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State Representative Mr. Don Pasley
Frankfort, KY
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Commonwealth of Kentucky

HOUSE OF REPRESENTATIVES

DON PASLEY
State Representative
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STATE CAPITOL ANNEX
Room 351E
Frankfort, Kentucky 40601
(502) 564-8100, Ext.630

73rd LEGISLATIVE DISTRICT
January 9, 2002

Mr. Roy Spears
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
Morgantown WV 26507-0880

Dear Mr. Spears:

Thank you for extending the time for taking public comment on the Draft Environmental Impact Statement regarding the Kentucky Pioneer Demonstration Project in Clark County, Kentucky.

Many of my constituents have expressed their concern about the project. Some have said that they are inclined to support the demonstration plant. I, myself, continue to study the implications of the project.

For your consideration and for inclusion into the record on this project, I submit the enclosed documents which reflect the concerns of some of Clark County's citizens. Please give these comments careful consideration. Thank you.

Sincerely,

Don Pasley
State Representative

DP:cs
Enclosures

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Please accept the following comments on the Draft Environmental Impact Statement regarding the Kentucky Pioneer Demonstration Project in Clark County, Kentucky:

1. Kentucky and Clark County will bear a disproportionate share of the burden created by a national energy policy which emphasizes coal use. If the technology fails, and there is no proof the technology will work as promised, the impacts will be borne by the citizens of Clark County. If the power created by this project is used outside of Kentucky, those burdens will be borne in Kentucky with no corresponding benefit.
2. Some citizens of Clark County fear a bait-and-switch by the operators. The DEIS states "Global Energy, Inc., will not begin detailed design of the proposed project, including layout and flow sheet information, until the project financing is finalized." It thus appears that the DEIS may not accurately reflect the impacts that may be caused by the final design and operation of the project.
3. The Environmental Report for the projected 17 mile transmission line should be conducted simultaneously with this DEIS. The public should be given a picture of the impacts from the whole project. The project is valueless without a connection to the transmission grid. Therefore, the impacts of building the 17 mile power line should be considered simultaneously with the analysis of the project itself and not afterward.
4. Federal policy should not provide incentives for states to avoid their responsibility to provide within their own borders for the proper management of municipal solid waste. The federal funding for this demonstration project allows New Jersey and New York to continue to export their solid waste and in doing so to export the land, air, and water protection challenges that come with MSW disposal. The federal grant should include financial protections for Clark County from the consequences of failure of the technology or of the operator walking away from problems that might arise from bringing in large quantities of northeastern solid waste.
5. The DEIS fails to fully consider the environmental impacts on Clark County if the operator does not acquire the RDF pellets from a single supplier nor consider the impacts if the anticipated supplier significantly changes its source of MSW. The DEIS states only that such changes may result in a "slight change in the resulting waste stream". However, there is no analysis of how changes in the sources of RDF can affect wastes generated by the project.
6. On December 17, 2001, the Kentucky Natural Resources and Environmental Protection Cabinet issued a report on the cumulative environmental impacts of electric generating plants. The findings of this report must now be considered for purposes of this DEIS. For example, the state report notes that wastewater discharges from power plants may contain arsenic at levels above the

Comment No. 1 **Issue Code: 22**
 The Kentucky Pioneer IGCC Demonstration Project is intended to demonstrate a power generation system with the potential to produce clean energy from high-sulfur coal while extending the life of domestic coal reserves. Since it is the first demonstration of this technology some risks will be associated with the project. Chapter 3 of the EIS has been revised to discuss financial risks in more detail. Potential environmental impacts are discussed in Chapter 5 of the EIS.

Comment No. 2 **Issue Code: 16**
 The Kentucky Pioneer IGCC Demonstration Project was selected for further consideration under DOE's fifth solicitation(CCT-V) of the Clean Coal Technology (CCT) Program. DOE concludes that the project falls under CCT Program requirements due to the use of the first co-fed BGL technology. The purpose of the CCT Program is to demonstrate the efficiency and performance of new technologies. The power generated by the project will be used to support Kentucky's energy needs.

Comment No. 3 **Issue Code: 16**
 Though final design has yet to be completed, conceptual design information is sufficient to enable adequate environmental impact analysis. DOE believes the full scope of environmental impacts from the construction and operation of the proposed project are sufficiently addressed in the EIS.

The EIS is intended to be used as a planning tool that analyzes the environmental impacts from a proposed project. DOE will consider the document and public comments in making the decision of whether or not to proceed with the project.

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maximum contaminant levels considered safe for drinking water. The proposed project will discharge wastewater into the Kentucky River at a point up river from a drinking water intake. This impact, as well as others in the Cabinet report, must be accounted for in the DEIS.

8/07
(cont)
7/20
(cont.)

Comment No. 4

Issue Code: 16

The EIS examined all potential impacts associated with the transmission line through a general analysis. Further studies of the impacts of the transmission line are addressed in an Environmental Report (ER) being prepared under RUS NEPA regulations. Information in the ER will be used to assure impacts are avoided and solutions integrated to avoid adverse public and environmental impacts.

Comment No. 5

Issue Code: 22

DOE does not believe that this project provides incentives for states to avoid their responsibility with regard to waste management issues. Rather, DOE believes that this project provides an opportunity to extend the life of domestic coal reserves. The RDF that would be imported to Kentucky is a feedstock for the facility and is not municipal solid waste (MSW) or solid waste. The federal grant cannot include financial protections for Clark County from the consequences of failure of the technology or of the operator walking away from the project. Any financial protection should be pursued through local legislatures during ordinance reviews. KPE is committed to providing power from the plant to EKPC for 20 years. Since the project would be the first demonstration of this technology, there are financial risks associated with it. Those risks are discussed in more detail in Chapter 3 of the EIS.

Comment No. 6

Issue Code: 14

As discussed in Chapter 3 of the EIS, KPE intends to supply all RDF pellets for this project from the same manufacturer. The gasification technology used produces a very consistent syngas product regardless of the variability of the feed. Variation in RDF pellet composition due to different manufacturing processes should not be an issue for this project.

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To: Kentucky State Representative, Donald pasley
Fr: John Maruskin, Adult Services Librarian, Clark County Public Library
Re: Kentucky Pioneer Electricity Plant

December 28, 2001

Tommy Rector asked me to put together a list of concerns about the proposed Kentucky Pioneer Integrated Gasification plant to be built near Trapp, KY.

1. The environmental impacts are dangerous. All new power plants should be running on cleaner fuel. High sulfur coal and unregulated municipal waste are too hazardous.
2. The impact of this system on the Kentucky River could be disastrous. This plant will extract and consumes huge amounts of Kentucky River water. In a drought situation the effects on drinking water supplies would be bad for all of Central Kentucky.
3. There is no economic benefit from this plant to Clark County. Only Global Electric (the plant's parent company) will benefit. Of the 124 jobs that will be created from this plant only 24 will be in Clark County. The majority will be executive jobs created for Global in Cincinnati.
4. That this plant will be licensed in such a way that it is able to circumvent local solid waste plans is a political atrocity that completely undermines the intent of SB 2, the law that gives local governments the right to set their own environmental quality standards. This irks me the most. State government is undermining laws passed to protect citizens from these situations.
5. I am enclosing a "Technological Concept Evaluation" that shows that the process to be used at Trapp is also being considered as a way to dispose of nerve gas weapons. With this process available in Trapp, and with local control of fuel up to the discretion of the owning company, we could really be looking at a situation in which Clark County would not only be the nerve gas incinerator for the Madison County reserves, but for other, out of state nerve gas reserves. THIS WOULD BE VERY BAD.
6. Please refer to the article I've enclosed entitled "New power plants pose pollution challenge." On the bottom of the second page you will read that Governor Patton has told the PSC that he will present a package of legislation dealing with power plants in 2002. That legislation will make merchant power plants subject to local zoning and planning ordinances. BUT IT WILL BE TOO LATE FOR CLARK COUNTY IF WE DO NOT STOP THIS PLANT, NOW.

If you have any question about these concerns, please feel free to call be at the Library 859-744-5661. I cannot tell you how much it means to us to have your interest in this issue. Thank you for your help.

Comment No. 7

Issue Code: 20

The *Cumulative Assessment of the Environmental Impacts Caused by Kentucky Electric Generating Units* Report issued by the Kentucky Natural Resources and Environmental Protection Cabinet on December 17, 2001, has been reviewed. Relevant sections of the EIS, including Section 5.14, Cumulative Impacts, have been updated to reflect issues presented by the report.

Comment No. 8

Issue Code: 07

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As stated in Section 5.8, Water Resources and Water Quality, treated wastewater is expected to contain conventional pollutants such as nitrogen, phosphorus, total dissolved solids, and biological and chemical oxygen demand. Pollutant discharge limitations, including thermal limits, would be set by the Kentucky Natural Resources and Environmental Protection Cabinet, Division of Water's Water Resources Branch and would be identified in the KPDES permit. These limitations would be established based on site-specific computer modeling of the expected effect on water quality of the Kentucky River at the proposed discharge point and in the mixing zone immediately downgradient. The limits specified in the permit would protect existing water quality.

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The Water Resources Branch pays particular attention to the proximity of wastewater discharges to drinking water intakes. New sources of wastewater are prohibited within 8 kilometers (5 miles) of a water treatment plant intake. This 8-kilometer (5-mile) limit was established to provide an additional layer of protection for the water quality found at drinking water intakes over treatment alone and is referred to as Zone 1. Zone 2 extends from 8 to 16 kilometers (5 to 10 miles), while Zone 3 is the area from 16 to 40 kilometers (10 to 25 miles) from a water treatment plant intake. The proposed outfall is located in Zone 3 for the Winchester Water Treatment Plant. Water collected at the treatment plant is tested and treated to meet all federal and state requirements