions of the proposed
22 site which would be located within a
23 100-year flood plain approximately 1.1
24 acres. We investigated this because at
25 times if you put a structure within a

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1 flood plain it could potentially alter
2 flow during flood events and it could
3 cause damage to surrounding area. It was
4 determined that no major impacts would be
5 expected to flood dynamics due to the
6 small area affected and to the nature of
7 structures which would be constructed in
8 the flood plain.

9 There would be approximately 0.7
10 acres of identified wetlands which would
11 be unavoidably traversed near the
12 footprint of the plant. Mitigation would
13 possibly be required for this wetland and
14 interaction with the Army Corps of
15 Engineers is required.

16 We've looked at the electrical
17 interconnection corridor from the proposed
18 site to Bair Substation. It would cross
19 the Codorus Creek three times. It would
20 traverse Army Corps of Engineers' flood
21 control lands, affecting approximately 17
22 of the 1,700 acres. Army Corps of
23 Engineers has leased about 1,500 acres to
24 the game commission for the conservation
25 of wildlife. Of the 17 acres, most is

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cultivated land.

In analyzing the affected Game Commission habitat, approximately 0.9 acres of riparian habitat, that's habitat near banks and rivers, would be affected. And 0.36 acres of that would be in the wire zone. When you put in utility lines, there's an edge zone, a wire zone and an edge zone. A wire zone is approximately 40 feet across and that is the area in which trees are cut in order to not obstruct the power lines. 1.2 acres of wooded uplands would also be affected and 0.36 acres in the wire zone.

If you add up the numbers, 0.72 acres of habitat would be consumed by this interconnection corridor. Mitigation of the 0.36 acre riparian habitat could be required and these mitigation actions would need to be coordinated both with the game commission, fish and wildlife as well as the Army Corps of Engineers.

However, there are some benefits associated with this electric utility corridor line. One is that if you clear

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1 cut the land, biodiversity actually
2 increases, it's a more stable habitat, as
3 well as many hunters view it favorable
4 from a point of view of an access way.

5 These are only some of the
6 impacts associated with the proposed
7 project. Again, I would take time and
8 read the executive summary and the draft
9 EIS as well as looking in detail to those
10 sections which are particularly of
11 interest to you.

12 The future schedule for the
13 National Environmental Policy Act process,
14 as Roy stated before, comments will be due
15 January 31st, 1995. We will revise the
16 draft Environmental Impact Statement based
17 on the comments that we receive during the
18 public hearing process. The final EIS
19 will be anticipated to be issued in March
20 1995. And a record of the decision for
21 this project, either favorable,
22 unfavorable or favorable with mitigation
23 required should be issued sometime in
24 April of 1995. Thank you.

25 ROY L. EIGUREN:

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1 Thank you. With me at the front
2 of the room are members of the Department
3 of Energy's hearing panel. Their purpose
4 in being here is to listen to your public
5 comment as well as ask clarifying
6 questions as necessary to better
7 understand the comment that you're
8 providing. These are individuals who have
9 senior responsibility over this particular
10 environmental document.

11 I've already introduced Dr.
12 Wachter who is the director of Environment
13 Safety and Health with the Morgantown
14 Energy Technology Center in Morgantown,
15 West Virginia. Also with me is Dr.
16 Suellen Van Ooteghem who is the
17 environmental project manager for the
18 Morgantown Energy Technology Center also
19 in Morgantown. Jim Johnson who is the
20 NEPA compliance officer from the
21 Department's headquarters in Washington,
22 D.C. And to my left, Gary Friggens who is
23 with the Clean Coal branch at the
24 Morgantown Energy Technology Center.

25 Rules for the conduct of the

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1 hearing are fairly straightforward. If
2 you'd like to speak, we would ask that you
3 would register at the registration table.
4 The order of speakers, we'll first take
5 any Federal, State or local public
6 officials and then members of the public
7 on a first come, first serve basis. Now,
8 there have been a number of individuals
9 who have pre-registered and we have
10 attempted to accommodate the times within
11 which they have asked to speak.

12 Speakers are limited to five
13 minutes. However, we're relaxing that
14 requirement and I'm exercising the
15 prerogative of the chair to allow these
16 individuals to go beyond five minutes.
17 However, we do have a lighting system here
18 that shows while you're within your
19 five-minute period the light remains
20 green. When you have one minute
21 remaining, the light goes to yellow. And
22 when five minutes has expired, it goes to
23 red. We would ask that when your name is
24 called that you would either come to the
25 podium here at the front or the

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1 free-standing mike. Give us your name for
2 the record and then begin giving us your
3 comment.

4 As I mentioned earlier, if you
5 do have written comment, we would like to
6 receive it. It receives the same weight
7 in the record, that is to say it's
8 considered just the same as though oral
9 comment was given. And so if you do have
10 written comment either today or at a later
11 date, please make it available to us. If
12 you do have written comment available
13 after today, there is a location that you
14 can mail it to that's provided at the
15 registration desk.

16 So with that, we'll go ahead and
17 now begin receipt of comment from members
18 of the public. We'll start with our
19 pre-registered commenters. First is Mark
20 Campbell.

21 MARK CAMPBELL:

22 My name is Mark Campbell. I'm a
23 West Manchester Township resident, the
24 father of two beautiful children, ages
25 nine and two and a half, and husband to a

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1 lovely wife, which her birthday is
2 tonight, so I'll make it quick, and who is
3 pregnant with our third child due in
4 April.

5 I'm not really anybody important
6 or special except in the eyes of my
7 children and my wife. But enough about
8 me. Just exactly why I'm here tonight, I'm
9 here tonight to give my support to this
10 project. I believe that York County can
11 benefit immensely from this project in
12 many ways.

13 One way is by more jobs for this
14 area both during construction and
15 operation of the plant, plus all the other
16 local businesses that would benefit from
17 it. Another is the taxes generated by
18 this project. Some people say the
19 government shouldn't fund the project
20 because it's their tax dollars. I look at
21 it this way, you'll get your money back
22 and maybe more from the tax dollars the
23 facility pays in local and State taxes.
24 To me, that's a pretty good trade-off. I
25 look at it as an investment of my tax

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1 dollars.

2 Another plus is the electrical
3 production from this facility. As stated
4 in one of your handouts, almost 50 percent
5 of the current inventory of the electrical
6 generation capacity in the United States
7 will be more than 30 years old by 1997. I
8 just wonder how efficient some of these
9 older plants are. We've got to build
10 newer and efficient ones and the sooner
11 the better.

12 The best overall benefit that
13 York County will get from this project is
14 the reduction of air pollution. I've
15 heard over and over about the air quality
16 in York is not that good. Well, how did
17 it get this way? One way I would imagine
18 is from older and less efficient power
19 plants. Now, here comes a project that
20 will shut down an older and less efficient
21 boiler, a boiler that burns less coal yet
22 emits more pollutants.

23 This project will reduce SO2 by
24 2,419 tons a year, at least 217 tons a
25 year of NOx and 65 tons a year of PM-10.

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1 To me, that's not a problem, that's part
2 of the solution to our air quality in
3 York.

4 Another plus as I see it is the
5 ash byproduct being used for mine
6 reclamation and reduce the effects of acid
7 mine drainage. It's been said the effects
8 of this project haven't been studied
9 enough. To me, I think it's been looked
10 at and studied well. The longer we wait
11 for this project, the poorer our air
12 quality becomes. So I say the sooner this
13 project is completed, the better our
14 quality of life and air becomes. Thank
15 you.

16 ROY L. FIGUREN:

17 Our next registered commenter is
18 Adrian Woods. I will call that name
19 later, apparently that person is not here.
20 Dan Young on behalf of the American Lung
21 Association.

22 DAN YOUNG:

23 My name is Dan Young. I am the
24 program director at the American Lung
25 Association here in York. Last week we

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D-240/4

Response: Comment is noted.

KEYWORDS:

Ash byproduct

Mine reclamation

1 did receive a copy of the EIS statement
2 and we reviewed it since then and we
3 reviewed it mostly at our meeting of our
4 task force to study the lung health
5 implications of this proposed facility.
6 After reviewing this document, our
7 position remains unchanged and that is to
8 oppose the construction and operation of
9 this facility. We are a non-profit health
10 agency with the mission to conquest lung
11 disease and the promotion of lung health.

12 I'm here this evening on behalf
13 of the estimated 30,000 York Countians,
14 children and adults, with some form of
15 lung disease. These are the people who
16 are first going to suffer from this air
17 pollution the most. As these air
18 pollution levels increase, so will the
19 premature death rates increase. This fact
20 was well depicted at a Harvard School of
21 Medicine Six-City Study that clearly
22 compared particulate matter air pollution
23 rates in six cities in the United States.
24 The authors concluded that adults living
25 in the city with the highest annual level

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D-241/17

KEYWORDS:

Air quality
Health effects

Response: DOE has conducted a risk analysis which is contained in Section 4.1.2.11 of the EIS. This analysis concluded that there would be little increased health risk to the community (as assessed through cancer and non-cancer effects) from the proposed Cogeneration Facility. These conclusions were drawn from a number of sources including risk assessments conducted using EPA models as well as an analysis of information contained in peer-reviewed journal articles.

Please also see the response to Comment D-129/6.

D-241/24

KEYWORDS:

Health effects
Particles

Response: The proposed Cogeneration Facility should release, as a maximum, 29 lbs/hr of particulate matter, which translates to 127 tons/yr. On a concentration basis, these emissions loadings would translate to a maximum particle concentration of $1.1 \mu\text{g}/\text{m}^3$ (24-hr basis) and $0.2 \mu\text{g}/\text{m}^3$ (annual basis). The National Ambient Air Quality Standards are $150 \mu\text{g}/\text{m}^3$ and $50 \mu\text{g}/\text{m}^3$, respectively.

1 of fine particles were 26 percent more
2 likely to die prematurely than adults
3 living in the cleanest city. Obviously,
4 this planet is going to emit its fair
5 share of particulate matter.

6 The American Lung Association
7 believes the draft Environmental Impact
8 Statement for the proposed York County
9 Energy Partners Cogeneration facility
10 should be rejected based on the following
11 points: Number one, there is a surplus
12 already of electrical energy in the market
13 place as well as that projected into the
14 future.

15 Number two, the best available
16 technologies are not being considered.
17 It's our belief this technology is
18 outdated and that newer technologies are
19 available that would further reduce air
20 pollution levels in this area. We believe
21 that the Department of Energy can and must
22 do better for the citizens of York.

23 Number three, this is no longer
24 a demonstration project. Similar plants
25 already exist within the United States as

(continued)

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The EIS was revised to include summaries of journal articles and reports, such as the one mentioned in the comment. These information sources dealt primarily with analyzing the association of mortality and morbidity with air pollution levels (especially particles). For discussion, please see Section 4.1.2.11 of the FEIS.

Based on the overall ambient concentrations of particles expected to be generated by the proposed project (especially considering that there would be an overall decrease in particle loadings to the York air basin on an annual basis compared to current conditions), mortality increases are not expected.

Please also see the response to Comment D-129/6.

D-242/11

Response: Please see the response to Comment D-83/5.

KEYWORDS:

Need for power
Energy management

D-242/15

Response: Issues regarding usage of the best prevailing technologies and consideration of alternative technologies have been previously discussed in responses to Comments D-100/9 and D-39/13, respectively.

KEYWORDS:

Alternative technologies

D-242/23

Response: Information on the need for the proposed project is provided in Section 1.3, "Purpose and Need," of the EIS. Please refer to the response for Comment D-39/13, which deals with the need for demonstrating the proposed project's technology at utility-scale and the existence of plans for plants of similar size and/or technology.

KEYWORDS:

Commercialization
status

(continued)

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well as abroad.

Number four, the evidence is unconvincing that air pollution levels in York will be reduced, thus the impact of the expected air emissions to this region remains unclear.

Number five, our air pollution rates in York are still among the worst monitored --- are still among the worst monitored air basins in Pennsylvania and we need further reductions.

In conclusion, the American Lung Association believes there should be no compromise when it comes to clean air simply because when you cannot breathe, nothing else matters. Thank you.

ROY L. EIGUREN:

Next registered commenter is Dr. Carroll Messimer with the P.H. Glatfelter Company.

DR. CARROLL MESSIMER:

Good evening, ladies and gentlemen, my name is Dr. Carroll Messimer. I'm the assistant corporate environmental manager of the P.H.

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D-243/2

KEYWORDS:

Air emissions
Air quality

Response: Air quality permits for the proposed York County Energy Partners, L.P. (YCEP) project would result in a reduction of maximum permitted levels of 2,419 tons/yr of sulfur dioxide (SO₂), 272 tons/yr of oxides of nitrogen (NO_x), and 65 tons/yr of particulate matter (PM₁₀), representing a maximum decrease of 2,756 tons of these pollutants (see Table 4.1-2). Estimated actual emissions would decrease by 650 tons/yr of sulfur dioxide (SO₂), 415 tons/yr of oxides of nitrogen (NO_x), and 7 tons/yr of particulate matter (PM₁₀); and would increase by 1,349 tons/yr of carbon monoxide (CO) and 35 tons/yr of volatile organic compounds (VOCs), representing a maximum increase of 312 tons/yr of these pollutants (see Table 4.1-2a).

D-243/7

KEYWORDS:

Air quality
Baseline

Response: As described in Section 3.1.2 of the EIS, the York air basin is in attainment for five [sulfur dioxide (SO₂), oxides of nitrogen (NO_x), particulate matter (PM₁₀), carbon monoxide (CO), and lead (Pb)] of the six criteria air pollutants, and is in marginal nonattainment for the sixth criteria pollutant, ozone (O₃). According to the Pennsylvania Air Quality Reports published by PADER for the twelve air basins and three non-air basin areas in Pennsylvania, in 1993--which appeared to be typical of earlier years--the York Air Basin was the highest area for annual averages of particulate matter (PM₁₀), seventh highest for sulfur dioxide (SO₂) (six areas were higher, and four of the remaining nine areas were lower), highest for oxides of nitrogen (NO_x), seventh highest for carbon monoxide (CO), and had no exceedances for ozone. The Upper Beaver, Lower Beaver, and Erie areas appeared consistently to be among those that had the highest averages.

The York air basin ranks highest for particulate matter (PM₁₀) and oxides of nitrogen (NO_x). The proposed project would lower the inventory of these pollutants into the York air basin.

1 Glatfelter Company. And I am speaking
2 tonight on behalf of the company. The
3 P.H. Glatfelter Company has two reasons
4 for submitting these comments. First, in
5 accordance with the purpose of this
6 meeting, we will make substantive
7 comments on the contents of the draft
8 Environmental Impact Statement. And,
9 second, in the interest of having only
10 accurate and correct information before
11 the Department of Energy and the general
12 public, we will respond to inaccurate
13 information. Specifically, I have four
14 topics that I will address.

15 First of all, the final
16 Environmental Impact Statement should more
17 clearly explain the conservative nature of
18 the air modeling studies. In the health
19 risk assessment and in other parts of the
20 draft EIS which discuss air quality, the
21 Department states that the impacts of the
22 project on air quality have been
23 conservatively estimated. It should be
24 made perfectly clear in the text and the
25 executive summary of the final EIS that

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D-244/15

KEYWORDS:
Air modeling
Conservatism

Response: As discussed in Section 4 of the EIS, air models such as seasonal annual cooling tower impacts (SACTI) (for cooling tower emissions), ISC2, and CTSCREEN [for circulating fluidized bed (CFB) emissions], etc., were used to predict the impacts of the proposed York County Energy Partners, L.P. (YCEP) project on ambient air quality. These models are approved by EPA and PADER and their use and any "conservatism" is appropriate. It is not desirable to base any decision and assessment on modeling analyses that are derived from optimistic or even average level assumptions. Rather, it is prudent to base such modeling on conservative assumptions. The Prevention of Significant Deterioration (PSD) analysis was conducted for the conservative scenario in which the proposed YCEP project and the P. H. Glatfelter Company's Power Boiler No. 4 could be operated simultaneously up to 720 hours per year. The PSD analyses did not consider that for the other 8,040 hours per year, the P. H. Glatfelter Company's Power Boiler No. 4 would not be operated, or that it may not be operated at all. The purpose of such "conservatism" is to render impacts representative of the "outside" or largest possible impact, rather than providing impact analyses based on the uncertainty that these impacts could be significantly greater.

An additional table has been included in the FEIS, Table 4.1-2a, Section 4.1.2.3, which shows estimates of expected emissions from the proposed YCEP project. Table 4.1-2a may be compared to the permitted (i.e., "conservative") levels shown in Table 4.1-2. As can be seen, the "expected" levels are less than the "permitted" levels. Nevertheless, all air quality modeling used permitted or "conservative" levels to help derive any predicted concentrations.

D-244/23

KEYWORDS:
Air quality impacts
Conservatism

Response: See the response to Comment D-244/15. The Executive Summary of the FEIS has been changed to reflect the comment.

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the actual impacts will be significantly lower than those predicted by the conservative modeling.

Specifically, we request that the final EIS provide a more detailed explanation of the many conservative aspects of the air modeling and the health risk assessment. For example, it is clear that the health effects analysis does not take into account the fact that the operation of Glatfelter's number four boiler will be curtailed. Instead, the modeling was conducted as if both the number four boiler and the YCEP boiler would both be operating at full load 365 days a year. Clearly, this is not the case. In fact, there will be a significant decrease in the emissions when the YCEP boiler supplies the steam presently being produced by the number four boiler.

Another conservative feature of the modeling is found in the analysis of the effects of SO2 and NOx. In analyzing the effects of SO2 and NOx, the analysis

(continued)

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D-245/4

KEYWORDS:

Air modeling
Conservatism
Health effects

Response: As discussed more fully in the response to Comment D-244/15, DOE's National Environmental Policy Act (NEPA) analysis for this proposed project is conservative and prudent, particularly in regard to analyses for health risk assessment. The discussions of air modeling and health risk assessment in Sections 4.1.2.6 and 4.1.2.11 of the EIS are considered to be appropriate.

D-245/22

KEYWORDS:

Air modeling
Conservatism

Response: See the response to Comment D-244/15.

1 assumed that emissions from existing
2 sources in York County would be much
3 higher than they actually are. In fact,
4 the analysis assumes that every source at
5 Glatfelter and every other source in York
6 County is operating at full load 24 hours
7 a day, 365 days a year and emitting at its
8 maximum allowable rate. Clearly, this is
9 never the case. The final EIS should
10 highlight the conservative nature of these
11 assumptions. The modeling also does not
12 take into account the significant
13 reductions in NOx from the modifications
14 that will be made to the transcontinental
15 gas pipeline corporation facility.

16 As one last example of the
17 conservative nature of the modeling, we
18 would point out that the model
19 overestimates emissions from just
20 Glatfelter and YCEP alone by more than 300
21 percent. We understand why and agree that
22 the modeling must be conservative. It is
23 also abundantly clear that even with these
24 multiple conservative assumptions the YCEP
25 boiler will have no adverse impact on air

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D-246/11

KEYWORDS:

Air modeling
Offsets

Response: Prevention of Significant Deterioration (PSD) modeling, that included prediction of oxides of nitrogen (NO_x) concentrations, was based on the permitted emissions of 1,437 tons/yr of oxides of nitrogen (NO_x) from the proposed York County Energy Partners, L.P. (YCEP) project. The rationale for the conservative aspects of such a modeling approach [that did not provide credit for reductions of oxides of nitrogen (NO_x)] is discussed in the response to Comment D-244/15. Tables 4.1-2 and 4.1-2a in Section 4.1.2.3 of the FEIS, show the reductions of permitted emissions and expected emissions from the proposed YCEP project, and take into account the 800 tons/yr of oxides of nitrogen (NO_x) Emission Reduction Credits (ERCs) obtained from the Transcontinental Gas Pipe Line Corporation, as well as the reductions of 909 tons/yr of oxides of nitrogen (NO_x) resulting from Reasonably Available Control Technology (RACT) modifications and the curtailment of the P. H. Glatfelter Power Boiler No. 4 to 720 hours per year of concurrent operation with the proposed Cogeneration Facility.

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quality or human health.

But since there are concerns in the community about potential effects of the plant on air quality, we suggest that the final EIS clearly explain the conservative nature of the modeling and the degree to which emissions have been overestimated.

My second point is, the final EIS should clearly detail the present condition of Glatfelter's number four boiler. Glatfelter's number four boiler, which was installed in 1956 is, like all of Glatfelter's equipment, regularly inspected and well maintained. While the number four boiler represents an earlier generation of technology, this boiler is in excellent condition and will continue to serve Glatfelter for many years to come. This is evidenced by the fact that Glatfelter's number three boiler, which was installed in 1948 remains in perfectly good operating condition. We have no plans to replace either of these boilers. In fact, we just spent \$1.3 million to

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D-247/2

Response: See the response to Comment D-244/15.

KEYWORDS:
Air modeling
Conservatism

D-247/9

Response: Additional information regarding the condition of the P. H. Glatfelter Company's Power Boiler No. 4 has been added to the FEIS in Section 2.1.3.

KEYWORDS:
Boiler No. 4

1 install low NOx burners on the number four
2 boiler in order to be in compliance with
3 Pennsylvania DER's RACT standards for NOx.

4 The third point that I would
5 like to make is, the available data does
6 not support the assertion that York County
7 has an abnormally high cancer rate. The
8 draft EIS correctly summarizes information
9 in the 1994 Pennsylvania Department of
10 Health report entitled, Cancer Incidence
11 and Mortality in Pennsylvania. This
12 report which is compiled from data
13 submitted to the Department of Health by
14 physicians and hospitals in York County
15 and the rest of Pennsylvania documents the
16 fact that the actual and age-adjusted
17 cancer rates in York County are
18 significantly less than those for the
19 entire State of Pennsylvania. In fact,
20 these data indicate that the incidence and
21 death rates for cancer are higher in
22 Pennsylvania's less industrialized
23 Appalachian counties than the more
24 industrialized counties in the eastern
25 part of the state.

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D-248/1

Response: Comment is noted.

KEYWORDS:

Boiler No. 4

D-248/5

Response: Comment is noted. Data (both raw and age-adjusted) obtained from the Pennsylvania Department of Health, 1994, and summarized in Table 3.1-12 of the EIS shows that cancer deaths for York County were similar to surrounding counties, and lower than Pennsylvania as a whole.

KEYWORDS:

Baseline

Cancer

1 This data is consistent with
2 information presented by biochemist Dr.
3 Bruce Ames of the University of California
4 at Berkley. Dr. Ames, the inventor of the
5 Ames test for mutagenicity asserts in his
6 peer reviewed scientific articles that
7 environmental pollution is responsible for
8 less than one percent of all cancers.
9 Poor diet, smoking, chronic infections and
10 naturally occurring hormones are,
11 according to Dr. Ames, responsible for 99
12 percent of all cancers.

13 And, finally, significant
14 improvements to Glatfelter's effluent
15 anticipated in the draft EIS and
16 supporting documents have, in fact,
17 occurred. In the last month, Glatfelter
18 has finished it's \$170 million pulp mill
19 modernization project. This project
20 consisted of three major improvements to
21 the mill, all designed to improve
22 environmental performance and meet current
23 and anticipated environmental regulations.

24 These three improvements are,
25 one, a new wood processing facility. Two,

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D-249/13

KEYWORDS:
Improvements
Water quality

Response: DOE recognizes that P. H. Glatfelter Company has completed its Paper Pulp Mill Modernization Project; however a database regarding the actual improvements in water quality resulting from the modernization project is not yet available. Testing and data analysis would be coordinated between P. H. Glatfelter Company and PADER to quantify the improvements resulting from this extensive modernization project.

1 a new recovery boiler. And, three, major
2 changes in the pulping and bleaching
3 processes. The most important of these
4 improvements in relationship to the YCEP
5 project is the changes we have made to our
6 pulping and bleaching processes. We have
7 installed and are now operating pulping
8 and bleaching processes that have been
9 identified by the U.S. EPA as the best
10 available technology in the proposed
11 cluster regulations for the pulp and paper
12 industry.

13 As a result of these
14 improvements, the P.H. Glatfelter Company
15 has the most modern pulp and paper mill in
16 Pennsylvania and one of the most modern in
17 the country. These processes include
18 oxygen delignification, chlorine dioxide
19 substitution and improved pulp washing.
20 The environmental advantages of these
21 technologies are, among others, one,
22 almost total elimination of the potential
23 to form dioxin and other chlorinated
24 organic compounds; two, significant
25 reductions in effluent color; and, three,

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D-250/6

Response: Comment is noted.

KEYWORDS:

Pulping process

1 significantly reduced dissolved solids.
2 In fact, each of these improvements has
3 already been realized. Dioxin has never
4 been detected in our effluent and it is
5 now not detectable in our wastewater
6 biosolvents.

7 According to the best analytical
8 methods available, the Glatfelter mill is
9 not producing any 2378 TCDD. Effluent
10 color has been reduced by approximately 50
11 percent and we estimate that dissolved
12 solvents have been reduced by
13 approximately 30 percent. Incidentally,
14 the fish consumption advisory was removed
15 several months ago before these changes
16 took place.

17 The bottom line is our
18 wastewater plant effluent is more suitable
19 than ever to be used in the cooling tower
20 system of the YCEP facility. Furthermore,
21 the reduced heat load and BOD flow to the
22 creek which will occur when our effluent
23 is used in the cooling tower system will
24 result in further improvements and more
25 quality.

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D-251/9

KEYWORDS:

Color
Dissolved solids
Water quality

Response: Please see the response to Comment D-249/13. As the information in the EIS shows, it is anticipated that the Pulp Mill Modernization Project would result in a 32-percent reduction in color and a 19-percent reduction in dissolved solids. These reductions could change based on actual performance of the newly installed pollution control equipment and could increase compared to the values contained in DOE's conservative analysis.

D-251/14

KEYWORDS:

Advisory
Dioxin

Response: Comment is noted.

1 Thank you, ladies and gentlemen,
2 for your time and attention and for
3 allowing us the opportunity to make these
4 comments. Thank you.

5 ROY L. FIGUREN:

6 Our next commenter is Dean
7 Snyder.

8 DEAN SNYDER:

9 I would have to say that you
10 have failed to provide an Environmental
11 Impact Statement that I can understand.
12 Therefore, I must say no to the cogen. On
13 November 8th, I would have to say that
14 that equaled the vote of no faith in
15 government like DER and here we go again
16 and we can see why.

17 Our local elected leaders can't
18 agree on this issue of the cogen. And
19 this is all the more reason for a county
20 referendum on this issue. Even Prime
21 Minister John Major in England is
22 beginning to understand the need for
23 referendum. A ruling party leader in
24 England said, the best way to heal
25 divisions in our ranks is to let the

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D-252/9

KEYWORDS:

NEPA
Quality

Response: It is the goal of DOE to provide an accurate and understandable accounting of the expected environmental and human health impacts of the proposed project to the public as required by the National Environmental Policy Act (NEPA). This is not always an easy goal to attain. However, the Council on Environmental Quality's regulations for implementing the NEPA process (40 CFR 1500.1) states that "NEPA's purpose is not to generate paperwork -even excellent paperwork- but to foster excellent action. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment."

In an effort to "foster excellent action," DOE has attempted to tailor the requirements of the NEPA process to meet the needs of the public as well as the decision maker(s). There are many layers of analysis provided in the EIS. DOE has attempted to provide simple analyses and figures which allow comparison of basic facts related to the project, as well as detailed factual and analytical data (often by referencing other reports) for those segments of the scientific and medical communities who have requested inclusion of this information throughout the scoping process. DOE has chosen to err on the side of caution in regards to this matter, and to present all significant information as concisely as possible, rather than leave out information which, although it may appear insignificant to some, is of great interest to others.

DOE has made every effort to make the EIS accurate, concise, and understandable to its large and diverse audience by: 1) providing an abstract and executive summary for the proposed project to concisely present document findings and facilitate understanding of the facts, 2) incorporating other documents by reference, as required by NEPA implementing regulation to limit paperwork, and 3) concentrating analyses into the main areas of public concern as communicated by stakeholders.

DOE attempted to arrange information such that the less specific and scientific information is presented early in a particular section, with more complex information contained in the interior of a section. However, there were many specific issues that were raised during public scoping that required extensive scientific analysis in order to resolve. Sometimes it was difficult to portray the findings of these analyses in other than scientific terms, especially when the Department utilized models (which contain numerous scientific assumptions) to address issues (such as air impacts and health risk to the population).

This comment has been noted and was kept in mind as final revisions to the EIS were made.

D-252/18

KEYWORDS:

Referendum

Response: Please see the response to Comment D-326/19.

1 people decide the issue. And what about
2 the Tenth Amendment resolution that our
3 State House overwhelmingly adopted and the
4 State senators adopted unanimously. They
5 basically told the Federal government to
6 get out of their business, even our
7 elected officials who don't like the
8 government calling the shots. Well,
9 what's good for the goose is good for the
10 gander. Local government should tell the
11 State to get out of its business. And it
12 used to be Skip Missimer; didn't it? I
13 think it's gotten a little more formal.

14 As for P.H. Glatfelter, start
15 being a good corporate neighbor. Drop
16 your partnership with the York County
17 Energy Partners. Why not draft your own
18 clean coal technology proposal and get a
19 huge grant for yourself? P.H. Glatfelter,
20 you've opened Pandora's box with your
21 partnership with the York County Energy
22 Partners. Do you still think it's worth
23 it? You've raised the ire of many York
24 Countians.

25 So DER, if anyone cares what I

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1 think, you're fired.

2 ROY L. FIGUREN:

3 Richard Dabb, president of the
4 York County Medical and Osteopathic
5 Society.

6 RICHARD DABB:

7 I promise not to bring you a
8 lump of coal tonight. I'm sure all of you
9 are as unhappy with being here before the
10 holidays as we are. My name is Richard
11 Dabb and I'm president of the York County
12 Medical Society and I'm the spokesperson
13 for our environmental impact committee.
14 I'm a double-Boarded surgeon in General
15 Surgery and Plastic and Reconstructive
16 Surgery. My primary interest in practice
17 is the reconstruction of patients with
18 cancer. And I feel that our committee has
19 worked now for over a year and a half
20 diligently to try to review the
21 information that's been brought to us in
22 an objective way as possible. But as I
23 noted with personal statements,
24 objectivity seems to change with the
25 difficulty in which we've had in getting

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1 clear and precise data to make objective
2 statements.

3 Our formal statement reads as
4 follows: The environmental impact
5 committee representing the York County
6 Medical Society, the York County
7 Osteopathic Medical Society, totalling 600
8 members has previously issued a position
9 paper on the proposed coal burning
10 cogeneration plant in August of 1993. At
11 that time, we adamantly opposed the
12 construction of the coal burning plant
13 because of its adverse effects on air
14 quality in York County, the environment
15 and human health.

16 We have recently reviewed the
17 Department of Energy's draft of the
18 environmental impact study regarding the
19 coal burning cogeneration plant.
20 Unfortunately, essentially none of the
21 concerns we raised in our position paper
22 have been adequately addressed in the
23 environmental impact study. First, the
24 Environmental Impact Statement mentions
25 only that York's air quality is usually

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D-255/11

KEYWORDS:

Air quality
Environmental effects
Health effects

Response: As discussed in Chapter 4 of the EIS, the proposed project would not be expected to have major adverse effects on air quality, the general environment, or human health. The EIS indicated that the air emissions from the proposed facility (even without reduction offsets anticipated for the curtailment of P. H. Glatfelter Company's Power Boiler No. 4) would be well within regulatory guidelines (e.g., National Ambient Air Quality Standards and Prevention of Significant Deterioration Review). In addition, the results of the health risk assessments conducted indicate that the risks (cancer and non-cancer) associated with this project would be within the level of risks considered to be acceptable by agencies such as the EPA.

D-255/20

KEYWORDS:

Health effects

Response: The Health Risk Assessment section in the FEIS (Section 4.1.2.11) has been revised to better respond to issues raised by York County medical societies. Please see responses to Comments W-YCMS-1/30a through W-YCMS-1/30g which specifically address the issues raised by the York County Medical and Osteopathic Medical Societies.

1 within DER standards. But it's not
2 discussed that York's air quality is
3 already one of the most heavily polluted
4 areas in the State. We continue to lag
5 behind others in Pennsylvania in the area
6 of air quality improvement.

7 During the Department of
8 Energy's scoping meeting, we presented two
9 volumes consisting of more than 20
10 articles which have a similar message.
11 These medical studies show that air
12 pollution has detrimental effects on lung
13 function, especially in susceptible
14 individuals such as children and those
15 with asthma and chronic obstructive lung
16 disease.

17 These effects occur at levels
18 well below the standards set by the DER
19 and the EPA. Not one of these medical
20 articles was mentioned in the
21 Environmental Impact Statement. There is
22 no evidence that they were even read by
23 the Department of Energy Committee. The
24 Harvard Six-City Study has since been
25 published in December of '93 and this has

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D-256/1

Response: Please see the response to Comment D-243/7.

KEYWORDS:

Air quality
Baseline

D-256/19

Response: DOE reviewed the medical articles received from York County Medical Society and York County Osteopathic Medical Society. Most of the information contained in these reports elucidated the scientific or epidemiologic relationship between air pollution levels and adverse health effects. DOE does not question the existence of a general relationship between air pollution and health effects, and, for this reason, conducted an independent health risk assessment for inclusion in the EIS.

KEYWORDS:

Health effects
Medical reports

In the FEIS, a summary of these articles and reports has been presented in Section 4.1.2.11 (see Tables 4.1-17 and 4.1-18). The text has also been revised to reflect the application of this information to analysis of the effects of emissions from the proposed Cogeneration Facility.

Please see the response to Comment D-129/6 for more information.

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been called by peer reviewers the best study to date with regards to the effect of air pollution on mortality rates.

There was a 2,600 percent higher rate of premature deaths in the most polluted area versus the least polluted cities over a 14 to 16-year period. Particulate air pollution seems to be a major cause. The major source of the particulate air pollutions are power plants. EPA officials concluded after examining this data that tens of thousands of people a year are dying as a result of air pollution that is within our current standards. No mention of this landmark study is made in the current Environmental Impact Statement.

The Environmental Impact Statement's assessment of York County population's state of health is entirely inadequate. In fact, the 1994 mortalities data from the Department of Health is limited to one page. No mention is made of the actual health of the population such as the incidents of asthma, emphysema

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D-257/4

KEYWORDS:
Health effects
Particles

Response: A number of articles were reviewed for information that could be applied to the risk analysis associated with the proposed Cogeneration Facility. The articles received from the York County Medical and Osteopathic Medical Societies dealt primarily with the association of increased particulate levels with increased mortality. These articles have been summarized and are contained in Section 4.1.2.11 of the FEIS. For further information, please see the responses to Comments D-129/6 and D-241/24.

D-257/9

KEYWORDS:
Air quality
Particles
Standard

Response: The results of this study are now presented in a summary table (Table 4.1-17) included in Section 4.1.2.11 of the FEIS. The applicability of this information to the risk assessment that was conducted for the proposed Cogeneration Facility is also presented. For more information, please refer to the response to Comment D-129/6.

D-257/18

KEYWORDS:
Baseline
Health effects
Heavy metals

Response: Please see the response to Comment D-129/18.

The purpose of including baseline health data in an EIS is to ascertain whether the population potentially affected by a proposed action is at greater risk than the general population. Age-adjusted mortality data are included in the EIS (Table 3.1-12) to address the public's concern that the population in York County had a higher incidence of cancer and respiratory deaths than in surrounding counties. Information on county-specific morbidity data was not readily available.

In addition, emission of oxides of nitrogen (NO_x), a precursor to ozone formation, would be reduced with the proposed project, and could help to bring the air basin into attainment for ozone. This is consistent with the published goals of the Public Health Service (*PHS, 1991*).

The effects of heavy metals are discussed in Section 4.1.2.11 of the FEIS. Based on this information, health effects due to exposure to heavy metals - including inhalation, dermal absorption, and dietary uptake - would not be expected to occur because of the proposed facility.

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and chronic bronchitis. The deposition of heavy metals from the plant will have a unanswered negative impact on the region as a whole.

In summary, the Environmental Impact Statement simply ignored most of the questions and concerns which were raised by the environmental impact committee of the York County Medical Society and the York County Osteopathic society.

Although none of the committee live in York or breathe our air, we hoped that there would have been a more fair assessment of this project. We continue to adamantly oppose the construction of this coal burning plant which will be a catastrophe to the health of this community.

The population of York County trusts us to care for them during the crisis of disease, heart attacks, trauma, cancer. They also trust us to help prevent those problems. Health care reform will require us to care for

(continued)

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1 Americans and to prevent these problems
2 prior to the necessity of us caring for
3 the crises.

4 To allow for care of all
5 Americans must start with a strong
6 foundation of preventive medicine. This
7 project, in our opinion, is in direct
8 opposition to this concept.

9 I truly sympathize with the
10 working men in this room tonight that sees
11 this as an opportunity for employment. I
12 assure you that we will keep working on
13 this problem and I assure that the
14 pressure that will be produced in the
15 future on industry in York by our
16 societies will give you more than ample
17 opportunity for employment to help clean
18 up this city. What we hope to see is a
19 renaissance in York similar to what one
20 has seen in Pittsburgh. Dirty industrial
21 cities can be cleaned up.

22 Those of you who would visit my
23 office would see a sign given to me by my
24 secretary. If you can't convince them,
25 confuse them. That is what has been done

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D-259/5

Response: DOE acknowledges that preventive medicine has become an increasingly important component of health maintenance.

KEYWORDS:

Prevention

DOE has conducted a risk assessment for the proposed Cogeneration Facility, and the levels of risk posed by the proposed project are within the range found to be acceptable by EPA standards and interpretations. It should be mentioned that potential improvements to air quality could be expected due to the proposed project (for example, overall decreases in sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate emissions) that would be supportive of preventive medicine precepts.

1 by the initiators of this project to the
2 inhabitants of this region. Thank you.

3 ROY L. FIGUREN:

4 Our next scheduled commenter is
5 Michael Nemser. He is here on behalf of
6 SPEAC.

7 MICHAEL MENZER:

8 Hello. My name is Michael
9 Menzer. I'm a resident of the City of
10 York. And firstly, I'd like to say good
11 evening to the representatives from DOE
12 and my fellow citizens of York County.

13 Over the past few days you have
14 heard testimony from many informed people
15 who have taken time out from their holiday
16 schedule to speak here. Many are
17 concerned citizens who have come to voice
18 their opposition to an ill-conceived idea
19 and do not expect compensation for their
20 testimony other than the piece of mind
21 that they would receive if their opinions
22 were taken to heart and this proposed
23 project was halted. You've also heard
24 from sponsors and supporters of the
25 project, all of whom will profit from its

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successful completion. Many of these people are being paid cold cash to be here.

Some of this testimony you've heard before, the two days of scoping meetings held in this room some time ago. But this time we're here to comment on the draft Environmental Impact Statement, an incomplete 600-page monolith that we were all expected to digest in 15 days, despite the fact that it took 15 months to write it. It is a highly technical document written primarily from the point of view of a group of profiteers who have been fairly salivating at the prospect of getting \$75 million of taxpayer money dolled out by you, the governmental agency that has never turned down such a request. With that knowledge, these guys from P.H. Glatfelter and Air Products have probably been rubbing their hands in glee figuring it's just a matter of time before you give the go-ahead.

But, ladies and gentlemen, before you lift that great rubber stamp,

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D-261/9

Response: Please see the responses to Comments D-31/22, D-32/5, and D-32/13.

KEYWORDS:

Document Length
Schedule

D-261/12

Response: Please see the response to Comment D-252/9.

KEYWORDS:

NEPA
Quality

1 consider the facts. Dr. Richard Clark has
2 presented facts, figures and tables, all
3 painstakingly researched and checked.
4 He's not getting paid to do this and he
5 has no reason to lie to you.
6 Representative Platts was recently
7 re-elected to his post by an overwhelming
8 margin. He has been a vocal critic of the
9 proposed plant. His opponent was for the
10 plant. Why are the people behind him?
11 Because they can sense that he's one of
12 the good guys. I think the fact that he
13 has remained in his position and is still
14 fighting this plant is a good gauge of
15 public sentiment. People trust his
16 judgment. You should trust his judgment.
17 As for proponents of the plant,
18 Mr. Messimer who spoke earlier from P.H.
19 Glatfelter at a DER hearing Tuesday night
20 was grouching about P.H. Glatfelter's
21 rating as the number two commercial toxic
22 polluter in the State of Pennsylvania. He
23 was saying that if you included public
24 utilities and the like in that notorious
25 listing, Glatfelter would be more like

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number 60 in toxic pollution in the State of Pennsylvania.

I think Mr. Messimer was missing the point. It doesn't matter where you are on the rating scale, the fact remains that P.H. Glatfelter Company is a major toxic polluter.

The most graphic evidence of that is the appalling condition of the Codorus Creek, a creek that is already endangered and would only worsen if the cogen is allowed to be built. The Codorus, as you know, flows into the Susquehanna River and eventually its fetid waters reach the endangered Chesapeake Bay. In a more perfect world, laws would protect us from polluters like P.H. Glatfelter and from misguided opinions like those expressed recently by Mr. Messimer. In a more perfect world, P.H. Glatfelter would not be allowed to enter into any other projects until it effectively cleaned up the mess it has already made.

Unfortunately, it is not a

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D-263/10

KEYWORDS:

Codorus Creek
Water quality

Response: Sections 4.1.4.2.6, 4.1.4.2.7, and 4.1.5.1 of the EIS discuss the effects of the proposed facility on the in-stream water quality of Codorus Creek. While most parameters of water quality (e.g., sulfate, total dissolved solids, most metals) would degrade in the section of the creek immediately downstream as a result of the evaporation or water cycling operation of the proposed facility, a few parameters would improve (e.g., temperature and dissolved oxygen). However, this assessment ignores the improvements resulting from P. H. Glatfelter Company's Pulp Mill Modernization Project. The EIS also includes a discussion of the anticipated improvements from the Pulp Mill Modernization Project (Section 4.1.4.2.6). The discussion of current Codorus Creek water quality is contained in Sections 3.1.4.1 and 3.1.5.1 of the FEIS.

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perfect world. Common sense doesn't
always prevail. I'm pleased to see Dr.
Dabb here tonight. He's a thoughtful,
educated and sensitive man. He's an
eminent professional, a guy who knows what
he's talking about. A fine representative
of our distinguished medical community.
Dr. Dabb and his colleagues at the York
County Medical Society and Osteopathic
Society are solidly against the proposed
cogen on the basis of sound medical
reasoning. I believe that these people
have enough background and experience to
make an informed decision. Do you?

It's not out of line, in my
opinion, to dismiss York County Energy
Partners' application for the development
of the cogen solely on the weight of
medical problems pointed out in Dr. Dabb's
comments. However, there are the other
readily apparent problems in terms of
further air and water pollution to be
caused by this plant.

Ladies and gentlemen, look at
the condition of our air and water now

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after decades of abuse from the paper mill. Can our environment improve after the cogen is built? I think not. Thank you very much.

ROY L. EIGUREN:

Thank you. The next commenter is John Klunk.

JOHN KLUNK:

I'm sorry. I'm not as prepared as I'd like to be and I crammed a little this afternoon. Unfortunately, I don't have a staff of educators and secretarial staff to put together my work for me. I'm representing tonight the Codorus Monitoring Network. We have had input at the scoping meetings, expressed our concern previously about it, provides some follow-up information after the scoping meetings and intend to do an additional follow-up after this. But the fact that this meeting was scheduled in such a tight time frame, I just have to hit some of the most obvious points that I've noted in here when I looked through it this afternoon and tagged them out and

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D-265/2

KEYWORDS:

Environmental effects

Response: The EIS developed for the proposed York County Energy Partners, L.P. (YCEP) Cogeneration Facility includes information that shows that there would be some positive impacts related to the proposed project. In certain categories, such as air quality, it is expected that the proposed facility, in concert with the curtailment of P. H. Glatfelter Company's Power Boiler No. 4, would improve the environment for key air pollutants.

An underlying assumption of the Clean Air Act is that reducing emissions of criteria pollutants to a regional air basin would have a beneficial effect on the air quality of a region. This is the basis for requiring offsets of greater than 1:1 for oxides of nitrogen (NO_x) in nonattainment areas. The proposed project would result in the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4 under a federally enforceable permit modification. By curtailing operations (and, thus, reducing coal throughput) to oxides of nitrogen (NO_x) emissions equivalent to 720 hours per year for this boiler (representing concurrent operations of Power Boiler No.4 with the proposed Cogeneration Facility), the regional air basin would also see a net reduction in sulfur dioxide (SO₂) and particulate matter since, under its current permit, this 1950s vintage boiler operates with less efficient pollution control equipment than that which would operate on the proposed facility. It is anticipated that additional oxides of nitrogen (NO_x) reductions would be realized with the permanent modifications to gas generators belonging to Transcontinental Gas Pipeline Corporation. The net effect would be a 15 percent reduction in oxides of nitrogen (NO_x) being contributed to the York air basin.

Reports by the York County Medical Society, the York County Osteopathic Medical Society, and the American Lung Association clearly show that particulate matter and oxides of nitrogen (NO_x) are the primary pollutants responsible for respiratory problems in general. The proposed project would be expected to reduce these two pollutants and also sulfur dioxide (SO₂) loadings on a yearly basis.

1 researched a couple of these items.

2 I note there's a reference made
3 to dioxin levels in Codorus Creek. This
4 item right here regarding the level of
5 dioxin levels in Codorus, P.H. Glatfelter
6 has tested this effluent numerous times
7 for the presence of dioxin and request EPA
8 --- at the request of EPA and DER.
9 Dioxin has never been detected in P.H.
10 Glatfelter's effluent. This may be so but
11 dioxin is a substance that biocumulates
12 and made tremendous volume of wastewater
13 discharged. It is logically the source of
14 the dioxin and the reason for the fish
15 advisory, which I think there's a conflict
16 here. Dr. Messimer said that dioxin
17 advisory was lifted. I read that in here
18 and it's been my understanding that new
19 data came out that would suggest that it
20 may be lifted but it has not been lifted
21 yet.

22 Just this afternoon I spoke to
23 Leroy Young at the Pennsylvania Fish and
24 Boat Commission who is one of the three
25 parties --- excuse me. I have to find

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D-266/9

KEYWORDS:

Advisory
Codorus Creek
Dioxin

Response: Dioxins, a group of chlorinated organic compounds, originate from numerous oxidation processes. These processes include residential wood burning, charcoal grilling, forest fires, incinerators, some wastewater treatments, certain industrial processes (e.g., chlorine bleaching of wood fibers), etc. The dioxin-related fish consumption advisory that was in effect for parts of Codorus Creek basin also included South Branch of Codorus Creek from the York County Water Company dam to the main branch of Codorus Creek. This suggests multiple sources contributing to dioxin levels in the fish. The P. H. Glatfelter Company is one of several major wastewater dischargers that affect water quality in Codorus Creek. To date, there has been no link established between the P. H. Glatfelter Company's wastewater and the bioaccumulation of dioxin in the fish of Codorus Creek.

The fish consumption advisory for Codorus Creek was lifted July 28, 1994, by agreement among the state agencies (PADER, the Department of Health, and the Pennsylvania Fish and Boat Commission) with jurisdiction over this matter (News Release by PADER, Commonwealth News Bureau).

Please see also Section 3.1.5.1 in the EIS.

1 that. In the three party advisory group
2 which includes Pennsylvania DER and the
3 Health Department and the Pennsylvania
4 Fish and Boat Commission. He told me that
5 they have the data, they have looked at it
6 and that the three party advisory
7 commission has not even met yet on this
8 issue. And unless Mr. Young was in error,
9 I would challenge Dr. Missimer's
10 contention that the advisory has been
11 lifted. I have never heard --- I heard
12 that it was but I never saw anything
13 official on it. And I would bet that that
14 dioxin advisory will show up in the
15 Pennsylvania Boat and Fish Commission
16 summary as it has been for the last number
17 of years. If I'm wrong, I apologize, but
18 I'm going on information I just got this
19 afternoon.

20 Mr. Young did mention that you
21 visited him at his office, Dr. Van
22 Ooteghem and another individual from DOE.
23 And one thing he just mentioned was that
24 you claim you're focusing your reference
25 an awful lot on human health effects.

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D-267/9

Response: Please see the response to Comment D-266/9.

KEYWORDS:

Advisory
Codorus Creek
Dioxin

D-267/23

Response: The EIS has a section on health effects (Section 4.1.2.11) that focuses on the impacts of air emissions from the proposed project and the various pathways (i.e., inhalation, ingestion, dermal exposure) that humans could be exposed. This analysis includes emissions from the use of P.H. Glatfelter Company's wastewater as the proposed project's cooling water. The exposure pathway to humans of wastewater ingestion was not viewed to be an important route of exposure (especially since drinking water intakes are not in proximity to the discharge point). However, the EIS does analyze the effects of wastewater on aquatic species as outlined in Section 4.1.5.1.

KEYWORDS:

Health effects
Water quality

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I note in the --- one of the sections that addresses water quality, there's never any mention of the --- and I must admit I haven't read this entire draft EIS. But I have not found it yet. It's not the easiest document to locate something. I found information in here and come back to it to try to find it and that's why I took to this method, because it's a really hard book to reference.

But data from the Codorus while monitoring network that we furnished to the Department of Energy indicates in-stream temperatures often exceed warm water fishery standards but seldom approach the high limits allowed by the 316-A exemption which Glatfelter enjoys. They seldom approach the high limits but that would support lowering the limits in the NPDES permit.

If this were to occur, the differential factor could change the entire situation with respect to the claim one degree fahrenheit reduction that Energy Partners' project has claimed it

(continued)

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D-268/4

Response: Comment is noted.

KEYWORDS:

NEPA
Quality

D-268/11

KEYWORDS:

Codorus Creek
Permit
Temperature

Response: An explanation of P. H. Glatfelter Company's exemption to Federal Water Pollution Control Act § 316(a) water quality criteria for temperature has been added to Section 4.1.4.2.6. Basically, permitted temperatures in the summer are the same July and August = 31°C (87°F); but in the winter, permitted temperatures are much higher [§ 316(a) exemption: January = 16°C (60°F), February = 21°C (69°F) compared to 25 Pa. Code § 93.7: January = 4°C (40°F), February = 4°C (40°F)].

Regardless of the terms of P. H. Glatfelter Company's National Pollutant Discharge Elimination System (NPDES) permit, the proposed facility would be expected to lower the in-stream temperature for two reasons. First, the cooling tower blowdown is cooler than P. H. Glatfelter Company's wastewater effluent (blowdown = 32°C (90°F), compared to 36°C (97°F) for P. H. Glatfelter Company's effluent); so the mixing of blowdown water with P. H. Glatfelter Company's waste stream would reduce the temperature of P. H. Glatfelter Company's effluent. Second, the total volume of effluent would be smaller, and a smaller volume of warm effluent mixed with the creek water yields a cooler mixture downstream. Changing the permit would have an effect only if the permit limits were reduced such that P. H. Glatfelter Company had to further process its wastewater to lower its temperature below 32°C (90°F) at the secondary treatment system.

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would create in the Codorus Creek. If I am incorrect in this, that the warm water --- that the 316-A exemption is, indeed, mentioned in the thing, I apologize.

But I think it would have been useful and more forthcoming of the DOE and if it's Glatfelter that would have been responsible for this revealing the fact that they do have that exemption. The tables here indicate the warm water fishery standards but they do not indicate the huge variations from that that the Glatfelter Company enjoys.

There's an issue of the flow and I may have a little bit of a hard time with this. But one problem I have with your assumptions about it only affecting downstream water resources as far as flow is concerned is the fact that the amounts of water that are going to be required must come from that --- from the Codorus basin at the Glatfelter and/or hopefully not at the YCEP facility. But it must come from that stream. Now, the Glatfelter Company has a right to a huge

(continued)

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D-269/5

Response: Information has been added to Chapter 9 that lists and explains these variances and exemptions. Please see the response to Comment D-283/8.

KEYWORDS:

Exemption

Standard

Warm water fishery

1 amount of water, much more than they
2 presently withdraw. As a matter of fact,
3 the Energy Partners' sewage facility's
4 planning module that they submitted to the
5 York DER office gives a projection of
6 their --- well, it has designed and/or
7 permitted capacity, 28 million gallons at
8 peak. Now, I believe that is something
9 about the figure that they're allowed to
10 withdraw if they need for their purposes.
11 Presently, they're averaging 12 and a half
12 peak, 15 and a half withdrawal. Projected
13 flows in five years are 14 average, 20
14 million gallons a day peak. That's four
15 and a half million gallons a day that the
16 Glatfelter Company projects more than
17 they're already withdrawing. How can the
18 claim possibly be made that that will not
19 diminish the level at Lake Marburg? The
20 dam agreement they have specifically and
21 clearly lays out that they are entitled to
22 that by virtue of the fact that they built
23 the dam at Lake Marburg. I find this very
24 faulty and I believe this has to be
25 addressed.

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D-270/2

KEYWORDS:

Water use

Response: Any increase in the amount of water to be withdrawn by P. H. Glatfelter Company in the future is not associated with the proposed project, since there is sufficient capacity in the amounts that P. H. Glatfelter Company is currently withdrawing to provide its treated wastewater as cooling water make-up to the proposed YCEP project. As discussed in Section 4.1.4.2.8 of the EIS, HEC-3 modeling shows that no additional releases from Lake Marburg would be required to support the proposed facility.

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I found it interesting how many locations water quality is addressed in this book. If someone who picks it up and doesn't read it thoroughly might look at one section and think, well, that's all it is, that's just fine, it sounds good to me. And present effects on water quality, page 6-14. The water quality in Codorus Creek is subject to water quality standards identified in Title 25 Environmental Resources of Pennsylvania Code. Water quality criteria applicable to warm water fishery designated reaches of Codorus Creek are presented in table D-1, Appendix D of the D, draft EIS. These are general criteria to which all permitted discharges must conform. That's a major problem here because P.H. Glatfelter Company doesn't conform to those standards. They have exemptions for temperature and color, that the table that was referred to there, I found something that conflicts with information that I have.

In that chart, color at the

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D-271/1

KEYWORDS:
Document readability

Response: Resources (e.g., air, water) are discussed throughout the EIS as appropriate. In order to facilitate the finding of information on similar resources throughout the EIS, parallel construction was used by DOE in developing Chapters and Sections.

D-271/25

KEYWORDS:
Codus Creek
Color
Standard
Water quality

Response: References to the regulatory water quality criterion for color, as applied to the main stem of Codorus Creek, have been corrected in the FEIS.

Portions of 25 Pa. Code § 93 present the State's water quality criteria for color, protected uses, and the assignment of these criteria and protected uses to the waterways of Pennsylvania. The correct water quality criterion is listed as "maximum 50 units on the platinum-cobalt scale; no other colors perceptible to the human eye." The critical use to be protected by this criterion is listed as "recreation." No color criterion for the protection of aquatic life has been promulgated for any surface waters in Pennsylvania.

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color two criteria grading is the only one that's identified. There are more than one color criteria in the Pennsylvania Code which I have a copy of here. The stream guide section of the book which lists all the streams in Pennsylvania has Codorus Creek, main stem Oil Creek to mouth, York County warm water fishery at color one. Color one is --- the color limit is 50, not 75 as is expressed in this chart here. I mean, you people are putting partial information in here. I mean, the company exceeds water quality standard by a factor of four approximately. They're allowed to exceed it by that.

I just am really troubled that you can't get more accurate information than this. It's right in the Pennsylvania regulations.

At this time, that's about all I have on the water quality. Thank you for the time.

ROY L. FIGUREN:

I appreciate it, thank you. The

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(continued)

The P. H. Glatfelter Company entered into a consent agreement with PADER that allows in-stream color, at a specified downstream monitoring point, up to the following limits: (1) the limit not to be exceeded is 375 color units; (2) the monthly average limit is 225 color units; (3) the annual average limit is 200 color units.

Based on the information provided by R. Callahan, P. H. Glatfelter Company, color in waters of Codorus Creek upstream of the P. H. Glatfelter Company is usually 30 to 50 color units. Prior to the Pulp Mill Modernization Project, the downstream color averaged around 220 color units. However, as a result of a Pulp Mill Modernization Project, P. H. Glatfelter Company achieved significant reductions in the color-producing tannins and lignins in its wastewater effluent. Post-modernization, downstream color has averaged 150 to 160 color units. With operation of the proposed York County Energy Partners, L.P. (YCEP) project, in-stream color is expected to rise to about 165 color units at low-flow (1981 average annual flow). Prior to the Pulp Mill Modernization Project, color was thought to reduce primary productivity in Codorus Creek (*PADER, 1989; EA Inc., 1989; Environ, 1994a*).

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next commenter is Paul Shaffer.

PAUL SHAFFER:

Good evening. My name is Paul Shaffer. I feel like I am speaking on behalf of 90 percent of the laypeople in York County who are 95 percent of all the people in York County. There's all kinds of number, 100,000 this, five million that and 650,000 something else. And we're all pretty well looking at it like it's pure Greek.

One thing we have to go on is a scientific --- I'll call it a scientific organization and that is the medical personnel of York County. I saw in the paper this morning that Dr. Dabb complained that he didn't get information that he requested. On top of that, I'd understand the medical profession in this county is strongly against this proposition. Now, if you can't satisfy them, you shouldn't be able to satisfy the people in York County who are relying upon any intellect that would cover this type of situation.

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1 I would like to say that I have
2 had grave suspicions about Three Mile
3 Island and what effect that has had on the
4 county. Sixteen (16) days ago, my son who
5 is 47 died of cancer. I've always been
6 suspicious of P.H. Glatfelter Company in
7 particular. I can remember when I was
8 five years old I walked across the West
9 Market Street bridge and many times since
10 in the hand of my parent, my mother. And
11 every summer I'd walk by there, there'd be
12 the occasion when I'd seen hundreds of
13 dead fish floating around. The reputation
14 of P.H. Glatfelter, with whom I spoke to
15 many people, was that they were the cause
16 of it. I understand there were some
17 others that were cleaning up that had
18 thrown the poisons in. This continued
19 throughout the years and from all the
20 people I ever talked to, I found out that
21 their opinion was that P.H. Glatfelter had
22 an amazing power in Harrisburg. I wish
23 them well. Everybody tries to get there.
24 But they're using and they were
25 using a public creek to dispose of their

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1 effluents. And in the meantime, all I
2 ever heard and I suppose they have done
3 it, they have tried to improve the poisons
4 or the amount of poison that they would
5 distribute down that public stream. No
6 matter how much they tried to improve it,
7 they still were using a public stream and
8 they're still distributing their poisons
9 down that stream. And so for 70 years I
10 can remember the dead fish floating down
11 the Codorus Creek. Inky-stinky Codorus
12 they called it.

13 Now, there's one statement I
14 heard was in this area, all it would
15 amount to is one part in one million and
16 this was a safe amount of cancer-causing
17 particles in the air. I live on the top
18 of a mountain two miles north of Delaware.

19 I enjoy good, fresh air. However, when
20 it's real muggy, when it's about to rain,
21 we frequently get that familiar odor from
22 Spring Grove many miles away. And so I'm
23 suggesting that this one part in one
24 million parts which is so unharmed to the
25 human race in this county will become more

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D-275/9

Response: Comment is noted. For a discussion of odors in Codorus Creek, please see Section 3.1.4.1 in the FEIS.

KEYWORDS:

Codorus Creek
Odor

D-275/14

Response: Please see the response to Comment D-275/22.

KEYWORDS:

Air emissions
Health effects

D-275/22

Response: Emissions from the proposed project would include substances having a potential to cause cancer in humans. As noted in the Human Health Risk Assessment and summarized in Section 4.1.2.11 of the FEIS, the upper bound excess lifetime cancer risk for an individual would be around 3 in 1 million. This 3 in 1 million risk does not mean that 3 particles out of every million particles emitted from the proposed facility would be cancer-causing particles. Rather, it means that the chances of an individual developing cancer sometime in his or her life due to substances emitted from the proposed project would be approximately 3 in 1 million. This is in the range of generally accepted risk levels recommended by the EPA for assessing risks to humans from exposure to environmental carcinogens.

KEYWORDS:

Air emissions
Health effects

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harmful to me because I suspect it goes in corridors according to the way air currents flow. And if I can get the smell from Spring Grove on certain occasions, even if they cut down the smell from Spring Grove, I'm now going to get something else that I can't see.

So I would like to say that I think, number one, the people who are in power, so to speak. I'm not considering such organizations as the York County Medical Society and the York County Medical Association and the medical doctors here who has a group, I understand, are very strongly opposed. If they'll oppose it, I don't know any better to oppose it myself. From what I've seen in P.H. Glatfelter, I don't trust them.

ROY L. FIGUREN:

Thank you, sir. The name I called earlier and did not get a response, Adrian Woods. Joel Sears on behalf of Fleet Technologies.

JOEL SEARS:

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(continued)

While the health risk assessment methodology is conservative by design and may, in fact, overstate the actual risk to human health, there are uncertainties in the methodology. The air dispersion models used to estimate concentrations are the ones recommended by the EPA for this type of facility and geographic setting. The air dispersion process is complex, and actual concentrations may not always match predicted concentrations. However, given the conservative nature of risk assessment methodology and the underlying exposure assumptions, emissions from the proposed project would not be expected to adversely effect human health - even under an assumption of worst-case exposure. In estimating exposures, results from air modeling were used to estimate worst-case concentrations. The Human Health Risk Assessment used the worst-case (highest concentration) exposures to determine the individual excess lifetime cancer risk.

1 Good evening. My name is Joel
2 Sears and I'm a small businessman from Bel
3 Air, about 45 miles downwind from the
4 plant. And on a good day or a bad day,
5 depending on how you classify it, downwind
6 really means downwind. I find it almost
7 incredible that on certain mornings, maybe
8 one in 30, I can smell the plant 45 miles
9 from here. I have strong professional and
10 personal ties to the York Community. And,
11 in fact, have planned with my partner to
12 be situated downtown York by this time
13 next year, if possible. We're a small
14 firm. We do roughly \$3 to \$5 million a
15 year in revenue and we'll create 12 to 16
16 new technology-based jobs in the community
17 if we decide to relocate.

18 Clearly, we're not the
19 significance to the community of
20 Starbuck's Coffee or some of the other
21 organizations that have recently
22 relocated. One of the things that makes
23 us slightly different that we don't plan
24 to create jobs and leave the area. As
25 managers and owners, we plan to live in

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D-277/8

Response: Comment is noted. Please see Section 3.1.2 of the FEIS for a discussion of odors caused by air emissions.

KEYWORDS:

Odor

1 the community. And so we're very
2 sensitive to the environmental situation
3 in York County, in particular air and
4 water.

5 Personally, I'm a recreational
6 runner, I'm an ex-smoker and I'm really
7 not interested in taking up smoking again.
8 And as I understand it, the seriousness of
9 the pollution problem in the community is
10 such that if I run between 20 and 30
11 minutes a day, which is my normal regimen,
12 that I might as well be smoking between a
13 pack and two and a half packs of
14 cigarettes a day and I really don't care
15 to do that.

16 I'm also sensitive to that
17 because of a fairly significant history of
18 cancer in my family. I'm not a scientist
19 and I don't know what the genetic
20 implications are. Both of my parents died
21 of lung cancer, my father most recently.
22 And in a kind of selfish vain, what I
23 don't want my son to go through is what I
24 went through when my father died. I don't
25 want him to see me lying in bed and suffer

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1 as he did. I don't want him to see that
2 with me. Both of my parents, as I said,
3 were victims of lung cancer. One niece is
4 recovering, we hope, from breast cancer.
5 Four cousins that are dead, two on each
6 side of the family. And on my mother's
7 side, her father and seven of her
8 generation of the ten that made it into
9 adulthood died of cancer of one form or
10 another.

11 So I've come to the community
12 tonight to solicit your help. And
13 basically I want you to help me decide
14 positively to move to York. And what I'm
15 asking you to do is to consider deploying
16 funds to acquire the new technology which
17 would significantly reduce the projected
18 output of the cogen plant. Otherwise, do
19 not allow the plant to be built.

20 I am convinced that if you were
21 to look at a new car purchasing decision
22 and you had the ability to buy a brand new
23 shiny 1985 Ford with no miles on it that
24 had been sitting in storage for ten years
25 and if the alternative to that were a 1995

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D-279/14

KEYWORDS:

Alternative technologies
Government funds

Response: There is a suite of technologies with varying degrees of technological risk that have been considered and adopted for inclusion into the Clean Coal Program. There are advantages and disadvantages associated with each of these technologies with respect to parameters such as emissions, reliability, probability of upset conditions, and maintainability. Those technologies that tend to be further along the maturation curve tend to be those that have lower risk of upset conditions and off-specification performance. The technology being demonstrated by the proposed project falls into this latter category. A new technology's performance needs to be assessed not only for its expected level of emissions reduction, but also for its technology risk in terms of expected performance. Looking at the whole picture, the proposed technology is competitive with other advanced technologies when analyzing emissions reduction coupled with technological risk. Please also refer to the responses to Comments D-37/16 and D-39/13 for more information on the consideration of alternative technologies.

1 model at the same cost, that you would
2 probably take the '95 model. The benefit
3 would be, of course, superior engineering,
4 ride comfort and all those creature
5 things, and also a 90 percent reduction in
6 tailpipe emissions.

7 I want you to help me to move my
8 business to York. And all you need to do
9 is decide in favor of the new technology.
10 Thanks.

11 ROY L. FIGUREN:

12 Ladies and gentlemen, that
13 concludes the list of those individuals
14 who registered to comment this evening.
15 I'd ask, are there individuals in the
16 audience who have not spoken and would
17 like the opportunity to do so? Yes, sir.
18 Can we have your name for the record,
19 sir?

20 RICHARD CLARK:

21 My name is Richard Clark and I
22 spoke the other night as a spokesperson,
23 an elected spokesperson for a group
24 called, STOP, Stop Targeting Our People.
25 I have some comments to make relative to

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1 STOP. I have some of my own comments that
2 I'd like to start out with. So I'm
3 speaking first as a resident of North
4 Codorus Township, not as an elected
5 spokesperson for STOP.

6 Back in 1970 and for two or
7 three years after NEPA was implemented,
8 there was a great deal of research that
9 went on because NEPA, the skeleton was
10 created. But in terms of the flushing
11 out, if you will, of the skeleton, it
12 hadn't been done. I heard that there were
13 a lot of the industries that were very
14 perplexed by the regulations and perplexed
15 by what they needed to do to comply with
16 NEPA and so on. Yet at that time there
17 was a term that came up and it had to do
18 with regulatory agencies and I realize
19 that the DOE is not a regulatory agency
20 but you are as the agencies with the NEPA
21 process in a sense a regulatory agency.

22 There was a term called
23 clientele capture. I don't know if any of
24 you have ever heard of it or not. But
25 what it amounted to was that the

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1 regulatory agencies were taken captive, so
2 to speak, by the industry that they were
3 supposed to be regulating. I was involved
4 with the production of Environmental
5 Impact Statements. At that time, there
6 were quite a number of people that there
7 were because there was really no country
8 of scientists that could fulfill the call
9 for studies and so on.

10 And I would just offer that I
11 think with regard to reading that document
12 that I saw some classic symptoms of
13 clientele capture. It would appear that
14 the document had been sanitized as far as
15 any adverse comments relative to the
16 project. That concerns me. I found terms
17 like minimize and no significant and so on
18 and so forth used quite literally. And I
19 don't think that the DOE is doing
20 themselves any service by doing this.
21 And I would urge you to, in the final
22 Environmental Impact Statement, come back
23 and take a look at some of those things.

24 I heard a statement here tonight
25 with regard to there being no health risk

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D-282/13

KEYWORDS:
NEPA
Quality

Response: DOE strived to be objective when analyzing both the positive and negative impacts related to this proposed project. The Department attempted to rely on quantitative analyses whenever possible to arrive at a finding. There have been many layers of internal and external review, involving both Federal, contractor, and inter-Agency personnel to help ensure this objectivity. It is believed that both positive and negative impacts are objectively analyzed, included, and conveyed in the EIS.

DOE has reviewed the EIS to ensure that words like "minimize" and "significant" are used in their proper context. "Significant" has a special meaning as defined in the National Environmental Policy Act's implementing regulations. In air quality analyses, the use of the word "significant" has a specific regulatory definition. It is recognized that "significant" and "minimal" have subjective and conclusionary connotations and should generally be avoided; however, these words oftentimes are the best to convey to the reader the general findings of an analysis where no quantitative or comparative measures are available. It should be noted that DOE attempts to make EISs as readable, communicative, and comprehensible to the public as possible. Sometimes the use of subjective and conclusionary terms can convey to the reader in an efficient manner the "sense" of the finding, rather than via more complicated technical jargon.

D-282/25

KEYWORDS:
NEPA
Quality

Response: As stated in the FEIS (Executive Summary), DOE believes that the information presented is an accurate portrayal of the health risk findings:

The results of these assessments indicate that the lifetime excess cancer rate from potential exposure to emissions from the proposed project would be no more than 3 in 1 million, which is in the range of the generally accepted lifetime cancer risk. Radionuclide emissions account for much of this cancer risk. Hazard Quotients for noncarcinogenic substances are all less than 1, and Hazard Indices for all pathway-specific exposures (air, soil and food) to noncarcinogenic substances are less than 1, indicating that adverse, noncancer health effects due to emissions from the proposed project would not be expected. The proposed project should, therefore, have no measurable adverse effects to human health. (underline added)

Multiple health risk assessments were conducted to arrive at these findings.

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created. It seems to me a statement like that is indefensible. Without any qualifications, there is probably no qualifiers at all. When you make a statement like that, it seems like it's indefensible.

With regard to comments relative to STOP, I would offer the following. I would ask that there be a comprehensive table in the final statement that would address all of the either excesses of Federal regulations, not only Federal regulations but Federal guidelines. I notice with regard --- I haven't read the whole document. I haven't had time. I'm a college professor and we're right in the middle of exams and so I've had other things that I've had to do.

But I noticed in terms of noise, noise is really not addressed that thoroughly. Noise is something that you can --- I realize that noise is something that you can't quantify but sounds you can. If there are Federal energy guidelines and I don't see those addressed

(continued)

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It is not the position of DOE that no health risk would be created under the proposed project. Rather, the risk assessments indicated that exposures to noncarcinogenic and carcinogenic substances would result in risk levels that would be considered generally acceptable.

D-283/8

KEYWORDS:

Exceedances
Guidelines
Permits
Standards

Response: Most of the environmental regulations relating to coal-fired power or steam plants are state regulations. Many of these, however, are rooted in Federal statutes.

Regulatory requirements may be exceeded in two ways. First, regulatory constraints, limits, or requirements may be exceeded in accordance with an exception or consent agreement. These are grants of a right to exceed the limits normally imposed by regulations. Two exceedances that apply to the P. H. Glatfelter Company, color units and temperature (below the company's wastewater discharge to Codorus Creek), are described in a new table (Table 9.4) contained in Chapter 9 of the FEIS. Second, regulatory requirements, including limits prescribed in permits, may be exceeded without a grant of the right to do so. An example would be the emission of sulfur dioxide (SO₂) at a greater rate than allowed by a permit for a specified time period. Such exceedances do not presently apply to the proposed York County Energy Partners, L.P. (YCEP) facility because the proposed facility is not operational. Existing industrial facilities may exceed certain limits from time to time, due to unforeseen fluctuations or events. DOE does not have access to information on this latter type of exceedance, except for information on file with regulatory agencies -- primarily PADER. Any existing information of this type is available upon request from the regulatory agencies.

"Guidelines" are issued by various industry groups, non-regulatory governmental agencies, regulatory agencies acting in a non-regulatory capacity, and various trade and professional organizations. Because of the many possible sources of guidelines, these all cannot be readily evaluated, compiled, and compared to the proposed YCEP Cogeneration Facility. However, various guidelines have been followed from project design to study procedures and results analysis.

D-283/20

KEYWORDS:

Guidelines
Noise

Response: Potential impacts from noise - both from construction and operation of the proposed facility - are discussed in Section 4.1.7 of the EIS. The baseline environment with respect to noise is discussed in Section 3.1.7. These sections summarize the noise assessment that is contained in the Environmental Information Volume (*ENSR, 1994*).

As noted in the EIS, there are no applicable Federal standards for ambient (community) noise. Because there are no applicable regulatory standards, the criteria used to assess impacts due to noise are that any additional noise from the

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at all in the statement. Again, maybe I missed them. But if they aren't in there, those are the sorts of things that should be included in that complete table that would indicate any places at all where any standards may possibly be exceeded.

With regard to the alternative technologies, I already addressed that on Wednesday night. I commend you for getting into the alternative technologies and I had indicated that the pressurized fluidized combustion has certain advantages. I realize that there's going to be disadvantages as well. But a couple of advantages are rarely seen in the programmatic Environmental Impact Statement. Off the top, you have a ten percent reduction in NOx. We commend you then with, again, reiterate, a full-blown consideration of alternative technologies, at least those that involved coal. So there's coal gasification and I mentioned the pressurized combustion. I would ask that they be given full-blown treatment in terms of alternative technologies.

(continued)

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proposed facility should not be discernible over the existing background noise. To establish a representative baseline, background noise was monitored at seven noise-sensitive locations which included:

- a residence, located on the southern perimeter of the site, which would be the nearest residence to the proposed facility,
- the intersection of the access drive to the Roundwood Facility and Route 116,
- the Lions Club pavilion and the fishing area at Kesslers Pond,
- the eastern bank of Kesslers Pond,
- the P. H. Glatfelter Company's Research Building on Rockery Road,
- the residence of the manager of the T & J Breeder Farm off of Colonial Valley Road, and
- the northeast corner of the T & J Breeder Farm building, which is the corner closest to the proposed facility.

In addition to these seven noise-sensitive locations, background noise at the proposed site was monitored at the backstop of the ballfield currently located on the proposed site. Collectively, these measurements provided a baseline against which noise increases from the proposed facility were assessed.

Noise impacts from construction and operation of the proposed facility were modeled and the expected noise levels were compared to the baseline. Noise which would be expected to result from construction activities range from 0 to 3 decibels A-weighted (dBA). As most on-site construction activities would be expected to occur during the daytime, these small increases would not be expected to be noticeable.

Noise impacts from the operation of the plant were modeled using a point source propagation model (ERTNOI). Steam venting would occur from an automatic pressure control valve and a safety relief valve. The automatic pressure control valve would be fitted with a vent silencer which would baffle acoustic energy. The safety relief valve would only function in the event of a failure of the automatic pressure control valve, and would not be expected to occur with any predictable frequency.

Railcar coupling and uncoupling would have an impact on the most noise-sensitive receptors located at the T & J Breeding Farm. The maximum daytime noise level expected to occur due to railcar coupling and decoupling would be 60 dBA at the receptor located at the northeast corner of the breeder building. This increase exceeds 10 decibels, and would be perceived as a doubling in loudness. However, this maximum noise event would be infrequent, and would be limited to daytime operations. In addition, the breeder building itself would dampen noise such that the perceived noise inside the chicken house would be expected to be approximately 10 dBA less than outside levels. These levels would not be expected to cause disturbance to the chickens.

1 The other thing that I would ask
2 for would be consideration of alternative
3 sites. This has been addressed and, Dr.
4 Van Ooteghem, you had in your sufficiency
5 review of the EIV for the West Manchester
6 Township had addressed this, had indicated
7 that the applicants should address these
8 things. And I would reiterate that the
9 alternative sites and the process by which
10 the alternative sites were considered and
11 the reasons for their rejection, that
12 these should also be addressed in the
13 final statement. Thank you very much.

14 ROY L. EIGUREN:

15 Could we have your name?

16 WARREN EVANS:

17 I'm Dr. Warren Evans from Elk
18 Township. My background is in
19 biochemistry. I have a Ph.D. in
20 biochemistry from Harvard Medical School.
21 I was here on Wednesday night and I made
22 more of a personal statement. I'd like to
23 call your attention to table 4.1-2. Two
24 areas that I am concerned about.

25 You've heard a number of

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D-284/18

Response: Issues regarding consideration of alternative technologies have been previously discussed under Comment D-39/13. Please refer to the response for this comment.

KEYWORDS:

Alternative technologies

D-285/8

Response: Section 1.1 of the EIS summarizes the history of this proposed project and the various proposed sites of Tallahassee, West Manchester, and North Codorus. Responses to Comments D-81/17 and D-326/19 provide additional information on the moves from Tallahassee and West Manchester, and D-121/14 discusses West Manchester as an alternative site.

KEYWORDS:

Alternative sites

Prior to selection of the North Codorus site, York County Energy Partners, L.P. (YCEP) conducted an extensive site search over a 1-1/2 year period. The site search spanned Met-Ed's service territory. Selection criteria and the background for the North Codorus selection are described in Section 2.2.1.1 of the EIS. Under the Clean Coal Technology (CCT) Program, DOE is not responsible for selecting a project site, but only for evaluating the suitability of a site proposed by the industrial partner. In both the West Manchester and North Codorus site moves, YCEP proposed only one location to DOE. In each case, DOE found the site sufficiently acceptable to proceed with preparation of an environmental impact statement.

1 laypeople here tonight who have expressed
2 their concerns that they are not
3 scientists. And in a sense without having
4 the scientific background, they feel
5 exploited. They don't have the kind of
6 technical background, they don't have the
7 resources to hire the kind of technical
8 personnel that you and the York County
9 Energy Partners have had available to you.
10 So I'm going to in a very cursory way try
11 to ask you several questions about the
12 data in table 4.1-2. This is on page 4-22.

13 If we accept your assumptions,
14 and that's a big if, because as you well
15 know, there are large variations that can
16 occur in data collection. I don't see in
17 these tables any standards of deviations.
18 So I would formally request that the
19 standard deviations be included in the
20 table to give some people an idea of what
21 kind of range we're talking about with
22 these data figures.

23 Secondly with regard to this
24 table, I applaud you in trying to make an
25 estimate of whether there would be

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D-286/10

KEYWORDS:

Air quality
Standard deviations

Response: Table 4.1-2 displays maximum permitted emissions values. In a statistical sense there are no "standard deviations" of these maximum values, which are absolute. However, the "range" or "spread" of emissions data can be assessed by comparing the permitted levels to estimates of actual emission levels shown in Table 4.1-2a, which has been added to the FEIS.

1 significant reductions in sulfur dioxide
2 and in the nitrogen oxides and the
3 particles. If one accepts your assumptions
4 of the data, whoever prepared this table,
5 which I'm not really sure as to who did
6 prepare this table --- and I think that's
7 another request I would like to have is to
8 make it specific at the bottom of the
9 table exactly who were the personnel who
10 prepared the table? Were these employees
11 of P.H. Glatfelter or were these employees
12 of the Department of Energy or were these
13 contractors that were hired by P.H.
14 Glatfelter or are these contracting
15 agencies of the Department of Energy?
16 And, if so, if these were contracting
17 agencies of the Department of Energy, I
18 would formally request that you put their
19 qualifications either in an appendix or
20 associated with the table.

21 ROY L. FIGUREN:

22 Doctor, it's my understanding
23 for clarification purposes, sir, that
24 those specific questions will be addressed
25 in the final EIS. Each of the questions

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D-287/6

KEYWORDS:
NEPA
References

Response: DOE has used an interdisciplinary approach for the preparation of the EIS. There are many individuals from multidisciplinary backgrounds who have participated in the preparation of the EIS and its many components, including tables and figures. Section 1502.17 of the CEQ NEPA implementing regulations require that the EIS include the names and qualifications of persons who were primarily responsible for preparing the EIS or significant background papers, including basic components of the statement. The list of preparers for this EIS can be found in Chapter 11 of the Draft and Final EISs.

D-287/16

KEYWORDS:
NEPA
Preparers
Qualifications

Response: The qualifications of preparers contributing to the writing of the EIS are presented in Chapter 11 of the EIS. The qualifications of contractors writing the source documents that were used in developing the EIS are not included in this Chapter, since they are not technically "preparers" and it would be inaccurate and misleading to refer to these individuals as the authors of the EIS.

References are provided throughout the text and a comprehensive bibliography is located in Chapter 10. Unless explicitly stated otherwise in the EIS, information was compiled by authors identified in Chapter 11 of the EIS. Most data in the EIS have been provided by the industrial partner, Federal and State officials and official documents, and independent studies conducted by private contractors. All data have been reviewed by the Army Corps of Engineers, DOE's environmental project manager, as well as by their contractors, for reasonableness and accuracy. The qualifications and responsibilities of those individuals involved in preparation of the EIS are noted in Chapter 11, "List of Preparers."

The revised Table 4.1-2 in the FEIS was assembled by A. Leslie (Energetics, Inc.) and J. Wachter (DOE) from source information publicly available in the reading rooms and through personal correspondence with P. H. Glatfelter Company.

1 that you're asking will be addressed
2 formally.

3 WARREN EVANS:

4 Thank you. The next issue is
5 the completeness of the table which Dr.
6 Clark was getting at. He was requesting a
7 complete table. In other words, here you
8 have listed sulfur dioxide, nitrogen oxide
9 and the particulates. And we all know
10 those are significant health risks. And,
11 again, I applaud you for addressing those
12 three. But for the purposes of the
13 people, the laypeople, you've heard this
14 gentleman very eloquently ask for the
15 kinds of information that he could
16 understand and it wouldn't take a person
17 with a Ph.D. or with a medical degree to
18 understand what these health risks are. I
19 think it's possible for the ordinary
20 person to understand data if you make it
21 clear to them. You're not making this
22 data clear, and I will tell you why.

23 This table, if it were really
24 being presented for the layperson to
25 understand, would have more than sulfur

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D-288/23

KEYWORDS:

Air Emissions
Emission Differentials
VOCs

Response: As discussed more fully in the response to Comment D-34/1, an additional table, Table 4.1-2a, has now been included in the FEIS that lists data on emissions of volatile organic compounds (VOCs) and carbon monoxide (CO) from both the proposed York County Energy Partners, L.P. (YCEP) project and from the P. H. Glatfelter Company's Power Boiler No. 4.

See also the response to Comment D-35/8.

1 dioxide, more than the NOx and the PM-10s.
2 It would also include such things as the
3 volatile organics. Now, you say that's
4 not required under your regulations to
5 deal with that issue.

(continued)

6 But wouldn't it be very helpful
7 for the ordinary layman to see just what
8 the difference is going to be when you
9 have your plant on-line in conjunction
10 with the P.H. Glatfelter furnace number
11 four if it only functions for one month.
12 It would be very useful to see whether
13 there were going to be significant
14 reductions using these same units. I
15 mean, people can understand tons per year.
16 It's much harder to understand the kinds
17 of computer modeling data that you have
18 with regard to volatile organics or with
19 regard to radionuclides, which I'll take
20 up next. It's very hard for people.

21 The average person in York
22 County is not used to that type of
23 terminology. And they're absolutely
24 right, that in a sense they are being
25 deceived. And they are being exploited by

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D-289/6

KEYWORDS:

Boiler No. 4
Emission Differentials
Emission Reductions

Response: As discussed in the responses to Comments D-34/1 and D-35/8, carbon monoxide (CO) and volatile organic compounds (VOCs) emission data from both the proposed York County Energy Partners, L.P. (YCEP) project and the P. H. Glatfelter Company's Power Boiler No. 4 have now been listed in Table 4.1-2a. This table has been included in the FEIS to supplement Table 4.1-2 that listed sulfur dioxide (SO₂), oxides of nitrogen (NO_x), and particulate matter (PM₁₀) permitted emission data. As a result of the proposed YCEP project, a reduction would occur to the permitted level of 2,419 tons/yr for sulfur dioxide (SO₂), 272 tons/yr for oxides of nitrogen (NO_x), and 65 tons/yr of particulate matter (PM₁₀), representing a maximum decrease of 2,756 tons of these pollutants. Table 4.1-2a shows that estimated actual emissions would decrease by 650 tons/yr of sulfur dioxide (SO₂), 415 tons/yr of oxides of nitrogen (NO_x), and 7 tons/yr of particulate matter (PM₁₀), and would increase by 1,349 tons/yr of carbon monoxide (CO) and 35 tons/yr of VOCs, representing a maximum increase of 312 tons/yr of these pollutants. The conservative air quality scenario is represented by the proposed YCEP project and the P. H. Glatfelter Company's Power Boiler No. 4 running simultaneously during the 720 hours per year in which the Power Boiler No. 4 may be operated concurrently with the proposed project. Prevention of Significant Deterioration (PSD) analysis was undertaken for this "worst case" scenario, and is described in Sections 4.1.2.6 and 4.1.2.7. This PSD analysis indicated that predicted concentrations of criteria pollutants would be 27 percent or less of their respective allowable PSD increments or would be below EPA significance levels.

D-289/21

Response: Please see the response to Comment D-252/9.

KEYWORDS:

NEPA
Quality

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scientists who should know better or perhaps scientists don't know how to talk to laypeople anymore but they should. And it's about time that the taxpayers who pay for these scientists and these reports be given explanations in terms that they can understand.

And so that brings me to another question. As you all know, the nuclear power industry, one of their great claims is that we are so much better than coal technology. We don't emit those highly radioactive materials from the stacks the way the coal technology does.

So let's address the issue of radionuclides, which you're formally, as you to admit in your report, not required to really address that because that's not required under Federal law for the coal technologies. But I think you should address that. If the nuclear power industry is claiming that your stacks are so dirty that you're emitting more radioactivity than the nuclear power plants are, then clearly something is

(continued)

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D-290/15

KEYWORDS:
Radionuclides

Response: Section 4.1.2.8 of the EIS discusses the radionuclide emissions that would result from the proposed York County Energy Partners, L.P. (YCEP) project. Table 4.1-12 and Table 4.1-12a present estimates of the primary radionuclide emission rates for the proposed project. Table 4.1-12b lists estimated radionuclide emissions from P. H. Glatfelter Company's Power Boiler No. 4.

Please see the responses to Comments D-291/3 and D-294/6.

1 wrong. Clearly something is wrong.
2 And when you look at your
3 report, don't you think you should include
4 --- maybe not in tons per year but at
5 least a number of curies per year that
6 comes out of P.H. Glatfelter's existing
7 furnace. I think you should have that
8 data in there. I think you should have
9 that data in table 4.1-2 on page 422. And
10 it should also show what the reductions
11 will be or the increases will be in terms
12 of those radionuclides. And don't express
13 it in air volumes and that sort of thing,
14 put it in curies. We all understand what
15 a curie is. It doesn't take --- that's
16 very easy for the average layperson to
17 figure out what a curie is. That's the
18 actual amount of radioisotope that could
19 end up in their lung as a particle. You
20 know that and I know that and they know
21 that. They're not that stupid.
22 So I formally request that in
23 this table you put the radionuclide
24 concentrations that are going to be coming
25 out of the stacks of your plant with all

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D-291/3

KEYWORDS:

Air emissions
Boiler No. 4
Emission differentials
Radionuclides

Response: Section 4.1.2.8 of the FEIS has been revised to more comprehensively address radionuclide emissions from the proposed York County Energy Partners, L.P. (YCEP) project. These estimates have been made on the basis of 912,500 tons of coal burned per year by the proposed YCEP project. In estimating the overall radionuclide emissions resulting from the proposed project, no credit has been taken for the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4. This curtailment would result in a maximum of 720 hours of concurrent operation per year (with the proposed project) and the reduced consumption of approximately 90,000 tons/yr of coal, which is burned with less efficient fly ash capture. (Fly ash is the primary source of radionuclides that result from coal burning.) Thus, the estimates are conservative, in that these represent the maximum amount of radionuclide emissions that could occur from the proposed YCEP project during possible simultaneous operation of the YCEP facility and P. H. Glatfelter Company's Power Boiler No. 4 during 720 hours per year. Table 4.1-12 in section 4.1.2.8 displays estimates of radionuclide emissions contained in the radionuclide emissions report (*Weston, 1995*) and shows that the total weight of the radionuclides that would be released was estimated to be 14.8 lbs per year. This cited report is a revision to the one previously submitted by Weston and referenced in the DEIS (*Weston, 1994b*). The total radiation rate was estimated to be 77.26 millicuries per year. Table 4.1-12a displays independent estimates of radionuclide emissions made by DOE and shows that the total weight of the more extensive list of radionuclides that DOE considered was 15.26 lbs per year; the total radiation rate was estimated to be 278.91 millicuries per year. Table 4.1.12c has been added to the FEIS to present radionuclide differential emissions for the entire project, including curtailment of P.H. Glatfelter Company Power Boiler No. 4.

Also, see the response to Comment D-294/6.

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the excess coal. You see, what's hidden, what's deceitful about this is that you're saying you're burning a lot more coal but putting a lot less pollution out in the air. But all that coal contains a lot more radioactivity and you know that. You know that on a per curie --- the number of curies per year, the output of the million tons that you're going to be burning is going to be clearly higher than the amount that's coming out of that furnace now. And I think you should put the radioactivity data for the furnace for your new cogen plant and let's see how that compares to what the levels that are being put out into the air in York County now and see whether maybe that's where some of these people are dying from. Maybe that's where it's coming from. You're misleading them. You're telling them that sulfur dioxide and nitrous oxide and the particles.

Well, believe me, radioactivity is a far more potent cause of genetic defects in people's lungs and in their

(continued)

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D-292/5

KEYWORDS:

Air emissions
Radionuclides

Response: Radionuclide emissions would increase by 225.15 millicuries per year as a result of the proposed York County Energy Partners, L.P. (YCEP) project (see Table 4.1-12c). Radon emissions of 214.40 millicuries per year account for the majority of these emissions. As discussed in the response to Comment D-294/6, the volume of particulate matter (PM₁₀) emissions, with which non-radon radionuclide emissions are associated, would decrease on an overall-analysis basis.

D-292/12

KEYWORDS:

Air differential
Air emissions
Radionuclides

Response: As discussed in the response to Comment D-294/6, total radiation dose estimates would be less than 1 millirem per year (mrem/yr), which is a small percentage of the average 360 mrem/yr dose associated with the exposure to the average individual in the United States.

1 livers and in their home now than any
2 particulate is. I applaud the doctor for
3 talking about the particulates. He knows
4 a lot more about lung disease. I worked
5 on leukemia for 30 years. I can tell you
6 one of the major causes of it. You know
7 this and the public knows it, that
8 radioactivity is one of the major causes
9 of leukemia. And it can come from fly ash
10 and you know that and I think you should
11 put that in this table and put it in a way
12 that people can understand.

13 Okay. I'm calming down now.
14 I'm a scientist so I understand these
15 issues. I know I could deceive these
16 people very easily. I could deceive all
17 of you if I wanted to. I could be a
18 rent-a-scientist like this character from
19 P.H. Glatfelter, a rent-a-scientist. I
20 wouldn't trust his data one bit and I
21 don't think you should trust his data.
22 And you are trusting his data because,
23 I'll tell you why. Look in your report,
24 look in the appendix of your report and
25 look who did the radionuclide analysis for

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D-293/6

KEYWORDS:

Air emissions
Radionuclides

Response: Other than radon gas, the radionuclide emissions that result from the proposed York County Energy Partners, L.P. (YCEP) project are associated with fly ash. Section 4.1.2.8 of the FEIS includes the following new or revised tables that list estimates of radionuclide emissions: Table 4.1-12 "Estimated radionuclide emission rates from the proposed YCEP facility," Table 4.1-12a "DOE estimates of radionuclide emission rates from the proposed YCEP facility," Table 4.1-12b "DOE estimates of radionuclide emission rates from the P. H. Glatfelter Company's Power Boiler No. 4," and Table 4.1.12c "DOE estimates of increase (reduction) of radionuclide emission rates from the proposed YCEP facility." The information in the last table assumes curtailment of the P. H. Glatfelter Company's Power Boiler No. 4 to 720 hours per year of simultaneous operation with the proposed project.

See also the response to Comment D-294/6.

1 your data, Weston. Who hired Weston? Who
2 hired him? P.H. Glatfelter hired him.
3 You don't think they don't have a stake in
4 that. I should say at least go out and
5 get your own contractor.

6 I formally suggest that you have
7 that radionuclide study done again and you
8 go down there and measure the
9 radioactivity coming out of that stack and
10 you come up with a new proposal for what
11 that radioactivity is going to be and you
12 compare it before and after and make it
13 easy so the public can understand, so that
14 your Daily Record can understand it, so
15 the York Dispatch can understand it. Make
16 it clear to them.

17 And one last thing and then I'll
18 get off because I know you're tired of
19 hearing this. But I want to ask one more
20 question. How can the average person in
21 this community --- this whole project ---
22 I find myself in a rather ironic position
23 because I was a great supporter of
24 cogeneration, and you'll probably find
25 that hard to believe because I saw so many

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D-294/6

KEYWORDS:

Air emissions
Emission differentials
Radionuclides

Response: DOE performed independent estimates of radionuclide emissions from both the proposed York County Energy Partners, L.P. (YCEP) facility and the existing P. H. Glatfelter Company's Power Boiler No. 4. These estimates are documented in Appendix L of the FEIS. Table 4.1-12a in Section 4.1.2.8 displays DOE's estimates and shows that the total radionuclide emission rate was estimated to be 278.91 millicuries per year (mCi/yr) for the more extensive list of radionuclides that DOE considered. It is important to note that of this total, radon represented some 84 percent of the radionuclide emissions. Radon is a gas which has more than 20 known isotopes, of which Rn-220 and Rn-222 are the more important. Rn-220 has a half-life of only 55 seconds, while Rn-222 has a half-life of 3.82 days.

Estimates have been made on the basis of 912,500 tons of coal burned per year by the proposed YCEP project. In estimating the overall radionuclide emissions resulting from the proposed YCEP project, no credit has been taken for the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4. This curtailment would result in a maximum of 720 hours of concurrent operation per year and the reduced consumption of approximately 90,000 tons/yr of coal, burned with less efficient fly ash controls. (Fly ash is the primary source of radionuclides--other than radon--that result from the burning of coal). Thus, the estimates are conservative, in that they represent the maximum amount of radionuclide emissions that would be expected to occur from the proposed YCEP project during possible simultaneous operation of the YCEP facility and P. H. Glatfelter Company's Power Boiler No. 4. To that end, Table 4.1-12c was prepared by DOE. Table 4.1-12c shows DOE's estimates of the increases (or reductions) of radionuclide emissions from the proposed YCEP facility including the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4 to 720 hours of concurrent operation per year. As can be seen, an increase of 225 mCi/yr of radionuclide emissions was estimated to occur, of which 214 mCi/yr (i.e., 95 percent) was attributed to increased radon emissions and 11 mCi/yr (i.e., 5 percent) was attributed to fly ash emissions.

When the radionuclide emissions from the proposed YCEP facility are translated into dose rates to the public, the proposed YCEP project would deliver a maximum effective radiation dose of up to 0.03 millrems per year (mrem/yr) to individuals depending on dispersion of the ash particulates, exposure pathways, and dose

1 people dying of radioactivity in this
2 country as a result of the nuclear power
3 industry. I thought cogeneration was a
4 great idea. It's a very efficient way of
5 using energy and I applaud the Department
6 of Energy for going that way but you know
7 as well as I do that the way to go with
8 cogeneration is not with coal, it's with
9 gas, it's with methane gas. And everybody
10 knows that. Anybody that's in this
11 audience knows that methane is the way to
12 go. That's the clean technology. But
13 you're committed to coal. I understand
14 that. I understand that you're committed
15 to coal. You're a section of the
16 Department of Energy, you've got to try to
17 make this work. That's how you keep your
18 job.

19 Now, let me ask you a question
20 and I would like an answer. If you can't
21 answer it here, please answer it in the
22 report. Can this plant, if it doesn't
23 work, suppose that it doesn't meet all of
24 these wonderful requirements, remember
25 T.M.I. was never supposed to come near a

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assimilation. This dose estimate does not include any emissions reductions from the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4.

An expected dose of 0.03 mrem/yr can be put in perspective by comparing this value to normal doses of radiation. The estimated annual dose to the average individual in the United States population is 360 mrem/yr (*Murray, 1989*). Out of a total of 360 mrem/yr, an individual receives an average of 200 mrem/yr from radon gas (primarily in their home), 27 mrem/yr from cosmic rays, 28 mrem/yr from rocks and soils, and 40 mrem/yr from inside their body (primarily from natural potassium-40 in food). Total radionuclide emissions from all coal-fired electric generating utilities combined account for only about 1 percent, or less, of the average annual dose. The dose a person receives varies widely depending on location, time, and activity, but it is unlikely that an individual would receive less than 100 mrem/yr (the natural background radiation dose). The estimated maximum dose the local population is likely to receive from the proposed YCEP project would be a 0.01 percent increase over the existing average radiation exposure. Such a small increase in radiation dose has not been found to increase the incidence of disease, mutation or teratogenic effects, despite several attempts to document low-level radiation effects (*Yalow, 1988; National Research Council, 1990*).

1 meltdown because the MIT engineers on
2 paper said, oh, this will work, this will
3 never come down, we have all the safety
4 factors, we have all the stuff and these
5 poor people here who are not scientists,
6 they trust that kind of stuff. And what
7 happened? The meltdown. It practically
8 went down into the ground. And they
9 didn't even have monitors on the stacks.
10 They didn't have monitors five miles out
11 to know what the levels of radioactivity
12 were that people were being exposed to.
13 That's exploitation, scientific
14 exploitation, and it's cheap.

15 So my question is this, can this
16 coal-fired plant be converted to a
17 gas-fired plant eventually or is it
18 irreversible, once it goes in it has to be
19 committed to coal technology?

20 ROY L. EIGUREN:

21 That will be answered in the
22 final EIS.

23 WARREN EVANS:

24 I would like an answer to that
25 because I have a feeling that if you

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D-296/15

KEYWORDS:
Repowering

Response: If demonstration were successful, York County Energy Partners, L.P. (YCEP) would continue commercial operation of its unit using the demonstrated technology. Technically, circulating fluidized beds (CFBs) could not operate on 100 percent natural gas. Once constructed, the CFB would be committed to operating on solid fuels such as coal. YCEP has stated in writing that it would only burn coal in the CFB. Further, all the permits are based on coal operation. In addition, the proposed site does not currently have a gas line of required size to fuel a 227-MW gas boiler.

Consequences of unsuccessful demonstration have been presented in Chapter 5 of the EIS. Consequences presented do not include retrofitting the plant for exclusive gas-fired operation.

1 really do seriously monitor this, and that
2 will be my final point is how you're going
3 to monitor whether the coal-fired plant
4 that's going to be taken out, how do we
5 know it's only going to operate one month?
6 Who's going to be there to police it?
7 Who's going to operate that? Is there a
8 way that the public can look at the stack
9 and see? Is there a stat coming out of
10 that furnace so that the average person
11 walking by the plant can say, oh, look,
12 that thing is working and so is the other
13 one, they're both going simultaneously.
14 That's against the law. Can a person do
15 that?

16 AUDIENCE MEMBER:

17 They'll all be down in West
18 Virginia. They don't care.

19 WARREN EVANS:

20 Who is going to monitor this?
21 And, finally, just as the technicians at
22 T.M.I. had a high school training, most of
23 them, and they were operating equipment
24 that took practically an engineering
25 degree to operate, and that was the reason

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D-297/4

KEYWORDS:
Boiler No. 4
Curtailement
Enforcement

Response: A discussion of the operation of P. H. Glatfelter Company's Power Boiler No. 4 is included in Section 2.1.3 of the EIS. Operations of boilers are limited via permits, which generally do not specify the maximum numbers of hours that a boiler can operate, but do specify the maximum amount of specified pollutants that can be emitted. Total emissions equal the emission rate multiplied by the time of operation ($\text{EMISSIONS} = \text{EMISSIONS RATE} \times \text{TIME}$), just as distance traveled would equal speed times the time of travel. Thus, by specifying allowable total emissions for a one year period and assigning a rate to Power Boiler No. 4, the permits effectively impose a limit of operation to 720 hours per year concurrent with the operation of the proposed project.

P. H. Glatfelter Company is currently seeking a permit modification that would limit the oxides of nitrogen (NO_x) emissions of Power Boiler No. 4. In July 1994, after approval from PADER, Power Boiler No. 4 was modified with low NO_x (oxides of nitrogen) burners [Reasonably Available Control Technology (RACT)]. This boiler must operate for one year under continuous monitoring for oxides of nitrogen (NO_x) emissions to establish the new oxides of nitrogen (NO_x) emissions rate. This new rate will be used to determine the new permit limit (expected in August 1995). The new emissions permit is expected to allow Power Boiler No. 4 to operate at full load for up to 720 hours per year of simultaneous operation with the York County Energy Partners, L.P. (YCEP) boiler. Power Boiler No. 4 could operate for more hours by operating when the YCEP boiler is not operating. However, Power Boiler No. 4 must always remain within the oxides of nitrogen (NO_x) emissions rate limit. The interim oxides of nitrogen (NO_x) limit, currently in effect, is 0.86 lbs/MMBtu (personal communication with Bob Callahan, P. H. Glatfelter Company).

As mentioned above, simultaneous emissions from the proposed YCEP facility and the P. H. Glatfelter Company's Power Boiler No. 4 do not indicate a permit violation. P. H. Glatfelter Company may operate Power Boiler No. 4 anytime when the YCEP boiler is not operational. In addition to that quantity of time, Power Boiler No. 4 may operate simultaneously with the YCEP boiler for up to the expected limit of 720 hours. Thus, Power Boiler No. 4 is not limited to one month of operation, given the above conditions.

Because emissions from Power Boiler No. 4 are not readily visible, a person must rely on other sources of information and on the deterrent effect of possible civil and criminal penalties. PADER requires P. H. Glatfelter Company to use continuous emissions monitoring and to report the data quarterly. Two managers must sign the data reports, thereby subjecting themselves to possible criminal prosecution for falsification or omission of data. Once per year, PADER tests the monitoring equipment. P. H. Glatfelter Company checks the monitors daily for accuracy.

The policing of YCEP's and P. H. Glatfelter Company's emissions could occur through EPA's actions, PADER's actions or the actions of local citizens (including local citizen groups and local governmental officials). The state has primacy in implementing the Clean Air Act, and PADER is expected to inspect, require monitoring, issue orders as necessary and enforce state regulations and the state's

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why it failed, the MIT engineers who were so brilliant with all their degrees, they forgot to take into consideration that human beings run these things. They're not run by some kind of robot. And these were people who meant well. They only had a high school education. They were the ones that made the mistake. Who's going to operate this coal-fired plant, your plant? How do we know that they aren't going to make serious mistakes and things that we can't even smell are going to come into our lungs like radioactivity on this plant? Who's going to monitor that? Do you have any kind of control? I see nothing in here saying anything about the qualifications. I would like to formally request that the qualifications be stipulated as to who it is that's going to be operating this equipment because that's what caused T.M.I. to fail. It was the people running it and the engineers forgot the fact that that is along their scientific data. Thank you.

ROY L. FIGUREN:

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air pollution statute (see Air Pollution Control Act, 35 P.S. § 4001 et seq.). Furthermore, under the Clean Air Act, EPA can inspect records and monitoring equipment and take samples of emissions (42 U.S.C § 7414). EPA may also enforce provisions of the Clean Air Act, EPA regulations under the Clean Air Act, and provisions of the State Implementation Plan (including state air pollution control regulations published in the Federal Register) (42 U.S.C. § 7413). Even state substantive laws and regulations (emission standards, limitations, PSD permitted emission limits, etc.) passed under the provisions of the Clean Air Act may be enforced as Federal law (42 U.S.C. § 7411(c), § 7413). There are criminal penalties for record-keeping violations, tampering with monitoring devices and failure to disclose material information (42 U.S.C. § 7413). The "citizen suit" provision of the Clean Air Act (42 U.S.C. § 7604) allows citizens to directly enforce (in Federal District Court) the Clean Air Act, regulations promulgated under the Act, and State Implementation Plans. At its discretion, the Court may award the costs of litigation (including reasonable attorney fees and expert witness fees) to the citizen who brings the suit [42 U.S.C. § 7604(d)].

D-298/8

KEYWORDS:

Operators
Training

Response: A comprehensive training and start-up program would be implemented to ensure safe and efficient operation of the new Cogeneration Facility. It is anticipated that training for the new facility would be given through a plan developed by York County Energy Partners, L.P. (YCEP), and would be supervised by employees currently responsible for operations at similar facilities. Furthermore, two sections of the Air Products Standard Practice manual, New Employee/Transferee Safety Training and On-going Safety Training Program, would govern the safe operation of the proposed facility. Process Training is comprehensive and facility/operation specific. An operator's progression through the entire training cycle is dependent upon personal ability and motivation and the complexity of the operation. The training cycle is outlined in detail in Section 4.1.6 of the FEIS.

D-298/17

KEYWORDS:

Operators
Training

Response: Please see the response to Comment D-298/8.

1 Thank you. Are there any
2 individuals here who have not yet
3 commented and would like the opportunity
4 to do so? This one gentleman here. Are
5 there others? Okay. Proceed, please.
6 Could I have your name for the record,
7 sir. Welcome.

8 JOEL GOLDBERG:

9 My name is Joel Goldberg. I
10 live about five miles away from the
11 proposed project. As you recall, I spoke
12 last night concerning some of the concerns
13 I had, particularly the section of the EIS
14 that deals with the no-action
15 alternatives, how it leaves some of the
16 assumptions not supported. There was
17 really no basis given which can evaluate
18 those assumptions. That's not really what
19 I want to do tonight. I don't want to
20 reiterate what I said last night.

21 What I want to do is just point
22 out one fact that's about two years now
23 into this process I finally learned by
24 reading this draft EIS. I should say that
25 I've attended every public meeting, I've

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1 read every handout that's been given at
2 the public meetings. I have not gone to
3 the reading rooms. I don't have the
4 luxury of being able to spend days going
5 to a reading room somewhere sitting there
6 wading through 10,00 pages. So this fact
7 may appear somewhere in documents. It may
8 be buried somewhere but it's never really
9 been brought to the forefront of public
10 attention and I think it needs to be. And
11 that's that this project is actually going
12 to cost --- or conceivably cost \$19
13 million more than the \$75 million grant
14 that is being touted as the price tag.
15 That is \$19 million more is going to be
16 taken from the public treasury and given
17 to Air Products. That little fact appears
18 for the first time about two-thirds of the
19 way through this 600-page document on page
20 5-3 in three sentences that will cost us
21 \$19 million. On page 5-3, it says DOE, as
22 stated in the Cooperative Agreement, is
23 under no obligation to fund any cost
24 overruns related to the project. However,
25 both the Cooperative Agreement and the

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D-300/11

KEYWORDS:
Government funds
Project costs

Response: As stated in Chapter 5 of the EIS, DOE is under no obligation to fund cost overruns related to the proposed project. However, both the Cooperative Agreement and the Program Opportunity Notice provide mechanisms for York County Energy Partners, L.P. (YCEP) to seek additional monies. DOE participation cannot exceed 25 percent (approximately \$19 million) of DOE's original cost share contribution of \$75 million. The estimated cost for the project is still nominally \$380 million which includes \$75 million of DOE's monies. In the event DOE elected to fund an overrun, its cost share would be limited to 20 percent of the overrun, and cannot exceed 25 percent (\$18.75 million) of DOE's original obligation. Under no circumstances can DOE cost-share more than \$95 million.

It is currently speculative to assume that the project cost would increase or that DOE would agree to share in the funding of any increase, if it did occur.

1 Program Opportunity Notice provide
2 mechanisms for YCEP to seek additional
3 monies. The DOE's participation in any
4 overruns cannot exceed 25 percent,
5 approximately \$18,750,000 of DOE's
6 original cost share contribution of \$75
7 million.

8 Now, what that's saying is that
9 there's a mechanism for Air Products to go
10 back to DOE and request and get another
11 \$19 million of our money. I may be
12 getting a little more cynical with age but
13 I can't recall any projects which have
14 been sponsored or in which the government
15 agency has participated where there
16 haven't been overruns. So I think it's
17 very likely that Air Products will come
18 back to the public till again. It's, in a
19 sense, opening your checkbook and asking
20 them not to dip further in. And I think
21 that's an important point to make and one
22 that I hope the media who is here tonight
23 will make and make people aware of the
24 true price tag of public participation.
25 What we really have here is a transfer of

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wealth from our pocket to Air Products.
Air Products who did \$3.3 billion in
revenues last year who made \$232 million,
is coming to us and taking between \$75
million and \$94 million out of our pocket.

When this is all said and done,
the public treasury, which is our money,
will be \$75 million to \$94 million poorer
than Air Products' net worth on their
balance sheet, the shareholder's equity
will show an increase of \$75 million to
\$94 million. It's just a pure transfer of
wealth and I hope the true cost of this is
continued to be brought to the forefront
of public consciousness and that the
public does not continue to be deceived
into thinking the price tag is only \$75
million. Thank you.

ROY L. EIGUREN:

Is there anyone here that wishes
to speak for the first time? Yes, this
gentleman here. Could we have your name
for the record, sir?

WILLIAM THOMPSON:

My name is William Thompson.

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1 I'm a life-long resident of York County.
2 Mr. Chairman, ladies and gentlemen, I
3 thank you for your consideration. I
4 attended your previous meetings, not at
5 this particular time, but the meetings
6 that you had in West Manchester.
7 Unfortunately, I couldn't attend the two
8 meetings prior to tonight but I'm here.
9 And the only reason that I'm speaking, I
10 would like to just lend my support to the
11 people that are opposed to this because I
12 think that the more people --- the more
13 opposition that you return to your source
14 to the people who will make the
15 consideration, the more we will have a
16 chance of opposing this particular
17 operation that's proposed.

18 I'm not hired --- I'm not here
19 to represent any --- Glatfelter or Energy
20 or anybody else. I would like to refer to
21 Dr. Dabb's comments, I think they were
22 well taken. And just one comment, if you
23 can't trust your doctor, who in the world
24 are you going to trust? Now, this man is
25 speaking for all of the medical profession

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1 in this particular part of the county.
2 They see the results of pollution and
3 things of that nature. So I think that
4 their comments should be heavily taken.
5 The gentleman that was here a while ago,
6 I'm old enough and he's old enough, we
7 referred to the Codorus Creek, if you're
8 not from here, you don't know what we're
9 talking about. But there was a time when
10 we always referred to the inky-stinky
11 Codorus. And anything that didn't smell
12 too good, we'd say, (indicates noise),
13 Spring Grove is coming in good today. So
14 just carry that back to the source.

15 There is a solution, and this
16 gentleman just mentioned it a few minutes
17 ago, other than coal. A gas-fired boiler
18 would solve all the problems for the P.H.
19 Glatfelter , they need a new boiler.
20 That's all they have to do is put in a
21 gas-fired boiler and that will solve all
22 their problems and it won't take \$75
23 million of the taxpayers' money to do it.

24 Just one comment I would like
25 --- like if you people are on the board

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D-304/17

KEYWORDS:

Alternative technologies

Response: A new gas-fired boiler is an unlikely alternative for the P. H. Glatfelter Company to pursue since it has no plans to replace its existing boiler. The P. H. Glatfelter Company would not replace (or curtail operation of) its Power Boiler No. 4 if the proposed project were not approved, as determined by a letter dated December 15, 1993, from R.W. Wand, Vice President of Administration, the P. H. Glatfelter Company to Richard C. Kenner, Jr., York County Energy Partners, L.P. (YCEP) (See Appendix E for the letter).

The P. H. Glatfelter Company has stated that its existing boiler is in good condition. Furthermore, there is no adequate supply of uninterruptable natural gas to operate an equivalent gas-fired boiler.

1 that will make the decision, and I'm sure
2 possibly you, at least, will take the word
3 back, whether you will be the complete
4 board, I do not know. But just keep one
5 thing in mind. When you make your
6 decision, not in my backyard. I'm sure
7 you wouldn't want to live with something
8 like this. Thank you very much for your
9 consideration.

10 ROY L. EIGUREN:

11 Thank you. Anyone for the first
12 time? Yes, sir. I request your name for
13 the record, sir.

14 GEORGE MYERS:

15 My name is George Myers,
16 M-Y-E-R-S, a resident of North Codorus
17 Township. I am opposed of this cogen
18 plant being built for several reasons.
19 Number one, emissions, another, location,
20 noise and dust.

21 I would like to get off the
22 track a little bit. About two years ago,
23 a little better than two years ago, there
24 was a wood yard built close to my
25 residence. P.H. Glatfelter promised to

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D-305/17

Response: Please see also the response to Comment D-255/11.

KEYWORDS:

Air emissions

Land use

Noise

Particles

Because the proposed project includes the sale of steam generated by the facility, it is necessary that the proposed plant be located near to the industrial user of the cogenerated steam, i.e., the P. H. Glatfelter Company. In addition, by locating the proposed Cogeneration Facility adjacent to an exiting industrial site, the proposed facility would be visually less intrusive. As noted in an earlier response (D-283/20), a noise assessment - which included quantifying baseline noise conditions at 8 locations in the community - was conducted for the proposed facility. Based on the estimated site activities during both construction and operation of the proposed facility, noise would not be expected to noticeably increase. While some dust would be generated during construction activities, standard dust-suppression techniques (e.g., grading, mulching, wetting) would be employed during construction of the proposed facility. Dust from trucks hauling limestone and ash for operation of the proposed facility would be mitigated by the use of covered or enclosed trucks.

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buffed some of the noise. That was better than two years ago. As of today, nothing was done. So I'll tell you what, don't you believe everything that Messimer told you the company will do. They don't do it.

Another thing, this fogging over on Route 116, 516 and Lehman Road. I wonder how they determine there would never be any fog over that. Can it be proven? If it is --- if it can, let's hear it. No comment. Thank you.

Another thing is this 40 to 50 foot wide path for the transmission lines for the deer hunters so they have an easy access to go through the woods. Is that environmental or what do you call it? If a deer hunter goes out in the woods and can't go around a couple trees, they shouldn't be in the woods.

Another thing, when you did your draft, the impact on the Lions Club building, did you mention the impact on the neighbors living next to it? No. Who's going to suffer, the people that

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D-306/7

KEYWORDS:
Air modeling
Fog

Response: The Seasonal Annual Cooling Tower Impacts (SACTI) modeling was used to assess the potential for fogging or icing as a result of the proposed cooling tower associated with the proposed York County Energy Partners, L.P. (YCEP) project (see Section 4.1.2.9). The results of the SACTI analysis indicated that operation of the proposed cooling tower would produce no predicted occurrences of fogging or icing. The model predicted that along York Road (Route 116), 300 meters (1,000 feet) southeast of the proposed cooling tower, there would be no plume fogging or road icing (Section 4.1.2.9). The only areas where cooling tower-induced fogging and/or icing were predicted to occur would be to the southeast and south-southeast of the cooling tower within the site boundaries.

D-306/13

KEYWORDS:
Access way
Hunters
Land use
Utility corridor

Response: This comment refers to a verbal comment made by one of the officials present at the hearings, regarding public access for hunting on property under jurisdiction of the Army Corps of Engineers (ACOE). If the proposed electric transmission line is constructed along the preferred route, an opportunity for increased hunter access could be created along this route through heavily wooded or brushy areas. The electrical interconnection corridor could also provide "edge" and open habitat for game species. There are no major adverse impacts anticipated regarding access of ACOE lands for hunting or other public uses, as a result of constructing and operating the proposed project, including the preferred electric interconnection corridor alternative.

D-306/21

KEYWORDS:
Land use
Property values
Residences
Visual impacts

Response: The Lions Club building is mentioned specifically only in reference to visual impacts. The socioeconomic impact of the proposed facility is discussed in Section 4.1.12 of the EIS in terms of the effect on York County employment and demand for services (police, fire, schools, etc.), not on particular residences or the Lions Club building. A discussion of the impacts of the proposed facility and the utility corridor on local real estate values has been added to Sections 4.1.12 and 4.1.14.12. Additional residential receptors have been evaluated for visual impact (see Section 4.1.1 and Appendix C of the FEIS).

1 live close by. The value of the property
2 is going down because mine did already due
3 to the wood yard. So let's get with it.
4 Let's do a good survey, not a half job.

5 ROY L. EIGUREN:

6 Anyone else for the first time?
7 This gentleman, yes, sir. Could we have
8 your name for the record, sir?

9 GEORGE STOUCH:

10 My name is George Stouch,
11 S-T-O-U-C-H. Please excuse me, I'm
12 suffering from a respiratory ailment at
13 the present time and I don't have much of
14 a voice. But all I can offer at this
15 particular stage is that after listening
16 to the assertions made by the
17 representative from Glatfelter and some of
18 those sent forth by your group this
19 evening, I find it replete with very
20 questionable assertions, questionable to
21 the extent and integrity of the findings,
22 questionable to the extent were there real
23 serious and in-depth analyses and study
24 made of all of these points that have been
25 referred to.

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D-307/1

Response: The wood yard of the P. H. Glatfelter Company is not a connected action of the proposed Cogeneration Facility, and is therefore not addressed in the EIS. A discussion of the impacts of the proposed facility and the utility corridor on local real estate values has been added to Sections 4.1.12 and 4.1.14.12.

KEYWORDS:

Land use
Property values
Residences

D-307/19

Response: Please see the responses to Comments D-125/12 and J-93/19.

KEYWORDS:

NEPA
Quality

1 I can't help but call to mind
2 --- you might say this is a manifestation
3 of the expression, figures can't lie but
4 liars can figure. I know the thought
5 comes to mind just as the last gentleman
6 was talking. Without a doubt, the
7 property valuations will decrease as a
8 result of the existence of this plant.
9 Has that question been addressed? Has any
10 percentage of valuation been determined as
11 a potential loss? Does York County Energy
12 Partners have a plan to reimburse property
13 owners for the devaluation they will
14 suffer? If they do, would they make it
15 public? If they don't, why don't they?

16 I am still of the opinion,
17 although I understand that I guess maybe
18 it's contrary to the law that an
19 undertaking of this scope and where there
20 is so much controversy, would this be
21 settled with a public referendum? If the
22 current laws do not allow such a
23 referendum, why cannot those laws be
24 changed to allow them? Thank you.

25 ROY L. FIGUREN:

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D-308/6

KEYWORDS:

Land use
Property values

Response: A discussion of the impacts of the facility and the electrical interconnection corridor on local real estate values has been added to Sections 4.1.12 and 4.1.14.12. York County Energy Partners, L.P. (YCEP) does not have a plan to reimburse property owners for potential property devaluation. The FEIS concludes that the combined effect of the many direct and indirect economic benefits generated by the proposed facility (e.g., jobs, tax revenues) would be an increased level of infrastructure investment (e.g., roads, schools) which would tend to positively influence regional real estate values overall. However, the existence of negative impacts (e.g., traffic, visual) may tend to offset these benefits somewhat.

D-308/16

KEYWORDS:

Referendum

Response: Please see the response to Comment D-326/19.

1 Thank you. Are there others
2 that wish to speak for the first time? If
3 not, I believe Dr. Dabb will like to speak
4 once again. State your name for the
5 record, sir.

6 RICHARD DABB:

7 Richard Dabb. I'm speaking as a
8 personal comment now and not as a
9 representative of the medical society. I
10 tried to ask myself a while ago why I
11 moved to York. I grew up in a north
12 Jersey suburb not too far from Secaucus.
13 I smelled the waste products of gasoline
14 production for most of my childhood and
15 adolescence and wanted to live in a clean
16 place and wanted my children to experience
17 that and wanted my children not to
18 experience some of the environmental
19 damage that I saw going on in my
20 environment and my family and I ended up
21 here.

22 I'm also an idealist and an
23 optimist, believe it or not, in today's
24 medical world. And I've looked while
25 living in York for an alternative to being

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a physician on occasion, hoping maybe that we'd find cures for cancer or preventive medicine efforts remotely in my lifetime might be successful enough that I didn't have to hack people apart and put them back together. So one of the things I do in addition to my medical profession is farm and I breed horses. We do it all ourselves. It's a family operation. We have no outside employees and most of my friends laugh that before I go into surgery in the morning I've done 15 stalls. And I am very concerned about my investment, to be quite honest, and my farm and my friends' investments who are farmers. And this is one thing I do not believe that's been adequately addressed in any of the discussions. And I must admit, I feel rather disturbed with the farming community who does consist of 45 percent of the economic integrity of this region.

Farming is a vital, important part of York County, as important as any energy we need or any requirement or any

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D-310/13

KEYWORDS:

Agriculture
Land use
Property values

Response: Section 4.1.2.10 has been updated to include an analysis of the impact of the proposed facility on agricultural lands. Sections 4.1.12 and 4.1.14.12 have also been updated with a discussion of the impact of the facility on property values. Based on DOE's analysis, the value of agricultural property should not change due to the proposed project. Heavy metals and gaseous emissions would not markedly affect crop growth or the consumability of agricultural goods produced in the York County area.

1 single industry is. There's no other
2 single industry in York County that is
3 more economically viable to this
4 community. And this worries me because I
5 don't think certain answers have come to
6 me to reassure me that probably an area
7 that consists of the most valuable
8 farmland in the United States per acre is
9 being protected.

10 The one number that really
11 worries me when I think of the value of
12 the farmland and the dairy industry,
13 especially, is the emissions of mercury
14 looking at this issue, varied estimates
15 the last one we've seen was the
16 approximately 300,000 grams of mercury per
17 year. Do we know what that will do to our
18 agriculture community? And I'm really
19 asking you this for information rather
20 than trying to make a point here. I don't
21 know. I don't know what the long term ---
22 if we forget the human mental factors
23 which I do know about. I don't know what
24 the long term heavy metal deposition in
25 this region and the nature of the

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D-311/4

KEYWORDS:

Agriculture
Land use
Property values

Response: The Resource Conservation and Recovery Act (RCRA), the Clean Air Act (CAA), and the Clean Water Act (CWA) are among numerous Federal and state statutes that protect the area in question as well as the nation as a whole. National Pollution Discharge Elimination System (NPDES), Prevention of Significant Deterioration (PSD), and the Susquehanna River Basin Commission's Consumptive Use are just three of over 30 permitting and reporting requirements the proposed facility would have to meet that also protect the area. More specific to the commenter's concern, requirements of the Farmland Protection Policy Act (7 CFR, Chapter 7, Part 658) were drafted to minimize the unnecessary and irreversible conversion of farmland to nonagricultural uses. For a complete discussion of the statutes and permits governing the operation of the proposed facility and protecting the local environment, please refer to Chapter 9 of the EIS.

Section 4.1.2.10 has been updated to include an analysis of the impact of the proposed facility on agricultural lands. Sections 4.1.12 and 4.1.14.12 have also been updated with a discussion of the impact of the facility on property values.

D-311/10

KEYWORDS:

Agriculture
Livestock
Mercury

Response: The estimated emissions of mercury from the proposed facility would be approximately 115,000 grams per year (0.127 tons/year). The EIS specifically considered the uptake of mercury through beef and dairy cattle and through agricultural products. The expected concentration of heavy metals in beef and milk were estimated using biotransfer factors recommended by the EPA in their guidance documents. The maximum expected mercury concentration in beef resulting from the proposed project would be 6.5×10^{-2} milligrams per kilogram. This is approximately 1/10 part per million. The maximum mercury concentration in milk resulting from the proposed project would be expected to be 1.5×10^{-4} milligrams per kilogram. This is less than 1 part per billion. Expected concentrations of lead in beef and milk resulting from the proposed project would be 6.2×10^{-6} milligrams per kilogram and 6.5×10^{-6} milligrams per kilogram, respectively. Both of these concentrations are less than 10 parts per trillion. The risk associated with these levels is summarized in Section 4.1.2.11 of the EIS.

D-311/23

KEYWORDS:

Agriculture
Heavy metals
Property values

Response: Section 4.1.2.10 has been updated to include an analysis of the impact of trace metals from the proposed facility on agricultural lands. Sections 4.1.12 and 4.1.14.12 have also been updated with a discussion of the impact of the proposed facility on property values. Please see also the response to Comment D-310/13.

1 effluents we're going to see from this
2 factory will do to the value of the farm
3 land in York County.

4 You read various numbers and I
5 don't know what to believe anymore but a
6 couple good guesses. By the year 2020 we
7 will be producing one-quarter of the food
8 necessary to feed the population in this
9 country. What is the impact if we keep
10 desecrating valuable farmland? Should it
11 be in areas like this that are so vital to
12 our future and our ability to produce food
13 products that might be remotely palatable?

14 I don't see these issues
15 properly answered in the conceptualization
16 of this project. That bothers me in terms
17 of my alternative profession. I think
18 it's very concerning and it bothers me,
19 especially since so many of my friends are
20 farmers. I'm not sure if you ever have
21 farmed totally, you know that that's
22 probably an 18-hour a day job and the cows
23 come before coming to these meetings. But
24 I don't think our agricultural community
25 has been protected in this investigation.

(continued)

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1 I'm not sure the answers are there. I
2 think that is the one true experimental
3 component of this project, this
4 exceptionally large coal-burning project.

5 The uranium issue that was
6 mentioned by the Ph.D. in biochemistry I
7 think is a real issue. I think it's a
8 real concern, especially for that
9 agricultural community. When Chernobyl
10 had --- I can't tell you I'm a nuclear
11 advocate either. When Chernobyl --- my
12 family is Danish. And as you know, the
13 radioactive fallout in Denmark immediately
14 after Chernobyl was quite excessive. My
15 family in Denmark lost 20 percent of their
16 foals that year from congenital anomalies.

17 It was devastating economically. I lost
18 a lot of trust in government and I always
19 considered the Danes to be a very
20 benevolent government. They had a
21 marvelous social system, there's social
22 education, there's socialized medicine,
23 you name it. I called to see with my
24 brother-in-law whether my nephew was
25 receiving iodine to block the uptake of

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D-313/5

KEYWORDS:
Agriculture
Radioactivity

Response: Radionuclide emissions (including uranium) from the proposed project were estimated by DOE and are reported in the FEIS in Table 4.1-12a. In assessing the potential human health risk from exposure to these emissions, DOE ran the CAP-88 radionuclide assessment model, which includes risks from ingestion of radionuclides in locally grown agricultural products (including crops, meat, and milk). Based on the modeled results, the individual lifetime fatal cancer risk from radionuclides due to ingestion of locally-grown agricultural products would be approximately 2 in 10 million. At this risk level, radionuclides from the proposed project would not be expected to have a measurable adverse effect on the local agricultural community.

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radioactive iodine after Chernobyl. He said, no, we were assured by the government that we won't need to take it. I called a friend of mine who is in a governmental medical agency and the reason they were reassured that was because they ran out. And, indeed, that was not an appropriate decision. I think we'll see many cases in Denmark of thyroid cancer developing due to this inability to deal with the problem.

So just from a personal standpoint outside of our position paper and our position paper is truly that of a society and not me. I'm very concerned that at a personal level that I would have made the wrong choice to invest in my future outside of medicine. Thank you.

ROY L. FIGUREN:

Is there anyone who has not yet commented that would like to comment? This gentleman here would like to comment. I'd ask your name for the record one more time, sir.

WARREN EVANS:

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Dr. Warren Evans, Helm Township.

I'd like to comment at this time on table 2.1-1, page 210 of the draft Environmental Impact Statement of November 1994. Again, I'd like to make a formal request that this table be modified.

Under the category of air emissions, I would like to formally request for the purposes of making it more clear to the average layman that you add additional data to this table and express it in the units for sulfur dioxide. That you have tons per year. You have the oxides and nitrogen tons per year. You have the particulate matter tons per year and you have the carbon monoxide tons per year. You have carbon dioxide tons per year. You have volatile organic compounds tons per year. And the volatile organic compounds that I would like you to modify the table to indicate what the specific volatile organic compounds are and whether they're carcinogenic or non-carcinogenic.

What the people are interested in --- and this is a comment. What the

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D-315/8**KEYWORDS:**

Air emissions
Carcinogens
Emission differentials
VOCs speciation

Response: Table 2.1-1 in Section 2.1.3 shows the estimated emissions from the proposed York County Energy Partners, L.P. (YCEP) facility at 100 percent load. The emissions of volatile organic compounds (VOCs) would be 48 tons/yr. This level is based on a maximum level and represents the maximum permitted level of VOCs from the proposed YCEP project. This VOC total corresponds to the 11 lbs/hr rate for 100 percent load shown in Table 4.1-1 in Section 4.1.2.3. Table 4.1-11 in Section 4.1.2.7 shows speciation of the VOCs. As shown in the table, the polycyclic aromatic hydrocarbons (PAHs), benzo[a]pyrene and naphthalene, would be emitted at 1.8×10^{-6} g/sec (0.00006 tons/yr) and 2.6×10^{-4} g/sec (0.009 tons/yr). The former represent the PAHs with potential carcinogenic health effects, and the latter PAHs represent potential non-carcinogenic health effects. The VOCs with potential carcinogenic health effects, benzene and formaldehyde, would be emitted at 2.6×10^{-2} g/sec (0.9 tons/yr) and 5.6×10^{-2} g/sec (1.95 tons/yr) respectively. The VOCs without potential carcinogenic health effects that would be emitted are ethylbenzene (1.5×10^{-1} g/sec or 5.21 tons/yr), toluene (7.7×10^{-2} g/sec or 2.68 tons/yr), and xylenes (6.6×10^{-1} g/sec or 22.94 tons/yr). Any other VOCs emitted would be non-carcinogenic and would be emitted at an aggregate rate of 4.12×10^1 g/sec or 14.3 tons/yr. These specific VOC data are available in the above tables and are not replicated in Table 2.1-1 other than providing the aggregate VOC emission total of 48 tons/yr.

D-315/19**KEYWORDS:**

Air emissions
Carcinogens
Emission Differentials
VOCs

Response: There would be an increase in emissions of volatile organic compounds (VOCs) as a result of the proposed York County Energy Partners, L.P. (YCEP) project. Table 4.1-2a in Section 4.1.2.3 of the FEIS shows that the expected increase in emission of VOCs would be 35 tons/yr. Carcinogenic potential of these VOCs is reported in Table 4.1.11. Please see the response to Comment D-315/8 for a discussion of which VOCs are carcinogenic.

1 people are interested in, does it go up or
2 down or does it stay the same? That's
3 what the newspapers will be able to report
4 to them. That's what they'll be able to
5 understand. They won't understand the
6 kind of data that Weston has given you on
7 air flow dynamics and things like that.
8 They want to know, does it go up or down
9 or stay the same? Because if it goes up,
10 that means we've got more we have to face,
11 more than what we're already facing in
12 this county. If it goes down, fine.
13 That's wonderful. Tell us if it's going
14 down after this new plant is put in. Or
15 if it stays the same, we already know a
16 good many of these compounds in the air
17 are already causing health effects that is
18 testified by the person from the lung
19 association. We want to know that does it
20 go up or down or stay the same and put it
21 in terms which we can understand.

22 So I would add again, I would
23 add then to this table the radionuclides.
24 I'm talking about table 2.1-1. Add the
25 radionuclides and then under the

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D-316/22

KEYWORDS:

Air emissions
Radionuclides

Response: Table 4.1-12, Table 4.1-12a, Table 4.1-12b, and Table 4.1-12c in Section 4.1.2.8 of the FEIS illustrate the maximum amount of radionuclide emissions that are expected to result from the proposed York County Energy Partners, L.P. (YCEP) project. Tables 4.1-12a, 4.1-12b, and 4.1-12c are new tables added to the FEIS, while Table 4.1-12 contains revised information. Table 2.1-1 in the FEIS now includes estimated radionuclide emissions. As shown in Table 4.1-12c, it is expected that on an overall basis, the proposed project would increase the amount of radionuclides in the air by 225 millicuries (which translates to a 9.22×10^{-4} tons/yr increase of radionuclides). Please see the response to Comment D-291/3 for a full discussion.

1 radionuclides I would ask you to express
2 it in terms of curies per year, the number
3 of curies per year you expect from this
4 new plant and then in this other table as
5 we will get to in a minute whether you
6 expect the number of curies to go up or
7 down or stay the same because if the
8 number of curies go up, you may have all
9 kinds of fancy flow analyses, you may have
10 all kinds of computer modeling. But what
11 the people care about, is it going up? If
12 it's going up, that means that's more of a
13 burden on their lungs. That's what they
14 want to know. They don't want to hear
15 about fancy modeling techniques. They
16 want to know, is it going up. The average
17 person can understand that and in a table
18 where the units are expressed very clearly
19 like you have here (indicating).

20 This is an excellent table. The
21 only problem with it is it's incomplete.
22 We're asking for full disclosure. Full
23 disclosure. Give us all of the things
24 that you expect to come out because you
25 admit they're coming out. I mean, you

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D-317/1

Response: Please see the response to Comment D-291/3.

KEYWORDS:
Air emissions
Radionuclides

1 don't falsify. You eventually admit but
2 you don't put it in the table that makes
3 it easy for people to understand. Under
4 the radionuclides, list the radionuclides,
5 tell us what they are.

6 Tell us the amounts and then
7 later when we get to this other table,
8 tell us whether they're going to go up or
9 down or stay the same because all we want
10 to know if we're going to have to take
11 more of it, we can find out from our own
12 medical experts, we don't have to rely on
13 your experts or anybody else, we can get
14 our own. The citizens are finally wising
15 up. They're learning to get their own
16 data. It's expensive but we're banding
17 together. Unfortunately, the pipefitters
18 unions and the unions won't band with us
19 because they think they're excluded from
20 these harmful effects. But they're not
21 excluded, they're human beings. They're
22 like the workers at Chernobyl. Those poor
23 guys went in there. They were told, go in
24 there and build the walls around
25 Chernobyl, you guys go in there and be

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D-318/3

Response: Please see the response to Comment D-291/3.

KEYWORDS:
Air emissions
Radionuclides

1 heroes. Don't question what we tell you,
2 just go in there and put the pipes in, put
3 the cement in and everything will be
4 fine. Check the death record on those
5 poor workers. Where are they now? A good
6 many of them are dead.

7 And that's an emotional one. I
8 know what you want, you're not listening
9 to this emotional stuff. What you want to
10 know is back there in the back there's an
11 outline given of what the criteria are
12 going to be for evaluation and what the
13 standards are and that's what you're
14 waiting to listen to. You want to know
15 whether we're going to present data that
16 will argue against your data. That's what
17 you want.

18 But I'm saying, we're going to
19 ask you to make your data more clear
20 first. And if you do go through with
21 this, eventually we'll be able to take you
22 on because we'll have the data. We'll
23 have your data and if it's not true, there
24 are ways to find out whether it's true or
25 not. There are lots of citizens groups in

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1 this country that have plenty of money and
2 they're only too willing to help out in
3 cases where there is exploitation of
4 people on these scientific issues.
5 They're ready to help.

6 So I would say, be careful. If
7 you're going to use Weston's data on the
8 radionuclides, the contracting agency that
9 was hired by P.H. Glatfelter, you're going
10 to trust their data, you're supposed to
11 represent us. I thought you were
12 appointed by the executive part of this
13 government. You're employees of the
14 executive area of the government. The
15 executive is voted in by the people.
16 These people here are your boss. Yes, Air
17 Products is your boss, too, and they need
18 to be considered. We're not saying they
19 shouldn't be considered.

20 But what you're being asked to
21 do here is put in the best technology,
22 have these pipefitters and these
23 steamfitters and these people working with
24 the unions, give them something that they
25 won't suffer from, that none of us will

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D-320/7

Response: As a matter of record, Weston, Inc. was not hired by the P. H. Glatfelter Company, but rather by York County Energy Partners, L.P.

KEYWORDS:

NEPA

Quality

1 suffer from. Let them build. We want
2 those guys to work. We don't want to put
3 them in situations where their home is
4 compromised either, where they don't
5 understand the scientific issues. If they
6 did understand the scientific issues, I
7 don't think they would be for this because
8 their own health would be affected, their
9 own children are going to be affected by
10 this.

11 Now, your idea is a good idea.
12 Cogeneration is a good idea. But I think
13 full disclosure is a good idea and full
14 disclosure doesn't mean putting a table
15 here with partial information and then
16 bearing all the important things like the
17 radionuclides and the carcinogenic
18 volatiles bearing that in the text where
19 it takes a great deal of effort to dig it
20 out. And it takes a person like me with a
21 Ph.D. to really understand it because you
22 know that I know.

23 You know that because I was on
24 your side of the fence. I worked for the
25 National Cancer Institute. I was a

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D-321/14

Response: Please see the responses to Comments D-315/8, D-315/19, and D-316/22.

KEYWORDS:

Carcinogens
Document readability
Radionuclides
VOCs

1 government employee. And I can see even
2 in the National Cancer Institute what they
3 can do with data. They can fool the
4 people, too. Not all the time. Most of
5 those men and women are very dedicated
6 people just like there are many dedicated
7 men and women in the Department of Energy.
8 But I'm saying if you're truly dedicated
9 and you're truly our employees, then just
10 don't represent --- even though you only
11 have a 20 percent interest in this and you
12 say that's your excuse, that's your
13 cop-out. You say, well, we only have 20
14 percent so we can't tell Air Products what
15 to do. But, nevertheless, you're going to
16 give them \$75 million of our taxpayers'
17 money. You can do that. Then represent
18 us totally. Give us the total picture and
19 don't obfuscate the data.

20 And so I would formally request
21 then that that table be modified. And
22 also getting back to the other table that
23 I make it very clear that the table on
24 page 4-22, just so it's clear, the one
25 thing I left out was this table where you

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D-322/20

Response: Please see the response to Comment D-291/3.

KEYWORDS:

Air emissions
Radionuclides

D-322/21

Response: Please see the response to Comment D-35/8.

KEYWORDS:

Air emissions
Carbon monoxide
Emission differentials

1 do the differential, where you show what's
2 going to happen before and after, that's a
3 very important table. Put carbon monoxide
4 in there. Now, I think everybody in this
5 room knows --- I mean, that doesn't take a
6 rocket scientist to know what carbon
7 monoxide is. Who among us doesn't know
8 what carbon monoxide is? We know what
9 that is. Why isn't that in here? Over
10 here in this table, folks, if you look
11 over here, folks. Look what it says,
12 carbon monoxide, 1,726 tons a year. But
13 how come it's left out over here in this
14 table? Why don't we see that figure? Is
15 it going up, folks, or is it going down?
16 That's what we want to know; don't we?

17 So I formally request that you
18 tell us that. Tell us is the carbon ---
19 that's a major component. That's not one
20 of the minor ones. The oxides of nitrogen
21 are 1,437. Carbon monoxide is 1,726 in
22 terms of tons per year. Who in this room
23 doesn't know what a ton is? Who in this
24 room doesn't know what one year is? So we
25 can all understand that; can't we?

(continued)

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1 So why don't we ask them
2 formally, and I request this respectfully,
3 that in this table you put the carbon
4 monoxide data. Put that in there, tell
5 us, is it going up, folks? Is it going
6 down? Or is it saying the same? Just
7 give us an objective answer. That's all
8 we want to know. And then we'll evaluate
9 it. We can tell what a ton is. We know
10 what one year is. And we can say for
11 ourselves, do we want to have that
12 experience of it going up or going down or
13 staying the same. That's what we want to
14 know.

15 So modify your table here,
16 please, on 422. Put it in tons per year
17 for the carbon monoxide and the volatiles
18 and also the differential for the
19 radionuclides and break them down. Give
20 us an idea which of the carcinogens are
21 going to go up and down, stay the same,
22 and the volatile organics. Tell us about
23 the fluorines and the benzenes and all the
24 other carcinogenic compounds. We want to
25 know are they going to up or down or stay

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D-324/2

Response: Please see the responses to Comments D-34/1 and D-35/8.

KEYWORDS:

Air emissions
Carbon monoxide
Emission differentials

D-324/15

Response: Please see the responses to Comments D-34/7, D-294/6, and D-315/8 concerning carbon monoxide (CO) and volatile organic compounds (VOCs).

KEYWORDS:

Air emissions
Carbon monoxide
Carcinogens
Emission differentials
Radionuclides
VOCs

Table 4.1-12 in Section 4.1.2.8 of the FEIS displays estimates made in the revised radionuclide emissions report (*Weston, 1995*) of the maximum amount of radionuclide emissions that would be expected to result from the proposed York County Energy Partners, L.P. (YCEP) project; Table 4.1-12a, added to the FEIS, shows similar estimates made independently by DOE for a more extensive list of radionuclides. Table 4.1-12b shows the estimates made by DOE of the radionuclide emissions from the P. H. Glatfelter Company's Power Boiler No. 4; and Table 4.1-12c, shows the "differential," i.e., the increases or decreases of radionuclide emissions that may result from the proposed YCEP project including the curtailment of the P. H. Glatfelter Company's Power Boiler No. 4. See the response to Comment D-291/3 for a full discussion of this topic.

Speciation of VOCs, including carcinogenic VOCs, is presented in Table 4.1-11. It was not possible to generate differentials for specific VOC species, since this information was not available for P. H. Glatfelter Company's Power Boiler No. 4.

1 the same. And give us the numbers and put
2 it in those units, tons per year or curies
3 per year and we'll be able to understand
4 it. We won't need to hire Weston to tell
5 us whether we, in our judgment that is
6 good for us or bad for us.

7 ROY L. FIGUREN:
8 Anyone else for the first time?
9 Okay. Mr. Klunk.

10 JOHN KLUNK:
11 The overhead doesn't relate to
12 what I'm going to say. I just thought we
13 could use a little something interesting
14 to look at, a little different backdrop.
15 It's kind of boring in here, the scenery.

16 ROY L. FIGUREN:
17 We need the name for the record.

18 JOHN KLUNK:
19 Sorry. John Klunk. And I'm
20 speaking just as a resident of the area.
21 I was not aware of the announcement that
22 there was going to be another hearing.
23 I'm really pleased to hear that. It's
24 just too bad you couldn't do it right the
25 first time. My wife had written --- I

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1 mean, you should have known we were going
2 to be upset about this, the scheduling
3 that you've done here. I felt that I was
4 robbed of an opportunity to present some
5 information that I think is important in
6 the public forum. And I'm afraid it will
7 probably be a lot like what happened at
8 the other time we had a scoping meeting
9 and people were just so disgusted they
10 didn't bother coming to the next one. But
11 thank you very much. I appreciate that.

12 My wife wasn't able to be here
13 tonight so that's why I'm videotaping it
14 for her. But she did have one item she
15 wanted to add to some information that she
16 had submitted to Dr. Van Ooteghem. This
17 is on the draft. The draft EIS goes into
18 a very sanitized version of the history of
19 this project. The fact that a voter
20 referendum was responsible for the
21 ultimate demise of the City of Tallahassee
22 project should be included in the draft
23 EIS. Likewise, YCEP's opportunities to
24 obtain air emission offsets was not the
25 primary reason for relocating the project

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D-326/19

KEYWORDS:
Referendum
Site change

Response: The requested statement has been added to the FEIS. Several issues influenced the decision to move the project from the Tallahassee site. An updated fuel analysis conducted by the City of Tallahassee in late 1991 indicated that the projected cost of gas and oil would be lower than forecasted in their economic evaluation. Thus, justification for the Hopkins Generating Station Unit 2 repowering project became difficult. It was clear from the new study that coal would not provide the lowest cost option for repowering at Tallahassee. Public opposition to the plant, as reflected in the city's February 1992 referendum, also contributed to the City of Tallahassee's decision not to proceed with the repowering project.

In the case of this project's preceding history in Tallahassee, FL, the "Industrial Participant" was the City of Tallahassee, a municipal government. The City Council was subject to all legal remedy available under city ordinance, including referendum. The project's termination by the City of Tallahassee was based in part on local residents exercising their will for expenditure (or non-expenditure) of municipal funds on a publicly-owned facility. This action took place prior to completion of the NEPA review by DOE.

Following the City of Tallahassee's withdrawal from the Clean Coal Technology Project, a new Industrial Participant, York County Energy Partners, L.P. (YCEP), applied for program participation and funding. YCEP is a private, for-profit company, and the facility they propose to construct would be privately owned and operated. This is in contrast to the Tallahassee facility, which would have been publicly owned and operated. As such, YCEP's internal corporate decisions regarding whether or not to continue with the project are not subject to public referendum.

However, one key factor in the York County Energy Partners, L.P. (YCEP) decision to move from the West Manchester to North Codorus site was to obtain the air emission offsets. York County Chamber of Commerce Issue report findings had requested that the offsets be obtained locally. The P. H. Glatfelter Company agreed to provide the offsets only if a suitable source of steam could be provided in lieu of operating Power Boiler No. 4. It should be noted that another factor in this move from the West Manchester site was zoning ordinance considerations.

(continued)

1 from West Manchester to North Codorus. In
2 reality, West Manchester had zoning/land
3 use ordinance which precluded the ability
4 to obtain 100 feet. YCEP was involved in
5 an extensive and expensive zoning battle
6 with possible litigation expenses looming
7 in the future. An easy siting opportunity
8 in North Codorus with its absence of
9 zoning ordinances could be achieved by
10 relocating the proposed YCEP project to
11 the P.H. Glatfelter Company.

12 I'm attaching the comments that
13 I made to Dr. Van Ooteghem on the
14 implementation plan. Since the draft EIS
15 failed to address any of my comments
16 satisfactorily, my questions and comments
17 are as valid today in reference to the
18 draft EIS as they were on July 29th, 1994,
19 in response to the implementation plan. I
20 will give this to you then.

21 I've got a couple things,
22 subjects here on the fogging and icing ---
23 forget that. I'm not going to go into
24 that now. There's a better time for that.

25 The jar of water I brought up is

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1 Glatfelter waste water. It's old. I
2 think got it a couple months ago.
3 Friends of ours were visiting from
4 Pittsburgh and one of them was --- worked
5 in a lab at Carnegie Mellon University.
6 And we walked through the hunting grounds,
7 the public land up toward the wastewater
8 outfall. And the person that worked in
9 the lab noted some of the smells. There's
10 a variety of smells down there from the
11 composting facility and the creek and
12 sometimes it's hard to distinguish what's
13 which. From what sense of smell I have
14 left, I can tell what it is and oftentimes
15 I'm told.

16 But what I'm getting at is she
17 had worked in a lab and was experienced
18 with chemicals and she said that smell and
19 mostly it was the wastewater in the creek.

20 That tells me two things. The first
21 thing is flee, get away from it. She
22 felt ill. I mean, she was physically ill.

23 The other thing she said was
24 that she said it seems to her like
25 something that she would call phenolics or

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D-328/25

Response: Please see the response to Comment J-121/7.

KEYWORDS:

Phenols

1 phenols. And I didn't ever see any
2 phenols in the air. I don't know if it's
3 a VOC or what it is. I'm not a chemist or
4 scientist or anything. But I think one of
5 the big things that you missed the boat on
6 here and that really needs to be addressed
7 is the odor that's going to be produced
8 when your plant use of wastewater takes
9 place. Now, that wastewater treatment
10 facility produces a tremendous amount of
11 VOCs. I've read that much.

12 Unfortunately, the DER missed
13 the boat on this, too. We went back with
14 some DER officials and I raised this issue
15 of odor. And surprisingly, whether
16 engineers ---. Mr. Leif Garrison who came
17 back after the meeting after I had raised
18 this issue, he said, well, it's very
19 interesting. He said, we have an awful
20 lot of data on that but we hadn't thought
21 about odor. That's pretty strange. Odor
22 is a problem and it's only going to be
23 worse when you start evaporating a good
24 portion of what goes down the creek now in
25 the proposed project site area.

(continued)

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D-329/4

Response: Please see the responses to Comments D-158/9 and J-121/7.

KEYWORDS:

Odor

Wastewater

1 Aside from the fogging problem,
2 it's going to expose a lot more people to
3 more of the compounds that are still
4 present in there. The VOC --- I
5 appreciate Mr. Evan's comments. It's real
6 encouraging to learn that there's someone
7 who can see through a lot of this stuff
8 and understand it and understand why it's
9 so hard for us to understand. I
10 appreciate very much his inputs here
11 tonight and I certainly hope you respect
12 his comments and wishes and comply with
13 them.

14 And I also formally request that
15 all components of the wastewater be
16 thoroughly specified as to where they're
17 going to be, what amounts are going to be
18 emitted from the cooling towers.

19 I'd invite you, members of the
20 panel, to take a good whiff of it. I
21 think you owe it to yourselves to do that.
22 I know that Dr. Van Ooteghem, since she's
23 visited the wastewater outfall--- but it's
24 been a while. So please help yourself.
25 We around York County know what it smells

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D-330/2

KEYWORDS:
Cooling tower
Health effects
Wastewater

Response: Wastewater from the P. H. Glatfelter Company was analyzed for the relevant (to coal conversion systems) hazardous air pollutants specifically identified for regulation under the Clean Air Act as amended in 1990. Of these potential hazardous air pollutants, only chloroform was identified. As described in Sections 4.1.2.9 and 4.1.2.11, the emission of chloroform from the cooling tower was modeled and the effects on human health were assessed. The results of the risk assessment indicate that the individual upper bound lifetime excess cancer risk from exposure to chloroform released from the cooling tower would be less than 1 in 1 million, a risk which would be considered generally acceptable per EPA standards.

Please also see the response to Comment J-121/7.

D-330/14

KEYWORDS:
Air emissions
Characterization
Cooling tower
Wastewater

Response: The projected constituents and concentrations of the cooling tower blowdown (i.e., wastewater) are presented in Table 4.1-26 in Section 4.1.4.2.5. Table 4.1-13 in Section 4.1.2.9 lists emissions rates affecting air quality from the cooling tower for trace elements and chloroform.

The P. H. Glatfelter Company's wastewater contains materials that contribute to the "color" of this wastewater. These components are largely uncharacterized; however, these are believed to be non-volatile in nature since these remain in the wastewater after multiple stages of aeration. In addition, these organic complexes tend to be large molecular weight complexes that represent partial breakdown products of woody materials (such as cellulose and lignin). Due to their non-volatility and high molecular weight, these compounds contributing to the color of the wastewater would not be released to the atmosphere as the wastewater is cycled through the cooling tower. Based on the results of a pilot study conducted, the only organic compound that would be released in cooling tower emissions would be chloroform, a low molecular-weight, volatile compound.

1 like because that compound makes that
2 creek smell the whole way up to
3 Susquehanna River. Fortunately, there it
4 gets diluted enough that it's not
5 noticeable.

6 One I missed before, the
7 Pennsylvania DER has stated that they want
8 to issue a new draft NPDES permit for the
9 P.H. Glatfelter Company. It's been a
10 couple years since I've been involved in
11 the Codorus Creek issue and found out that
12 their permit is administratively expanded
13 and they need and attend to, and I commend
14 them for it, to issue a draft NPDES permit
15 for the Glatfelter Company, hopefully a
16 permit that's more protective of the creek
17 than the one that they now use. I commend
18 the Glatfelter Company for their efforts
19 too, with modernizing the plant. It will
20 very logically make an improvement in the
21 creek I think there's much more need for
22 improvement but I'm glad to see what's
23 being done.

24 This permit is very problematic
25 and nowhere that I saw yet was this

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D-331/24

KEYWORDS:
Exceedances
Permit

Response: DOE has summarized in the EIS, and has made available in the public reading rooms, all the available relevant data on water quality of Codorus Creek. The FEIS's discussion of the Creek's water quality has been expanded. Where the EIS does not discuss exceedances, there is insufficient data to prove on-going exceedances; and the anticipated impacts of the proposed project (not to be confused with the environmental impacts of the P. H. Glatfelter Company) did not warrant the collection of additional data on these issues.

The discussion in Section 3.1.4.1 of existing Codorus Creek water quality refers to historical data suggesting that degraded water quality during low-flow conditions has occurred from high concentrations of nutrients, heavy metals, dissolved solids, and organics. Table 3.1-9 provides a summary of SRBC's most recent water quality survey of Codorus Creek, including the applicable standard for each parameter. Please also see Table 9-4 in the FEIS, which lists identified exceedances.

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problem addressed here in the draft Environmental Impact Statement. I believe that was an important omission. I think that would be a really good idea if you include the whole story on the water quality issues there instead of just saying, water quality is generally good except for a few parameters. You don't talk about how far out of range those parameters are. I thank you very much.

ROY L. FIGUREN:

Are there others here who wish to testify at this time? Yes, sir. Anyone else for the first time? Proceed. Richard Clark, I believe.

RICHARD CLARK:

Yes, correct. Richard Clark. And, again, I have comments for myself. I have comments representing STOP. Representing STOP, I would like to reiterate an offer really that we made to Mr. Jack Segal (phonetic) and Mr. Lowell Miller when they asked us if we would be willing, we being a representative group from the people that are environmentally

(continued)

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1 concerned about the program. They asked
2 us if we would be willing to meet with
3 DOE, to meet with York County Energy to
4 meet with the P.H. Glatfelter Company.
5 And we said, just let us know when. I
6 would reiterate that offer. We were asked
7 by Dr. Hugh Archer (phonetic) who is the
8 regional DER director if we would be
9 willing to meet with these people. We
10 said that we would. I wrote to the York
11 County Chamber of Commerce and asked them
12 if they would set up a meeting but nothing
13 seems to happen with these offers to meet
14 with these people. So we'll extend the
15 invitation again. We would be happy to
16 meet with them.

17 With regard to Dr. Evans'
18 comment about the qualifications of people
19 operating the station, I would like to
20 make an observation relative to the
21 qualifications of Mr. George Myers who
22 spoke earlier. Mr. George Myers and his
23 wife, Jean Evelyn, spent 86 years of their
24 life working for the P.H. Glatfelter
25 Company. They have been very active with

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3 STOP. They gave up their outing to the
4 P.H. Glatfelter Christmas party the other
5 night to come here. Which brings up a
6 point, there are profit motives and there
7 are altruistic motives. And I think they
8 epitomize the latter.

9 I would like to commend the
10 medical societies, Dr. Dabb, what I
11 consider a truly altruistic behavior of
12 speaking their conscience instead of
13 speaking from their pocketbook. In terms
14 of clients, they could benefit from this
15 project. But instead, they choose to
16 speak up and try to conduct some
17 preventative medicine. I commend them for
18 that.

19 I would like to ask one question
20 and again, it's a reiteration. It has to
21 do with the legality of the programatic
22 Environmental Impact Statement. Has that
23 ever been challenged in Courts?

24 ROY L. EIGUREN:

25 That will be noted in the record
in responding to the final EIS.

RICHARD CLARK:

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D-334/17

KEYWORDS:
Programmatic EIS

Response: The Final Programmatic Environmental Impact Statement: Clean Coal Technology Demonstration Program (DOE/EIS-0146) (DOE, 1989a) dated November 1989, has never been challenged in court.

1 Okay. Thank you. The final
2 thing that I would like to say is that you
3 people are in a position to render a great
4 deal of influence on this project,
5 obviously. I would, as a citizen, ask you
6 to render that influence in a manner so
7 that we can truly improve the conditions
8 here in York County and not contribute to
9 a further deterioration. Whatever that
10 takes in terms of alternate technologies
11 or whatever, take that monies and put it
12 into, as I say, improving the conditions,
13 not further deteriorating them. And so
14 that's a personal request. Thank you.

15 ROY L. EIGUREN:

16 Thank you. Yes, sir. Anyone
17 else for the first time? Okay. Go ahead.

18 WARREN EVANS:

19 Dr. Warren Evans. Thank you for
20 giving me more time on this. I'd like to
21 call your attention at this time to
22 appendix B. As everybody knows, if you
23 want to find out the most interesting part
24 of any report, look at the appendix,
25 that's where some of the most useful data

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D-335/5

Response: Comment is noted.

KEYWORDS:

Cumulative effects

1 is, which most people ignore. So with
2 anybody here who is opposed to this, I
3 call your attention to the appendices and
4 look very closely at that, especially
5 appendix B because here's what the people
6 in front of you are most concerned about.
7 They have given you a report called
8 Environmental Impact Statement, a draft
9 report. And in this appendix B, they have
10 given you an outline of the methodology
11 that they're following.

12 So if you want to be really
13 effective in answering these people, now
14 most of you don't have Ph.D.s and most of
15 you don't have consultants that you can
16 hire. But there is enough information
17 that I'm hearing here tonight from the
18 Clarks, Mr. Klunk and the Lung Association
19 and from the York County Medical Society.
20 Get together and look at this outline and
21 think of where this is going. This is
22 going to the Environmental Protection
23 Agency. They're going to have to review
24 that. If there's a conflict, it's going
25 to go to the White House and there will be

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1 a review panel there to resolve that
2 difference if there is a difference.

3 So you have to show --- first of
4 all, you have to get the EPA's attention
5 that there's data here that is
6 inconsistent with their policies. You
7 have some of that data already. But let's
8 take care of the two most important
9 things, I think. Now, there are a lot of
10 important things but you don't have all
11 the resources. But look at air quality
12 and look at this outline called issues,
13 all of the impacts, the various things,
14 and then the indicators for measuring
15 those impacts.

16 Now, this is what these people
17 have done. They've given you an outline.
18 They've answered every one of those
19 things. Now, you may not like their data
20 but they have given you an answer. And
21 what you're supposed to be doing here
22 tonight, is how to get that data,
23 challenge it. Now, you can't do all of it
24 because it's tough, you don't have the
25 resources. But you can pull together, get

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1 together, that's the only way you're going
2 to really have an impact on the EPA and
3 eventually the DER because DER is going to
4 see this thing, too.

5 So get your data together and
6 prepare a comprehensive, point-by-point
7 --- take every one of these points in
8 here and point your answers in data form,
9 data, because that's what these people pay
10 attention to. They don't listen to the
11 tremors in my voice and they don't listen
12 to me talk about children dying of
13 leukemia. They listen. They're human
14 beings, but they're not required to listen
15 to that.

16 What they're required to do and
17 what we should and I'll try to be more
18 courteous to you because you have
19 requirements that you have to meet. So
20 you're going to pay attention to wherever
21 the data is conflicting. If these people
22 can present data and then, folks, you've
23 got to have your sources, you see, because
24 in the back of this book there's a list of
25 sources, you have to have your sources,

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1 too.

2 Just stating the data is not
3 enough. You have to give good, qualified
4 data sources because that's what they're
5 going to pay attention to. Take it point
6 by point on air quality. You have a lot
7 of data on that already. But ask them,
8 and where the data is missing, make sure
9 that you get it in the record and you get
10 it in this thing if you can and then
11 challenge on every point where they leave
12 it out. And then look at their
13 indicators.

14 Geology and soils, well, I don't
15 think we have a lot there but if anybody
16 here is a geologist, you want to help out,
17 get with these groups and help them. But
18 now water resources and water quality, you
19 heard Mr. Klunk. Mr. Klunk has got a lot
20 of good data and they're worried about
21 that. They don't want the EPA to hear
22 what Mr. Klunk is saying. They don't want
23 to hear that kind of data because he's
24 citing data. The only thing that's a
25 problem now is we've got to make sure that

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1 EPA hears this data, they see the data.
2 So get together, folks. Get your groups
3 together, take the water quality, take
4 those issues point by point. You won't
5 answer them all but get as many of them
6 answers and data as you can. What's
7 there, what are they saying and what do
8 you have and how good are your sources and
9 how good are their sources? Evaluate it
10 because that's what they'll pay attention
11 to. They listen to that because they're
12 required by law to listen to that.
13 They're not required by law to hear my
14 emotional pleas. They're not required to
15 hear that. They're only required to hear
16 data and where their data is being
17 challenged.

18 And as you have the data to
19 challenge the water quality resource input
20 here --- and that's one other place, the
21 water resource and water quality. Go over
22 it point by point and put it together in a
23 concise report and then send the carbon
24 copies, send them a copy, send DER a copy,
25 send all of your congressmen a copy, all

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1 of the places where you can, carbon copy,
2 carbon copy until you saturate everybody
3 just like they did. Do you see where they
4 sent their report, folks? Did you see how
5 many of these things were sent out with
6 your taxpayer dollars. I mean, we got one
7 in Helen Township, the township manager,
8 and she didn't even ask for it. So they
9 saturated everybody, congressmen,
10 environmental groups, they're convincing
11 everybody that they're right and that's
12 what their job is. My only challenge is
13 how good a job are they really doing and
14 how biased? The big problem in science,
15 as we all know, is bias. How biased is
16 this data. That's a hard thing to get at.
17 They know it's hard to get at. So cite
18 your sources, find a way.

19 The one other area that I think
20 you might have a real possibility is on
21 the area of human health and safety.
22 That's where Dr. Dabbs and the Lung
23 Association people could get together. So
24 by putting it in a nice, concise form like
25 this. Take it category by category, point

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D-341/3

KEYWORDS:
Distribution list
NEPA
Quality

Response: The distribution list for the EIS was developed to ensure that all potentially affected or interested parties received a copy of the EIS. This included Federal, state, and local agencies; national and local organizations and associations; and other individuals who may or may not be associated with an organized group. The intent was to ensure review by all potential regulatory agencies and to encourage public participation in the National Environmental Policy Act (NEPA) process. Please also see the response to Comment D-125/12.

1 by point, data by data, resource by
2 resource and show them that you can put
3 together a report like this only it's
4 based on your data, which is not biased by
5 a lot of the money or by a lot of people
6 who are going to stand financially to gain
7 from this.

8 So do it that way, you'll have a
9 better chance, and carbon copy as many
10 people as you can, especially the EPA
11 people. Don't just rely on one part of
12 the EPA, flood the EPA. Flood them.
13 Flood the White House. Flood the DER.
14 Show them that you citizens know about
15 science, too. You don't have to be a
16 rocket scientist to know what's right and
17 what's wrong. Do it and do it quickly.
18 You don't have much time.

19 ROY L. FIGUREN:

20 Others who wish to comment?
21 Yes, sir. Your name for the record,
22 please.

23 ROBERT ERNEST:

24 My name is Robert Ernest. If
25 this panel or DEO (sic) is custodian of

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D-342/24

KEYWORDS:
Government funds

Response: The panel is not the custodian of the \$75 million for this proposed project. The money for the proposed project would be taken from funds appropriated by Congress for DOE's Clean Coal Technology Program. The DOE official who signs the Department's Record of Decision is the individual who determines if the funds are dispersed for this proposed project.

Chapter 6 of the EIS, Cumulative Effects, addresses the "congestion" aspect of the proposed project in relationship to the surrounding environment.

(continued)

1 \$75 million plus of Federal money,
2 taxpayers' money, please don't invest it
3 in another coal burning generator,
4 especially here in this congested area. I
5 wish that P.H. Glatfelter would clean
6 their act up and clean up the west branch
7 of the Codorus Creek before they venture
8 into any new projects. Thank you.

9 ROY L. EIGUREN:

10 Thank you. Others that desire
11 to comment? If not, I would note for the
12 record it's now approximately 9:40. We
13 are scheduled to be here until 10:30 this
14 evening and we will be. But at this time,
15 we'll go into recess until either one of
16 two things happens. Either someone
17 presents themselves and would like to
18 comment or, in the alternative, 10:30
19 arrives. Thank you.

20 SHORT RECESS TAKEN

21 ROY L. EIGUREN:

22 We'll formally go back on the
23 record. This is Roy Eiguren, the
24 moderator for the December 16th, 1994,
25 public hearing being held in York,

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Pennsylvania. By my watch, the time is
now 10:30 p.m., eastern standard time.
And pursuant to the public notice, we will
formally adjourn this meeting.

* * * * *

DEPOSITION CONCLUDED AT 10:30 P.M.

* * * * *

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C E R T I F I C A T I O N

I hereby certify that the foregoing is a true and correct transcript of the notes taken by me at the hearing in this matter.

Dec 28, 94
DATE

Christine E. Sargent
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