

**FILE**

BEFORE THE OHIO POWER SITING BOARD

In the Matter of the :  
Application by American :  
Municipal Power-Ohio, :  
Inc. for a Certificate :  
of Environmental : Case No. 06-1358-EL-BGN  
Compatibility and Public :  
Need to Construct an :  
Electric Generating :  
Station and Related :  
Facilities in Meigs :  
County, Ohio. :

PROCEEDINGS

before Mr. Gregory Price and Ms. Kimberly W. Bojko,  
Administrative Law Judges, at Meigs High School,  
42091 Pomeroy Pike, Pomeroy, Ohio, called at 6:00  
p.m. on Thursday, November 1, 2007.

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## 1 APPEARANCES:

2 Chester, Willcox & Saxbe, LLP  
3 By Mr. John W. Bentine  
4 and Mr. Stephen C. Fitch  
5 65 East State Street, Suite 1000  
6 Columbus, Ohio 43215-4213

7 On behalf of the Applicant.

8 Mr. Shannon Fisk, Staff Attorney  
9 Natural Resources Defense Council  
10 101 North Wacker Drive, Suite 609  
11 Chicago, Illinois 60606

12 On behalf of the Intervenors.

13 - - -

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1 Thursday Evening Session,  
2 November 1, 2007.

3 - - -

4 EXAMINER PRICE: Good evening. The Ohio  
5 Power Siting Board has set for this time and this  
6 place the public hearing in case number  
7 06-1358-EL-BGN, In the Matter of the Application of  
8 the American Municipal Power-Ohio, Inc. for a  
9 Certificate of Environmental Compatibility and Public  
10 Need for an Electric Generation Station and Related  
11 Facilities in Meigs County, Ohio.

12 My name is Gregory Price, with me is  
13 Kimberly Bojko, we are the administrative law judges  
14 assigned to preside over tonight's hearing.

15 We'll begin by taking appearances from  
16 the parties starting with the company.

17 MR. BENTINE: Thank you, your Honor. If  
18 it will please the Board, my name's John Bentine,  
19 B-e-n-t-i-n-e, of the law firm of Chester, Willcox &  
20 Saxbe, with me is my partner Steve Fitch of the same  
21 firm, 65 East State Street, Columbus, Ohio 43215 on  
22 behalf of AMP-Ohio.

23 EXAMINER PRICE: Thank you.

24 Citizen Groups.

1 MR. FISK: Good evening, your Honor, my  
2 name is Shannon Fisk, I'm from the Natural Resources  
3 Defense Council, I'm here on behalf of the citizen  
4 group.

5 EXAMINER PRICE: Thank you.

6 Are there any other parties? Ms. Young?  
7 No? Okay.

8 On May 4<sup>th</sup>, 2007, AMP-Ohio filed an  
9 application for a certificate with the Ohio Power  
10 Siting Board to construct two 480-megawatt electric  
11 generation units in Meigs County, Ohio. As part of  
12 this proceeding the staff of the Ohio Power Siting  
13 Board completed a Staff Report of Investigation on  
14 October 16<sup>th</sup>, 2007, copies of the Staff Report are  
15 available at the entrance where the sign-in sheets  
16 were. The Staff Report may address any questions you  
17 have regarding the application and how the process  
18 will proceed.

19 Tonight's public hearing is only part of  
20 the proceeding. The adjudicatory hearing will  
21 commence on November 8<sup>th</sup>, 2007, at the offices of  
22 the Public Utilities Commission of Ohio and will  
23 continue on December 1<sup>st</sup>, 2007. At that hearing  
24 AMP-Ohio, the staff, and intervening parties will

1 have an opportunity to present evidence regarding  
2 whether AMP-Ohio's application should be approved.

3           Tonight's public hearing is the  
4 opportunity for the members of the public to present  
5 their views on AMP-Ohio's proposed facility. We will  
6 not be hearing from AMP-Ohio or staff tonight. This  
7 is the public's opportunity to let the Board know  
8 what you think of the proposed facility. There will  
9 be no opportunity for the company or the staff to  
10 respond to any questions you may have. Certainly,  
11 rhetorical questions are welcome, but there will be  
12 no question-and-answer period.

13           All of tonight's testimony will be part  
14 of the record in this case and will be part of the  
15 Board's consideration of the application.

16           When you arrived, there was a sign-up  
17 sheet for anyone who wished to testify. I will take  
18 the witnesses in the order that they signed up first,  
19 but if you did not have a chance to sign up, you'll  
20 be given a chance to testify after we've gone through  
21 the list.

22           When your name is called, please come up  
23 to the podium. All testimony tonight will be sworn  
24 testimony and will be subject to cross-examination by

1 the parties' attorneys in attendance tonight.

2 At the beginning of your statement please  
3 make sure you state your name and address for the  
4 record, please speak clearly, although we do have  
5 this nice podium, please speak clearly so the court  
6 reporter can record your statement.

7 Because of the number of people who  
8 expressed an interest in testifying tonight we would  
9 like each witness to attempt to limit their testimony  
10 to five minutes. Thank you.

11 Our first witness tonight is Robert Ihle.

12 MR. IHLE: John?

13 EXAMINER PRICE: I'm sorry; John.

14 (Witness sworn.)

15 EXAMINER PRICE: Please state your name  
16 and address for the record and proceed.

17 - - -

18 JOHN IHLE

19 presented himself as a public witness, and being  
20 first duly sworn, testified as follows:

21 DIRECT TESTIMONY

22 MR. IHLE: My name is John Ihle. I live  
23 at 45895 Morning Star Road, Racine, Ohio.

24 MS. BOJKO: Could you spell your last



1 name for the record, please?

2 MR. IHLE: I-h-l-e.

3 EXAMINER PRICE: Please proceed.

4 MR. IHLE: I went to work with the  
5 carpenters in 1954, and I worked my entire life out  
6 of Meigs County, mostly in West Virginia, and I'm  
7 fully in favor of this power plant being built for  
8 employment and need of current and for employment for  
9 my family and others. Thank you.

10 EXAMINER PRICE: Thank you very much.

11 (Witness excused.)

12 EXAMINER PRICE: John T. Grueser.

13 MR. GRUESER: I'd like to pass at this  
14 time.

15 EXAMINER PRICE: Thank you. If you'd  
16 like to change your mind once we've gone through the  
17 list -- if you change your mind once we've gone  
18 through the list, feel free to get in the queue then.

19 Bruce Zirkle.

20 MR. ZIRKLE: I'd like to pass at this  
21 time.

22 EXAMINER PRICE: Greg Rose.

23 MR. ROSE: I believe I'll pass at the  
24 present time, that is until I find out more about

1 this situation. But just one thing I got to say, I'm  
2 in the Ohio River valley --

3 EXAMINER PRICE: Why don't you come on up  
4 and give your statement.

5 (Witness sworn.)

6 EXAMINER PRICE: Please state your name  
7 and address for the record.

8 MR. ROSE: Guy Rose, Longbottom, Ohio,  
9 45740.

10 EXAMINER PRICE: Thank you. Please  
11 proceed.

12 - - -

13 GUY ROSE

14 presented himself as a public witness, and being  
15 first duly sworn, testified as follows:

16 DIRECT TESTIMONY

17 MR. ROSE: I personally do not believe  
18 that we need any more plants in this area in this  
19 system down through here for the simple reason of the  
20 pollution and stuff that's around for people's  
21 health. There's a lot of cancer all down through  
22 this area.

23 I've lived in this area -- I'm 72 years  
24 old, and years ago when the first power plant was

1 built, you could go out and drink water off of the  
2 roof and so on; it was clean, pure, there wasn't no  
3 soot in it, no smut or nothing else. Right today you  
4 can't get a clean drink of water out of it to save  
5 your neck.

6 And this water system that we got in this  
7 part of the country, if I drink that water, my  
8 stomach absolutely kills me. I'm drinking water  
9 that's -- buying water coming out of the store from  
10 other areas and so on. I drink pop and everything  
11 else, which is not good for me, I know that, but it  
12 still doesn't hurt my stomach like this water does  
13 that's in this area.

14 And as far as I'm concerned, the coal  
15 mine and these extra plants, we don't need them in  
16 this part. I've been all over the United States,  
17 I've seen power plants, I've delivered belt --  
18 conveyor belts into coal mines and into power plants,  
19 I've delivered soot blowers into power plants, I've  
20 been through power plants, I know the system that  
21 they're operating in and so on, and my own point of  
22 view, I can't see we need it in this part of the  
23 country to damage your health and stuff any more than  
24 what it already is.

1 Thank you ever so much.

2 EXAMINER PRICE: Thank you.

3 (Witness excused.)

4 EXAMINER PRICE: William Osborne.

5 MR. OSBORNE: I'll pass at this time.

6 EXAMINER PRICE: Thank you.

7 Virgil Hudson.

8 (Witness sworn.)

9 EXAMINER PRICE: Please state your name  
10 and address for the record.

11 - - -

12 VIRGIL HUDSON

13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. HUDSON: My name's Virgil Hudson.  
17 I'm a lifelong member of this community, and I'm in  
18 favor. Thank you.

19 EXAMINER PRICE: Thank you.

20 (Witness excused.)

21 EXAMINER PRICE: Troy Ferrell.

22 (Witness sworn.)

23 EXAMINER PRICE: Please state your name  
24 and address for the record.

1 TROY FERRELL

2 presented himself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MR. FERRELL: My name is Troy Ferrell,  
6 T-r-o-y F-e-r-r-e-l-l, my address is 6700 15 Mile  
7 Creek Road, Wingett Run, Ohio.

8 I am the president of the International  
9 Brotherhood of Electrical Workers for this  
10 jurisdiction, Meigs County being one of the  
11 counties -- one of the six counties that we have  
12 jurisdiction in. I can't express to this board and  
13 AMP-Ohio enough what this project would mean for my  
14 members.

15 Many of you were probably involved in the  
16 two gas-powered peaker units we built up around the  
17 Beverly-Waterford area, that was -- those jobs  
18 finished up a little over four years ago. Since then  
19 many of my members have been unemployed and seeking  
20 work elsewhere outside this community.

21 I believe as a member of this area and  
22 community that people need to understand what that  
23 actually does. We know, working in construction,  
24 that we have to travel where the work is at, but many

1 times people don't really think about what that  
2 actually does to the families when the father's out  
3 of town working six, seven days a week, working  
4 200 miles a way from home. He's not there to be with  
5 his family, he's not there to give guidance, he or  
6 she, either one, so it can be a strain on the  
7 community just in that sense alone.

8 My members of International Brotherhood  
9 of Electrical Workers, many of you remember last week  
10 we were at the last public hearing. For example, a  
11 lot of those aren't here tonight because they found  
12 work outside and are traveling outside the  
13 jurisdiction.

14 So my members and I, I'm here to support  
15 those members, and we are here to let AMP-Ohio and  
16 the Siting Board know that we are in favor of this  
17 project. We feel it will bring great economic growth  
18 to Meigs County, which is something that we feel that  
19 we all need, and I appreciate your consideration in  
20 this matter.

21 Thank you.

22 EXAMINER PRICE: Thank you.

23 (Witness excused.)

24 EXAMINER PRICE: Hal Boston.

1 (Witness sworn.)

2 EXAMINER PRICE: Please proceed.

3 - - -

4 HAL BOSTON

5 presented himself as a public witness, and being  
6 first duly sworn, testified as follows:

7 DIRECT TESTIMONY

8 MR. BOSTON: My name's Hal Boston, H-a-l  
9 B-o-s-t-o-n, Rural Route 2, 38-A, Letart, West  
10 Virginia 25253.

11 I, like Troy, would like to thank the  
12 Board for the opportunity to come up here and express  
13 our hopes that this plant gets built and AMP-Ohio for  
14 leading the way in new technology on how they want to  
15 build this plant with this Powerspan block on it  
16 which, according to what I've read and what I've been  
17 told, reduces emissions greatly, more so than what we  
18 got now.

19 I know people still got problems with it,  
20 but we got to move on, people. New technology is  
21 coming every day. The best plants built, by the time  
22 it's built, there will be even newer technology.

23 The economic impact it would have on not  
24 just Meigs County but surrounding counties is going

1 to be tremendous. The spinoffs that will be from it,  
2 whether it be motels, hotels, convenience stores,  
3 whatever, is going to supply a lot of jobs for this  
4 county who's No. 1 in the unemployment rate in the  
5 state, which I don't think none of us -- even though  
6 I'm not from Meigs County, I am the president of  
7 Carpenter's Local 650 in Pomeroy, Ohio, I represent  
8 people in this county, and they would just love to be  
9 able to work, as we call it, in our backyard.

10 It just -- it means so much to get people  
11 like AMP-Ohio in here to express interest in people  
12 from our region. Far too long we've been ignored.  
13 It just seems like -- and we got the new roads built.  
14 For what? So our people can travel to Columbus,  
15 Athens, or somewhere else to go to work. I think  
16 they was built with the intentions of bringing  
17 business in, and that's what we'd like to see.

18 And with that, thank you for hearing me.

19 EXAMINER PRICE: Thank you.

20 (Witness excused.)

21 EXAMINER PRICE: Sam Davis.

22 (Witness sworn.)

23 EXAMINER PRICE: Please proceed.

24 - - -



1 SAM DAVIS

2 presented himself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MR. DAVIS: My name's Sam Davis. I live  
6 at 1117 Greene Street, Marietta, Ohio. The reason  
7 I'm here is because I represent eight counties in  
8 West Virginia, eight counties in Ohio, and Meigs  
9 County happens to be one of them. I represent all  
10 the building trades craftsmen from the guy that puts  
11 the floor in to the guy that finishes the floor after  
12 it's put there, and I represent about 10,000 people  
13 in this area out of them counties when you stop and  
14 figure it all up.

15 This power plant here at this time would  
16 mean so much to the working people in this valley,  
17 and it's not just the work. Right now if you check  
18 around the country, everybody's talking about skilled  
19 manpower, they're worried about not having the  
20 manpower to do a lot of work down the road, and I  
21 hear it every day.

22 Well, one of the things that happens with  
23 us in the building trades is we use opportunities  
24 like these power plants to train our people for the

1 next job. So it would be so important to us to be  
2 able to spend three or four years building this power  
3 plant and you realize that out of all the crafts, we  
4 would put so many apprentices through by the time the  
5 job was finished there would be several of them  
6 graduating and they would be able to go on to some  
7 other job somewhere else with the skills and things  
8 that they need. We need. All of us need, not just  
9 us.

10 So this project where it's sitting is  
11 very important to us, I think, to the whole  
12 community, all the extra things that will come along,  
13 the housing, the other types of businesses that will  
14 be here. It's all important.

15 I'm going to tell you, I represent both  
16 sides of the river. They're going to build one right  
17 across the river; there is no doubt about that. I  
18 heard the governor of West Virginia say it's going to  
19 get put right across the river, and he said, you  
20 know, it just doesn't seem feasible for a community  
21 that needs the work, that needs to put people to work  
22 and not drive up and down the road like you heard a  
23 couple of them say, in your backyard, and we can keep  
24 everybody home. We can keep them home, we can train

1     them, and we can make good citizens out of them and  
2     make this community what it ought to be.

3             The other thing I'd like to say is, I  
4     know AMP's not going to say anything tonight, but I  
5     live in a community where they have a site; they're a  
6     good company, and they'll work with us. I worked  
7     with them when they put the hydroelectric in across  
8     the river, I spent a lot of time working with their  
9     people, and they're as conscientious as anybody else.  
10    They're as worried about all the same things that  
11    some of you people are going to get up here and talk  
12    about, I'm sure they're worried about it.

13            But these power plants, ladies and  
14    gentlemen, I've worked in them, I've been in this  
15    business 43 years and I've worked in these  
16    powerhouses, it's just like night and day  
17    differences. This powerhouse will be nothing --  
18    anything like the old ones. It will be just like  
19    night and day, believe me, because I been in all of  
20    them up and down this river.

21            So I, on behalf of the Pomeroy-area  
22    building trades and all my members, all 10,000 of  
23    them, we encourage you to okay this permit and let us  
24    build this power plant. Thank you.

1 EXAMINER PRICE: Thank you.

2 (Witness excused.)

3 EXAMINER PRICE: Mick Davenport.

4 (Witness sworn.)

5 EXAMINER PRICE: Please proceed.

6 - - -

7 MICK DAVENPORT

8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MR. DAVENPORT: My name is Mick  
12 Davenport, M-i-c-k D-a-v-e-n-p-o-r-t. My address is  
13 34645 Crew Road, Pomeroy, Ohio.

14 On behalf of the Meigs County  
15 commissioners I would like to offer testimony in  
16 support of the AMP-Ohio generating plant proposed for  
17 Letart Township in Meigs County and urge approval of  
18 a certificate of environmental compatibility and  
19 public need for the proposed facility.

20 First of all, I'd like to say a few words  
21 about AMP-Ohio. From the very first time that we  
22 learned that they were proposing a power plant in  
23 this county, they have been open and honest with us  
24 about the process. They have been here continually

1 seeking our input and telling us each step of the way  
2 how it was going to be involved and how they were  
3 going to go about it.

4 So far they've been a very good neighbor.  
5 They even have opened an office in the county staffed  
6 with local people where you can come by and ask  
7 questions and face an actual person.

8 AMP-Ohio's also taken the time to explain  
9 to us emission control processes they will utilize.  
10 The use of the Powerspan emission technology will  
11 make this one of the cleanest plants of its type in  
12 the nation. With ammonium sulfate rather than gypsum  
13 as a scrubbing by-product, the landfill material  
14 amounts will be greatly reduced. The Powerspan will  
15 also further control mercury and particulate  
16 emissions. AMP-Ohio is further committed to the use  
17 of urea instead of anhydrous ammonia in the scrubbing  
18 process even though this will cost more.

19 We realize as elected officials of the  
20 county that there are local opponents to this plant  
21 and this is certainly their right to express that;  
22 it's a democratic and an open process. However, the  
23 elected officials represent the majority of the  
24 people of the county of Ohio and I have your letters

1 of support from the mayors of the five municipalities  
2 and also from every county elected official.

3 The economic impact of this facility is  
4 no secret and the benefit to our county will be  
5 great. I have heard testimonies especially from a  
6 person from Indiana, and how he knew our county, I  
7 don't know, that said that if we have all these power  
8 plants in the area, how come Meigs County is so poor?  
9 The answer is obvious. We do not have one of those  
10 power plants. They are in our surrounding counties,  
11 and we've never had one here.

12 So I went and looked at the surrounding  
13 counties that have power plants to do a little  
14 comparison. These counties are Gallia County,  
15 Washington County, and Mason County, West Virginia.  
16 In all these counties the property values are higher  
17 than in ours. If you evaluate them on the basis of a  
18 1 percent sales tax what it would bring in, Gallia  
19 County brings in 2.7 million dollars; Washington  
20 County, 2.8 million; Mason County, West Virginia, the  
21 assessor figures that differently so we couldn't use  
22 that. Meigs County, in comparison, brings in  
23 1.3 million per 1 percent.

24 The general funds of these counties are a

1 good way to figure out how local taxes and how local  
2 money is coming in because it funds the general fund  
3 of the county. Gallia County's general fund is  
4 8.9 million per year; Washington County, 13.4 million  
5 per year; Mason County, 5.6 million per year; Meigs  
6 County, 3.6 million.

7 Gallia County has an unemployment rate of  
8 6.2 percent; Washington County, 5.1 percent; Mason  
9 County, 6.6 percent; and Meigs County unfortunately  
10 is No. 1 in the state at 8.9 percent. All three of  
11 these other counties have institutions of higher  
12 learning located within them. All three of these  
13 other counties have hospitals. We lost our hospital  
14 in 2001.

15 That's not to even mention the secondary  
16 impacts from businesses that will supply these plants  
17 and businesses that will serve and sell to the  
18 workers that will build the plant.

19 Finally, the need for the plant versus  
20 the environment. I think anybody that reads the news  
21 is concerned about global warming. Clean-coal  
22 technology must be a part of the solution as well as  
23 the other alternatives. If we are ever to become  
24 energy dependent [sic], we have to look at clean-coal

1 technology as a factor.

2 Much effort is being put forth to prevent  
3 this plant from getting approved. Let's think about  
4 what is happening. If you stop a plant from being  
5 built here while at the same time one to two  
6 coal-fired plants are going on line every seven to  
7 ten days in China, with I'm sure not nearly as  
8 stringent environmental requirements as this project,  
9 what are you looking at?

10 I heard testimony that Ohio had a  
11 decrease in energy usage last year of 4 percent.  
12 Sure, they did. The decrease is probably due to the  
13 fact that business manufacturing and jobs are moving  
14 out of Ohio and overseas.

15 Even if we stopped using coal, do you  
16 think the other countries building all these plants  
17 would stop using coal? I don't think so.

18 Clean coal must be a part of our energy  
19 future. We can stop using coal and continue to lose  
20 jobs and any potential for energy independence. If  
21 we continue to test and prove this technology that we  
22 are using on these plants like what AMP-Ohio is  
23 proposing here, then we can use this to clean up the  
24 plants around the world which are not going away by



1 the fact. If they are building all these plants  
2 right now, they are not going to just get rid of them  
3 with technology.

4 If we don't provide clean-coal  
5 technology, global warming is actually going to get  
6 worse from these other countries even though we are  
7 cleaning up our environment.

8 This plant is good for our county, it's  
9 good for our state, we have a labor force that can  
10 build, operate, and maintain it. If the plant was  
11 not needed, then the municipalities -- numerous  
12 municipalities that have signed onto the  
13 participation in the project would not have done so.

14 I urge the approval of the siting of this  
15 plant in Meigs County, and I thank the Power Siting  
16 Board for their time.

17 EXAMINER PRICE: Thank you. I'm going to  
18 go ahead and mark this Exhibit 1.

19 (EXHIBIT MARKED FOR IDENTIFICATION.)

20 (Witness excused.)

21 EXAMINER PRICE: Mary Beth Lohse.

22 (Witness sworn.)

23 EXAMINER PRICE: Please proceed.

24 - - -

MARY BETH LOHSE

presented herself as a public witness, and being first duly sworn, testified as follows:

DIRECT TESTIMONY

MS. LOHSE: My name is Mary Beth Lohse, M-a-r-y B-e-t-h L-o-h-s-e. My address is 33070 Cotterill Road in Pomeroy.

In preparing to speak at tonight's hearing I went to the Ohio Power Siting Board's website and I found your mission statement, it said "The Ohio Power Siting Board's mission is to support sound energy policies that provide for the installation of energy capacity and transmission infrastructure for the benefit of Ohio citizens, promoting the state's economic interests, and protecting the environment and land use."

Well, first I'll address the question of protecting the environment. In April of 2007 the United States Supreme Court ruled that carbon dioxide may be regulated as an air pollutant under the Clean Air Act, but AMP has no controls planned for this pollutant. The Board should consider whether emitting an estimating 7.3 million tons of carbon dioxide per year is a significant negative

1 environmental impact.

2 I think that recent reports by the  
3 Intergovernmental Panel on Climate Change indicate  
4 that any additional carbon dioxide pollution can only  
5 add to the growing environmental problem of climate  
6 change.

7 In terms of regulated pollutants, I'm not  
8 even sure what control technology AMP will use. At  
9 the public information sessions that I attended and  
10 in a recent letter to the editor to *The Columbus*  
11 *Dispatch* AMP has stated they will use an  
12 ammonia-based scrubbing system called Powerspan. I,  
13 like many other people here, including some previous  
14 speakers, believe that this technology would  
15 definitely be used. We were told that a fertilizer  
16 by-product would be sold greatly reducing the need  
17 for landfill space.

18 I was surprised when I actually read the  
19 Ohio EPA draft air permit and your own Staff Report  
20 and saw that this is not necessarily true. According  
21 to these documents, AMP could use a limestone-based  
22 scrubbing system that would generate much more  
23 landfill waste than the public was led to believe.

24 As I'm required to swear by my testimony

1 to this Board, I think it's only fair that the Board  
2 also hold AMP accountable for the public statements  
3 they make about the technology they will use.

4 In any case, AMP is not using the best  
5 available technology for a coal-burning plant. The  
6 Board should compare the proposed emissions of the  
7 AMP plant to the Taylorville plant in Illinois. It  
8 would find that the AMP plant would emit 15 times as  
9 much sulfur dioxide, 3 times as much nitrogen oxide,  
10 almost twice as much particulate matter, and 5 times  
11 as much carbon monoxide to generate an equivalent  
12 amount of power. Clearly this plant will not have  
13 the minimum possible adverse environmental impact.

14 The Board should also carefully evaluate  
15 the cumulative effects of these emissions in an area  
16 that already has several major polluting sources  
17 including four other coal-burning power plants within  
18 ten miles.

19 Next I want to address whether this is in  
20 the state's economic interest. The Board must  
21 analyze all the economic costs of the plant including  
22 rapidly increasing costs of construction and the  
23 costs that may be imposed in the future by federal  
24 global warming legislation.

1 I understand the estimated cost of those  
2 plants have doubled in the last two years. Since  
3 80 percent of the generating capacity of this plant  
4 is intended for AMP members in Ohio, it is mostly  
5 Ohio citizens who will be responsible for the  
6 escalating costs to build and operate this plant,  
7 they will also be liable for the costs of any future  
8 carbon regulation.

9 Since the expected lifetime of this plant  
10 is over 50 years, the Board should carefully consider  
11 these long-term negative economic impacts.

12 In conclusion, I would argue that a new  
13 pulverized coal plant is not in the public interest.  
14 Noncoal alternatives such as energy efficiency,  
15 renewable energy, lower polluting forms of baseload  
16 generation are feasible, they're cost competitive,  
17 and they're less environmentally damaging.

18 The future and economic and environmental  
19 impacts relating to carbon dioxide emissions should  
20 be of particular concern to the Board as our state is  
21 one of the largest emitters of greenhouse gases in  
22 the nation. In view of the Board's responsibility to  
23 all the citizens of Ohio, I hope that the Board will  
24 conclude that a 50-year commitment to old coal

1 technology, which is one of the most polluting  
2 options for energy generation, is not sound energy  
3 policy. Thank you very much.

4 EXAMINER PRICE: Thank you.

5 MR. BENTINE: Could I -- before she  
6 leaves.

7 EXAMINER PRICE: Ma'am. Ms. Lohse.

8 MS. LOHSE: Yes.

9 EXAMINER PRICE: I think Mr. Bentine  
10 might have a question for you.

11 MS. LOHSE: Sure.

12 - - -

13 CROSS-EXAMINATION

14 By Mr. Bentine:

15 Q. Ms. Lohse, are you a member of any of the  
16 organizations that have intervened in this case?

17 A. Yes, I am, but tonight I'm speaking as an  
18 individual.

19 MR. BENTINE: Thank you.

20 May I ask you, is she appearing as an  
21 expert witness?

22 MR. FISK: No. She's appearing as an  
23 individual on her own behalf.

24 MR. BENTINE: As a lay witness?

1 MR. FISK: Yes.

2 MR. BENTINE: That's all I have.

3 EXAMINER PRICE: Thank you.

4 Mr. Fisk, any questions?

5 MR. FISK: No.

6 EXAMINER PRICE: Thank you.

7 (Witness excused.)

8 EXAMINER PRICE: Steve Keller.

9 (Witness sworn.)

10 EXAMINER PRICE: Please proceed.

11 - - -

12 STEVE KELLER

13 presented himself as a public witness, and being  
14 first duly sworn, testified as follows:

15 DIRECT TESTIMONY

16 MR. KELLER: My name's Steve Keller,  
17 S-t-e-v-e K-e-l-l-e-r. I reside at 204 Little  
18 Hocking, that's Oak Drive, Little Hocking, Ohio. I  
19 represent the asbestos workers. I'm President of the  
20 local union, No. 80, that covers this jurisdiction in  
21 Meigs County.

22 As construction workers before me said,  
23 this will be a tremendous opportunity for our members  
24 and their families, but not only that, I think it's

1 going to be a tremendous opportunity for the  
2 community here in Meigs County.

3 AMP-Ohio is going to pay a livable wage,  
4 going to provide health care for their workers, and  
5 provide a decent retirement. I think when we start  
6 out, we got three goals most of us share in this  
7 room: To live in a decent home, be able to send our  
8 children to college, and be able to retire with  
9 dignity. I think if this site's approved, and I hope  
10 it is, that it will give us the opportunity to  
11 achieve them three goals.

12 I'd like to thank you.

13 EXAMINER PRICE: Thank you.

14 (Witness excused.)

15 EXAMINER PRICE: Hal Kneen.

16 (Witness sworn.)

17 EXAMINER PRICE: Please proceed.

18 - - -

19 HAL KNEEN

20 presented himself as a public witness, and being  
21 first duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 MR. KNEEN: My name is Hal Kneen, H-a-l,  
24 last name is K-n-e-e-n. I live at 106 Terrell Lane,



1 T-e-r-r-e-l-l, Lane, Pomeroy, Ohio.

2 Okay. Thank you very much for allowing  
3 me to speak to the Siting Board here. I am currently  
4 president of the Meigs County Chamber of Commerce and  
5 also am a Meigs County resident, and I want to  
6 support for the siting development and implementation  
7 of American Municipal Power's coal-based power plant  
8 in Letart Township, Meigs County, Ohio.

9 I know that AMP has held several public  
10 meetings, they've talked to a lot of us both in the  
11 public here and also as we have stopped by their  
12 offices and talked to them as to what's coming along  
13 for our community, and I really look at the  
14 construction and later operation of this facility to  
15 bring some economic development into this county and  
16 region.

17 We do have one of the highest  
18 unemployment and underemployment rates in our state.  
19 We also have very qualified and available skilled  
20 labor that's in our region to help construct this  
21 plant. We also have local universities that are  
22 training and retraining people that have been  
23 unemployed to meet the technical needs of the  
24 operation of this plant.

1           We estimate that after it is built  
2       approximately \$20 million a year will be expensed  
3       into our local economy, and our local businesses do  
4       look at this as a potential for their own growth,  
5       that they could build off of the money that's being  
6       spent here and will be paid to the workers so that  
7       they too can improve their businesses and employ  
8       other people within our community.

9           We do believe that the coal power plant  
10      will help our local community and we do want to show  
11      our support for this facility and for its ability to  
12      produce new energy trying to meet the mounting needs  
13      for not only locally, but also throughout our state  
14      and into -- I guess a little into Pennsylvania there.

15           So we do appreciate them looking at  
16      building it here at our site here, and we hope that  
17      you will help us to bring it to fruition so it could  
18      be built here. Thank you.

19           EXAMINER PRICE: Thank you.

20           (Witness excused.)

21           EXAMINER PRICE: Catherine Cutcher.

22           Just let me apologize for anybody's names  
23      who I'm mispronouncing.

24           MS. CUTCHER: It's Cutcher, actually,

1     like butcher.

2                     (Witness sworn.)

3                     EXAMINER PRICE:   Please proceed.

4                                     - - -

5                     CATHERINE CUTCHER

6     presented herself as a public witness, and being  
7     first duly sworn, testified as follows:

8                     DIRECT TESTIMONY

9                     MS. CUTCHER:   My name is Catherine  
10     Cutcher, spelled C-a-t-h-e-r-i-n-e, last name  
11     C-u-t-c-h-e-r.   I live at 33520 Beech Grove Road,  
12     Rutland, Ohio 45775.

13                     Thank you all for coming out tonight.  
14     Thanks to the Board for listening to our comments.  
15     I'm here to speak about my deep concerns about this  
16     power plant.

17                     Now, we all know that Meigs County has a  
18     high unemployment rate and many economic problems,  
19     but I believe that what we're confronting here is a  
20     false choice between jobs for a hundred to 150 people  
21     versus the environment and health of all residents of  
22     southeast Ohio and future generations.   I believe  
23     that this plant is like dangling a poison carrot in  
24     front of a starving rabbit.

1 I'm here to express my deep concerns  
2 about the coal-fired power plant proposed to be built  
3 in Meigs County by American Municipal Power of Ohio.  
4 I'm a resident of Rutland just a few miles away from  
5 the location of the proposed plant. My husband and I  
6 have an organic farm where we raise vegetables,  
7 fruits, and animals. We're surrounded by a large  
8 forest that is home to a diversity of hardwood trees  
9 and edible and medicinal plants including endangered  
10 species such as ginseng and goldenseal. Meigs County  
11 is home to the greatest diversity of plants in the  
12 United States and food produced on our county's farms  
13 is shipped to seven different states in our region.

14 We moved to Meigs County because of its  
15 natural resources and enjoy living in a rural  
16 community which practices conservation and  
17 environmental protection. There are many young  
18 families living in our area, and we hope to raise our  
19 own children here some day.

20 I urge you to deny this permit to  
21 AMP-Ohio to build this new plant in Meigs County.  
22 Every year it is estimated that this 960-megawatt  
23 coal-fired power plant would emit more than 7.3  
24 million tons of carbon dioxide and tens of thousands

1 of tons of other pollutants and require the mining of  
2 at least 2.8 million tons of coal.

3 Each year of its 60-year life the AMP  
4 plant would produce as much carbon dioxide as 2  
5 million cars. This plant would be a major new source  
6 of global warming pollution. This is not in the  
7 public interest nor will it protect our environment  
8 or our health.

9 AMP-Ohio claims that this will be a,  
10 quote, clean-coal power plant. There is no such  
11 thing as clean coal. Pollution caused by generating  
12 electricity from coal does not start or stop at the  
13 power plant. Coal mining causes safety risks to  
14 minors, destruction of natural habitats,  
15 deforestation, solid waste, acid mine drainage,  
16 erosion, and subsidence. Moreover, coal combustion  
17 wastes have to be landfilled long after coal is  
18 burned in power plants.

19 AMP-Ohio has noted that nearly 2  
20 million tons of the coal that it would use every year  
21 would come from West Virginia where mountaintop  
22 removal, the most dangerous and destructive type of  
23 mining, is practiced.

24 AMP-Ohio is proposing to use a new

1 control technology called Powerspan to reduce  
2 pollution emissions at their new plant. Now, we also  
3 heard testimony tonight that we're not sure whether  
4 Powerspan will actually be used. It could be a  
5 limestone scrubbing system or ammonia scrubbing  
6 system.

7           Anyway, Powerspan is unproven technology  
8 as the only real-world test of Powerspan technology  
9 was for the control of air pollutants, not including  
10 carbon dioxide, on a single 50-megawatt unit.  
11 Powerspan has never been tested on anything close to  
12 the scale of the 960-megawatt plant being proposed in  
13 Meigs County. And even AMP-Ohio acknowledges that  
14 there will be difficulties in scaling up this  
15 technology to this level of power.

16           As you may know, Meigs County is already  
17 affected by four power plants in a ten-mile radius,  
18 the emissions from these plants have been known to  
19 pollute our air and water, and many local residents  
20 have cancer and other pollution-related illnesses.

21           In nearby Cheshire, Ohio, in Gallia  
22 County American Electric Power has two more power  
23 plants which have raised much controversy for their  
24 dangerous emissions. When AEP began to use the

1 clean-coal scrubbers in their smokestacks, Cheshire  
2 residents complained that particles like white  
3 cornflakes were falling from the sky. Many residents  
4 developed bloody noses, watery eyes, mouth sores, and  
5 respiratory illnesses.

6 AEP responded to their complaints by  
7 buying their homes and land in a 20 million-dollar  
8 settlement. In exchange the residents of Cheshire  
9 agreed not to sue AEP for their illnesses or medical  
10 bills in the future.

11 As you can see, the citizens of southeast  
12 Ohio have paid a high price for the production of  
13 coal-fired electric power. Many of us are poor  
14 people who do not have health insurance or access to  
15 quality health care needed to survive our  
16 pollution-related illnesses. It is unjust to expect  
17 low-income communities to bear a disproportionate  
18 burden of environmental pollution and toxic  
19 emissions, especially when the products are being  
20 exported to distant cities.

21 The Appalachian region has a long history  
22 of corporations from other regions coming in and  
23 exploiting our people and resources to extract  
24 products for their own profit. Let us learn from our

1 history and not allow corporations to keep exploiting  
2 our labor, land, and natural resources.

3 Please do not allow AMP-Ohio or other  
4 utility companies to continue polluting our air,  
5 water, and health in Meigs County. Please fulfill  
6 your duties to the public, deny this permit to  
7 AMP-Ohio, promote renewable energy production, and  
8 protect our fresh air and environment for future  
9 generations. Thank you.

10 EXAMINER PRICE: Thank you.

11 (Witness excused.)

12 EXAMINER PRICE: James Vannoy.

13 MR. VANNOY: I'll pass.

14 EXAMINER PRICE: Thank you.

15 Loraine McCosker.

16 (Witness sworn.)

17 EXAMINER PRICE: Please proceed.

18 - - -

19 LORAIN MCCOSKER

20 presented herself as a public witness, and being  
21 first duly sworn, testified as follows:

22 DIRECT TESTIMONY

23 MS. MCCOSKER: My name is Loraine  
24 McCosker, L-o-r-a-i-n-e M-c-C-o-s-k-e-r. I live at



1 59 Elmwood Place in Athens, Ohio 45701. I live 38  
2 miles from the proposed coal plant.

3 I have worked as a community health and  
4 school nurse for over 15 years and these are my  
5 personal comments. I have three main questions to  
6 begin with; one is why is this plant site so far away  
7 from the municipalities that it will service?

8 Why is this the only economic development  
9 that's being offered to Meigs County? I would really  
10 encourage the Chamber of Commerce and the Economic  
11 Development board to work on cleaner and healthier  
12 forms of employment for the residents here.

13 And I also am very concerned that this  
14 does not look at the cumulative effects of all the  
15 power plants in this region.

16 The Ohio River Valley from Cincinnati to  
17 Pittsburgh hosts 42 major coal-fired power plants  
18 with more per square mile than anywhere else in the  
19 nation. This has resulted in air quality issues with  
20 high particulates, mercury, and the release of sulfur  
21 dioxide, nitrous oxide, and carbon dioxide.

22 The proposed plant has requested an air  
23 permit to release heavy concentrations of pollutants  
24 into an atmosphere impacted by this toxic soup of

1 other pollutants. Currently there are four  
2 coal-fired power plants, JM Gavin, Mountaineer,  
3 Philip Sporn, and Kyger Creek, all within ten miles  
4 of Letart Falls.

5 I have heard many speakers last week and  
6 tonight talk about how much cleaner this pulverized  
7 coal plant will be, however, it will still be  
8 releasing -- this is from the Ohio EPA -- 3,094 tons  
9 per year of nitrous oxide, 6,800 tons of sulfur  
10 dioxide, over a thousand tons of particulates, and of  
11 concern to me with children is the lead and the  
12 196 pounds of mercury.

13 Children and pollution. Children have a  
14 higher breathing rate than adults relative to their  
15 body size and lung surface area, this results in a  
16 greater dose of pollution delivered to their lungs.  
17 Most biological air pollutant damage is related to  
18 the dose of pollution inhaled in relation to the body  
19 weight and surface area, so children absorb these  
20 pollutants in a much different way than adults do,  
21 and they also have a faster breathing rate.

22 The American Academy of Pediatrics issued  
23 a policy statement in 2004. Air pollution is now  
24 recognized as an important problem both nationally

1 and worldwide. Our scientific understanding of the  
2 spectrum of health effects of air pollution have  
3 increased and numerous studies are finding important  
4 health effects from air pollution once considered  
5 safe.

6 Children and infants are among the most  
7 susceptible to many of these air pollutants. In  
8 addition to associations between air pollution and  
9 respiratory symptoms and asthma, recent studies have  
10 found links between preterm birth, infant mortality,  
11 which means death, deficits in lung growth, and  
12 certainly neurological impairments among children.

13 I would like to remind the Ohio Siting  
14 Board and attendees that the Intergovernmental Panel  
15 on Climate Change and Al Gore were recently awarded  
16 the Nobel Peace Prize. We all know that the planet  
17 is greatly impacted with global warming; we talk  
18 about it in terms of our weather, our crop  
19 production, floods, and fires.

20 The AMP plant would not have to capture  
21 carbon at its start-up. It would emit at least  
22 7.3 million tons of carbon into the atmosphere --  
23 carbon dioxide -- per year. It has no legal  
24 commitment to capture and sequester these carbon

1     dioxide emissions. The question remains whether AMP  
2     performed test studies to assess whether this carbon  
3     capture is possible in this region prior to the  
4     siting and permitting applications.

5             We all know that the United States  
6     Supreme Court has recently ruled that carbon dioxide  
7     is a pollutant that must be regulated. Thus, the  
8     very act of issuing such a permit to AMP would appear  
9     to violate this ruling.

10            On October 9<sup>th</sup>, 2007, the Sunflower  
11     Power Plant in Kansas was denied its permit due to  
12     the requested carbon dioxide releases. The permit  
13     was rejected by the secretary of the Kansas  
14     Department of Health and Environment on the basis of  
15     potential public health and environmental harms from  
16     plant pollution.

17            To quote the secretary of health, who is  
18     Roderick Bremby, "I believe it would be irresponsible  
19     to ignore emerging information about the contribution  
20     of carbon dioxide and other greenhouse gases to  
21     climate change and the potential harm to our  
22     environment and health if we do nothing."

23            I'd like to just complete this with  
24     saying that we have all sorts of initiatives

1 happening in the state of Ohio. Ohio University has  
2 signed a presidents climate agreement and that states  
3 that this institution will become carbon neutral.  
4 Over 300 colleges and universities around the country  
5 have signed this agreement.

6 In January 2007 Governor Strickland  
7 signed House Bill 251 which mandates that public  
8 institutions decrease their greenhouse gas emissions  
9 by specific time periods.

10 Recently Ohio University sponsored a  
11 forum for representatives and facility managers of  
12 public institutions of higher learning to discuss  
13 this issue.

14 And presently the energy bill is in the  
15 General Assembly in its development and deliberation.  
16 Energy efficiency is considered to be the low-hanging  
17 fruit; this was quoted by the adviser to the energy  
18 adviser, Mr. Young.

19 Society is moving forward in reducing its  
20 reliance on dirty-coal technology for generations of  
21 energy. We will achieve these measures through smart  
22 technologies and a new approach to solving our energy  
23 needs. We do not need to continue to destroy our  
24 present life ways, pollute our air and waters to

1 achieve these energy needs. It is, therefore,  
2 superfluous to build such a pulverized coal plant at  
3 the moment when we are at the brink of change. Such  
4 an air permit and the siting permit would violate  
5 opportunities before us. Thank you.

6 EXAMINER PRICE: Mr. Bentine.

7 He has some questions for you.

8 - - -

9 CROSS-EXAMINATION

10 By Mr. Bentine:

11 Q. If I might ask you a few questions.

12 A. Yes. Certainly.

13 Q. It's McCasker?

14 A. McCosker.

15 Q. McCosker. I'm sorry.

16 A. Yes.

17 Q. Ms. McCosker, are you a member of any of  
18 the organizations that have intervened in this case?

19 A. I guess so, I am, yes.

20 Q. And actually I'm quite impressed, that  
21 was quite a litany you went through there. Did you  
22 prepare this all by yourself?

23 A. Yes, I did.

24 Q. You had no review from anyone else

1 associated --

2 A. None at all. I am a bachelor's prepared  
3 nurse and a master's prepared environmental -- I work  
4 as an environmental studies outreach coordinator.

5 Q. And your master's is in what, ma'am?

6 A. Environmental studies and policy.

7 MR. FISK: Your Honor, these are  
8 individuals who live in the area who are testifying  
9 about their views about a plant that's before the  
10 Board as individuals.

11 MR. BENTINE: And as lay testimony.

12 MR. FISK: Yes, as lay testimony.

13 They're official --

14 MS. MCCOSKER: Yes, I'm not being paid to  
15 testify in any capacity.

16 MR. BENTINE: I have nothing further.

17 EXAMINER PRICE: Thank you.

18 (Witness excused.)

19 MR. FISK: Just to be clear, the official  
20 positions of the organizations that have intervened  
21 will be presented as requested at the hearing in  
22 December.

23 EXAMINER PRICE: I understand.

24 MR. FISK: I just want to make sure the

1 record's clear on that.

2 EXAMINER PRICE: Okay. Thank you.

3 We're going to go ahead and mark this as  
4 Exhibit 2.

5 (EXHIBIT MARKED FOR IDENTIFICATION.)

6 EXAMINER PRICE: Crow Swimsaway.

7 (Witness sworn.)

8 EXAMINER PRICE: Please proceed.

9 - - -

10 CROW SWIMSAWAY

11 presented himself as a public witness, and being  
12 first duly sworn, testified as follows:

13 DIRECT TESTIMONY

14 MR. SWIMSAWAY: My name is Crow  
15 Swimsaway, C-r-o-w S-w-i-m-s-a-w-a-y. I live at 6560  
16 State Route 356, New Marshfield, Ohio.

17 I do not represent 10,000 people. I  
18 represent my own concerns. And I'm the minister of a  
19 small church so I represent also the concerns of  
20 those who are in the church with me.

21 I've lived in southeastern Ohio for 30  
22 years, a little more than 30 years. I love the land,  
23 I love the place, I love the people, and it has been,  
24 for me, and continues to be for me, a home and a



1 community.

2 As a community it's clear that we have a  
3 major problem. It is very difficult, as our union  
4 members have pointed out, to make a real living in  
5 this part of the world. We also have a  
6 responsibility, a responsibility that all of us,  
7 whether we're in favor of a coal plant or whether  
8 we're not, the responsibility of all of us is to find  
9 real employment and a real life for everyone who  
10 lives here and for more besides. But we cannot do  
11 that, we cannot meet that responsibility, by  
12 poisoning ourselves, and that's just what one more  
13 coal-fired plant will do.

14 We want to send poison into the air. We  
15 want to bury poison so that our children will live  
16 with it for generations after us. We want to  
17 continue to send poison downriver as we have done for  
18 how many years with all the other coal-fired plants  
19 and coal mines. We want to send poisoned air to the  
20 east and the north and kill more forests.

21 There must be a better way to live up to  
22 the responsibility that all of us in this community  
23 have to provide an appropriate and healthful living  
24 for everyone. Thank you.

1 EXAMINER PRICE: Thank you.

2 (Witness excused.)

3 EXAMINER PRICE: Greg Sheets.

4 (Witness sworn.)

5 EXAMINER PRICE: Please proceed.

6 - - -

7 GREG SHEETS

8 presented himself as a public witness, and being  
9 first duly sworn, testified as follows:

10 DIRECT TESTIMONY

11 MR. SHEETS: G-r-e-g S-h-e-e-t-s. I live  
12 at 43820 Cook Road, Pomeroy, Ohio. This is my  
13 statement: I was born here in Pomeroy, here in Meigs  
14 County, in 1959, back when we had that hospital in  
15 our community. I also graduated from this very  
16 school some 30 years ago, and I have lived here in  
17 Meigs County most of my adult life.

18 Ever since I was born me and my  
19 generation have basked in the glow of our great  
20 country's industrial might. As far back as I can  
21 remember there were jet airplanes, color TV,  
22 automobiles, rocketships to the moon, and every  
23 comfort that was afforded by the United States' great  
24 wealth and industrial might.

1           Along with these luxuries there was one  
2 basic thing that everything else revolved around and  
3 that was electricity. Electricity that powers our  
4 homes, our hospitals, our schools, our industries.  
5 Affordable electricity, that was the dream of the  
6 great Thomas Edison and was a servant to the people.  
7 Electricity that was produced mainly from pulverized  
8 coal-fired power plants.

9           But along with electric there came  
10 pollution. Pollution from the abandoned strip mines,  
11 pollution from the abandoned deep mines, and  
12 pollution from the coal-fired powerhouse smokestacks  
13 who belched forth a dark cloud of toxic smoke from  
14 their soaring chimneys.

15           But thanks to the environmentalists and  
16 some common-sense laws and some good engineering the  
17 pollution is now greatly reduced to what it was in  
18 the past.

19           The pulverized coal-fired powerhouses  
20 that dot the Ohio Valley and whose energy millions of  
21 people depend on for heating and lighting and cooling  
22 their homes have installed and are currently updating  
23 different pollution controls and their emissions are  
24 greatly reduced, and with new technology being

1 developed and tougher environmental laws being  
2 introduced, pollution will be less and less in the  
3 future, and this does not cost, but it pays.

4           What I am saying is a balance has to be  
5 found between the electric our nation's people and  
6 our industries need and depend on and the protection  
7 of our environment and the cost of pollution  
8 controls.

9           All the risks must also be considered.  
10 The risk of building new, much cleaner, less  
11 polluting pulverized coal-fired power plants against  
12 letting the older, dirtier plants continue to burn.  
13 If newer, cleaner power plants are built and brought  
14 on line, then older, less-efficient plants may be  
15 phased out.

16           Will we as a generation continue to grow  
17 and pass the wealth to the next generation, or will  
18 we do nothing for the future? We will, as the  
19 babyboomers, the ones who had it all, now move  
20 forward to find the balance we as a society must have  
21 between energy production and pollution and the cost  
22 of the pollution controls.

23           The real moral issue of our generation is  
24 not just global warming as Shannon Fisk of the NRDC

1     stated at last week's meeting, but it is global  
2     warming and producing enough electricity from  
3     pulverized coal-fired power plants with the latest  
4     pollution controls so that our great country will not  
5     regress to third-world standards, so that our great  
6     nation of freedom, fairness, and justice for all can  
7     be handed down to generation next, stronger and more  
8     viable than ever.

9             Pulverized coal-fired power plants are  
10    not a dinosaur, as Mr. Fisk of the NRDC stated at  
11    last week's Ohio EPA quality permit hearing, but they  
12    are a viable and necessary means of generating  
13    affordable electricity.

14            Working for an alternative electric  
15    source is a great goal, but limited by how many dams  
16    there are on the river, by how much the sun shines  
17    for solar generation of electric power, and by how  
18    much the wind blows for the windmill technology  
19    currently in place.

20            The next great energy source is in the  
21    minds of some young or future scientist or engineer,  
22    but we do not know or cannot count on when this will  
23    be developed, but what we will do right now -- or  
24    what we do have right now is coal, several hundred

1     years supply of coal to power our nation.

2             While carbon dioxide emissions are being  
3     blamed for global warming, there are no current laws  
4     enacted to regulate it. The Supreme Court interprets  
5     laws, they do not legislate from the bench, and since  
6     we are a nation of laws, let us as a society respect  
7     and obey the laws we have now and not the laws that  
8     some environmental groups wish to have.

9             Can you imagine a life without  
10    electricity? No lights to read by, no electric  
11    cooking stoves, no electric hot water, no furnaces,  
12    no air conditioning, not even an electric fan to blow  
13    cool air on a person in the summertime.

14            I know of only two people who are close  
15    to me who have lived without electric, the first one  
16    is my oldest cousin, Meigs County Commissioner Jim  
17    Sheets; he lived without electric in Dexter, Ohio,  
18    for most of his youth until the rural electrification  
19    program brought power to the countryside in the  
20    1950s.

21            And the other person I know who lived  
22    without electric is my beloved Filipino wife Fely who  
23    grew up in a rural area of the Philippines with only  
24    the sun and the moon and the stars to power her

1 dreams. I have seen Fely's father carry water two  
2 miles on his back and light his home with kerosene.

3 The schools in San Antonio, Boljoon,  
4 Cebu, was also without electric. Then in 2002 the  
5 poles were set, electric wires were stretched, and  
6 the switch was thrown and they were on the grid, and  
7 the people leaped for joy over something that we  
8 don't even think about.

9 Both of these human beings are  
10 flabbergasted that anyone or any group would stand in  
11 the way of progress, and if anyone doesn't believe  
12 me, ask them, they're sitting in the audience.

13 Ohio towns and cities must have electric  
14 for their homes, their hospitals, and their schools,  
15 and their industries, or will we as a nation let the  
16 balance tip so far in the favor of our environment  
17 that we cannot produce electricity for our American  
18 citizens' needs?

19 Let us weigh all of the risks involved,  
20 the positives and the negatives, between whatever  
21 pollution escapes past the pollution controls or not  
22 having enough electric for our country. What will we  
23 do? Will we go to rolling blackouts? Will we have  
24 electric rationing? Will only the most wealthy

1 citizens have the energy their homes require while  
2 the people of lesser means be left in the cold and  
3 the dark?

4 Will there come a time when everyone who  
5 reaches for the light switch or your thermostat be  
6 left standing in the dark and cold because  
7 environmental groups say that pollution controls were  
8 too expensive and not effective enough?

9 This is not a balance, but poses a great  
10 risk to our country's future than any other that I  
11 can think of.

12 Now let me issue a challenge to the  
13 Sierra Club, the NRDC, and all environmentalists here  
14 tonight and across America to disconnect from the  
15 electric grid, go park your automobiles and get a  
16 bicycle, travel Beijing and oppose China's  
17 unregulated coal-fired power plants with little or no  
18 pollution controls.

19 But all of us here tonight know what  
20 would happen. You could not run your homes, your  
21 offices, or computers without electric -- I ain't  
22 done -- without coal-fired powerhouses. You could  
23 not get to any meetings of any distance on a bicycle.  
24 And in Beijing you'll be given long prison terms, for



1 unlike our country of free speech and expression,  
2 theirs is a closed society ruled by an iron-fisted  
3 communist government, and if you do not believe me,  
4 take the challenge, turn the clock back in your homes  
5 and come and see me when you're released from a  
6 Chinese prison.

7 Right now oil on the world's markets with  
8 an extreme form of what they call religion, but we  
9 call terrorism, is approaching \$100 a barrel. Now  
10 how will we drive our vehicles that we depend on if  
11 we cannot afford the fuel? Maybe if we build more  
12 coal-fired power plants with the latest pollution  
13 controls installed we can turn to electric vehicles  
14 for short commutes.

15 We must, as a nation, find an alternative  
16 to Middle Eastern extremism, oil. This is our  
17 country's vital security interest and also everyone  
18 who is here tonight's best interest for or against  
19 AMP-Ohio's proposed plant.

20 The pulverized coal-fired powerhouse with  
21 the latest pollution controls installed needs to be  
22 built in Appalachia along the Ohio River for its  
23 abundant supplies of coals are available in the  
24 region and the river supplies of water and also is a

1 vital transportation link and is the most economical  
2 way to move any other material that is needed for the  
3 construction, operation, or maintenance of the plant.

4 Also, Letart Falls and the surrounding  
5 area is sparsely populated; lessens the impact of the  
6 powerhouse.

7 We must, as the greatest, most powerful  
8 nation ever in the history of mankind move forward in  
9 building coal-fired electric power plants with the  
10 most advanced pollution controls to generate our  
11 electricity our country depends on.

12 Now let us all thank the  
13 environmentalists for their cleaner skies and cleaner  
14 water and cleaner earth, and let us thank  
15 environmentalists for showing us the errors of our  
16 past ways. And I don't really want them to  
17 disconnect from the electric grid or go to prison in  
18 China, but I want them to continue to be our  
19 conscious and not to stop the powerhouses, but to  
20 clean them up.

21 Now I invite the Sierra Club, the  
22 National Resources Defense Council, and  
23 environmentalists everywhere to get behind new  
24 coal-fired powerhouses all across the country,

1 coal-fired powerhouses that will be generating  
2 electricity in the cleanest, most environmentally  
3 friendly way possible.

4 Let us invite the Sierra Club and NRDC  
5 and every environmentalist on board for their future,  
6 their children's future, and their country's future.  
7 Let us weigh all the risks, the pros and the cons, of  
8 the proposed powerhouse then move forward together  
9 and build it in balance for the good of us all,  
10 future generations, and our country's future.

11 Thank you for your time. And I'm  
12 representing myself tonight. I am a member of  
13 Carpenter's Local 650, and I've worked with many of  
14 the men in here.

15 (Witness excused.)

16 EXAMINER PRICE: Joseph Viny.

17 (Witness sworn.)

18 EXAMINER PRICE: Please proceed.

19 - - -

20 JOSEPH VINY

21 presented himself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MR. VINY: My name is Joseph Viny,

1 J-o-s-e-p-h V- -- like Victor -- -i-n-y. I reside at  
2 33799 Sidehill Road in Rutland, 45775.

3 I'd like to thank you for the opportunity  
4 to address everybody. I'm opposed to the AMP coal  
5 plant and I urge the Board to deny the application.  
6 I believe that Meigs County already -- the  
7 surrounding area already has a disproportionate  
8 number of sources of air pollution that at this point  
9 will be detrimental to our health and, in the  
10 long-term, the long-term health costs due to  
11 pollution-related illnesses will far outweigh the  
12 short-term economic benefits of the plant.

13 I moved to Meigs County about seven years  
14 ago. I moved from out of state. I moved here  
15 because I enjoy the beauty and the diversity of plant  
16 life. I've invested a great deal in the community:  
17 I've built numerous structures, I've developed my  
18 farm, I've employed numerous people in the county,  
19 and I think that I and people like myself represent a  
20 different type of economic development.

21 And I'll tell you that I have a  
22 15-month-old son, and if I determine at some point  
23 that it is unhealthy to live here, I'll simply move  
24 and people like me will not move here.

1 I also serve on the board of United Plant  
2 Savers. United Plant Savers is a national  
3 organization, we have -- one of our programs is we  
4 have a botanical sanctuary network. Our flagship  
5 botanical sanctuary is located in Rutland, Ohio. We  
6 provide employment at our botanical sanctuary.

7 We recently finished a large construction  
8 project there. People come into our botanical  
9 sanctuary from all over the country and, like me, if  
10 the sources of pollution create an unhealthy  
11 environment here, it's going to harm our sanctuary,  
12 people aren't going to come here, and there's the  
13 other side of the coin as far as the economic  
14 detriments.

15 So for these reasons and others I, again,  
16 urge the Board to deny the application. Thank you.

17 (Witness excused.)

18 EXAMINER PRICE: Bill Price.

19 (Witness sworn.)

20 EXAMINER PRICE: Please proceed.

21 - - -  
22  
23  
24

1 BILL PRICE

2 presented himself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MR. PRICE: I'm glad there was a buffer  
6 between me and this gentleman over here because I  
7 sure wouldn't want to follow him.

8 My name is Bill Price, and I came over  
9 from across the river tonight. I live in West  
10 Virginia, and I came over because I'm concerned and  
11 want to make sure everybody knows that the air  
12 pollution generated by this plant isn't going to stop  
13 at the Ohio River; it's actually going to come  
14 across.

15 There was some talk earlier about  
16 reduction of emissions, and I don't understand, and  
17 maybe I'm just a dumb hillbilly, but I don't  
18 understand how putting another power plant in this  
19 area is going to reduce the emissions. You've  
20 already got emissions. No, those plants **are not** in  
21 Meigs County, but you sure get the pollution **from**  
22 them.

23 And if we're ever going to have a healthy  
24 community and a safe community here in Meigs County

1 and in southeast Ohio and, in fact, throughout all of  
2 Appalachia, we need to go another way than where  
3 we're going.

4 I really get insulted when I hear the  
5 term "clean-coal technology" because for most of my  
6 life I lived in the southern coal fields of West  
7 Virginia, that's that little place down on the map  
8 where the 2 million tons a year that will fuel this  
9 plant will come from in a process called mountaintop  
10 removal coal mining, and that's how I got involved as  
11 a environmentalist. Yeah, I used that dirty word.

12 My home was flooded by mountaintop  
13 removal. I've seen my friends and neighbors have to  
14 move. I've had to move because of mountaintop  
15 removal. Nobody should have to leave their home just  
16 because we need electricity.

17 But you don't have to go to southern West  
18 Virginia to see the impacts of the mining, you can  
19 simply go down the road. Here in Meigs County  
20 they're already seeing the impacts of additional  
21 mining. And I think that this area needs to lead the  
22 way.

23 Is China a problem? And I'm glad the  
24 gentleman doesn't want to see me in a Chinese prison,

1 but if China is a problem, and it is, then we have to  
2 show the way. The United States has always led the  
3 way, and we can do it in this crisis that we now have  
4 called global warming. And there's no doubt;  
5 responsible science, responsible people, even  
6 President Bush is saying that this is a fact.

7 We have got to find a way to have  
8 good-paying, long-lasting, union-organized jobs in  
9 Meigs County and throughout Appalachia, and we've got  
10 to find a way to do it without poisoning our  
11 children.

12 In preparation for tonight's hearing --  
13 and by the way, I'm here speaking only on my own  
14 behalf just so the gentleman knows -- I pulled down  
15 some employment figures.

16 What would it mean to the state of Ohio  
17 if we really, truly changed the direction of our  
18 energy policy in the United States and chose  
19 renewable energy?

20 There was a study done by a group called  
21 The Pyramid Group not that long ago that showed that  
22 in the state of Ohio it would mean an additional  
23 creation of 135,976 jobs, of which 37,390 of those  
24 would be new manufacturing jobs, 15,487 of those



1 would be new construction jobs. Personally, I hope  
2 those will be union jobs, because my father was a  
3 union coal miner.

4 And then an additional 8.8 billion  
5 dollars in economic activity in the state of Ohio,  
6 and 5.7 billion in increased income for the citizens.  
7 That's leading the way. That's bringing organized  
8 labor and environmentalists together to create a  
9 common goal of clean, healthy economics, and a clean,  
10 healthy, and sustainable environment. Why can't we  
11 do that? Why do we continuously think that we only  
12 have a choice between jobs or environment when in  
13 fact we can do both?

14 I urge this Board to deny this permit. I  
15 urge the local politicians and government officials  
16 in Meigs County to turn toward true sustainable  
17 economic prosperity without causing harm to its  
18 citizens. I stand opposed to this permit and hope  
19 the Board denies it. Thank you for your time.

20 EXAMINER PRICE: Thank you.

21 (Witness excused.)

22 EXAMINER PRICE: Elisa Young.

23 (Witness sworn.)

24 EXAMINER PRICE: Please proceed.

1 ELISA YOUNG

2 presented herself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MS. YOUNG: Elisa Young, E-l-i-s-a  
6 Y-o-u-n-g. I live at 48360 Carmel Road, Racine, Ohio  
7 45771. And I'm a 7<sup>th</sup> generation Meigs Countian,  
8 and all that information is on what I'm going to give  
9 you guys.

10 But this is a map of the United States  
11 that was done by Clear the Air and it shows premature  
12 death rates. Now, I know just from living in Meigs  
13 County we have a disproportionate number of people  
14 who are dying from respiratory illnesses and cancer.

15 Do you see this red zone down here?  
16 We're dead center. Do you see this lighter zone up  
17 here? That's where the municipalities are that are  
18 going to be purchasing this electricity; they will  
19 never see the health impacts, their children will  
20 probably never be damaged from mercury exposure, they  
21 will probably never bury a loved one to cancer.

22 I had an epidemiologist down here a  
23 couple years ago who told me our cancer rates are  
24 roughly double what they should be, and look, we live

1 in a sparsely populated rural farming community. The  
2 only thing around us is the coal industry.

3 This is a map that I'm going to give you  
4 guys that shows the concentration of existing and  
5 proposed power plants here. We have four power  
6 plants currently in a ten-mile radius from the farm  
7 where I lived -- where I live. I don't want it to be  
8 past tense.

9 There are two here. They want to put two  
10 more here. There's two here. They want to put one  
11 here and two more here. That would be nine power  
12 plants, coal-fired power plants, in a ten-mile  
13 radius.

14 This is a picture, for people who haven't  
15 seen this, from the air that I took recently. It's  
16 an aerial photo of how close these power plants are  
17 to our schools, to our playgrounds, and to our soccer  
18 Fields.

19 This is Mountaineer. This is Philip  
20 Sporn. This is the village of Racine. This is a  
21 proposed coal mine to support these power plants, and  
22 right over here is where they want to put AMP.

23 They're in the process of opening up  
24 whole new strip mines to support these industries.

1 They're opening up a strip mine over here between  
2 Fellman and Philip Sporn because they triple the  
3 amount of waste when they put scrubbers on these  
4 power plants. And they're doing the same thing over  
5 at Cheshire.

6 Do we want the entire eastern end of  
7 Meigs County to be landfill where you cannot breathe  
8 the air and you cannot raise your children?

9 This is a picture of emissions from  
10 Cheshire blowing across my farm. Now, I'm absolutely  
11 appalled that the gentleman from AMP did not look at  
12 cumulative impacts in their application. If there  
13 was ever a region that needed to have cumulative  
14 impacts addressed, it's Meigs County, Ohio.

15 We're the only county in the state that  
16 does not have a listing on the Toxic Release  
17 Inventory because, technically, we don't have an  
18 industry here; they're across the border in Gallia  
19 County and they're across the border in West  
20 Virginia. But we are breathing these emissions.  
21 This is from eight miles away, folks, from Cheshire,  
22 no question, after the scrubbers were installed.

23 Now, when Guy gave his testimony about  
24 the water -- I want to show you something. Over in

1 Mingo County, West Virginia, they're doing sludge  
2 injections like what they want to do here with Gavin.  
3 It's not in the first five-year permit, but it's  
4 coming.

5           Some old ladies down there showed me what  
6 their drinking water looks like coming out of their  
7 faucets when they do sludge injection. They all  
8 started getting sick a long time before the water  
9 started looking like this.

10           They bottled this up for me in January.  
11 It's eating the metal off the friggin lid. They have  
12 to buy new appliances every year because the  
13 chemicals they use to process the coal that are being  
14 injected into the ground are designed to dissolve  
15 metal. Now tell me, what do you think the future of  
16 Meigs County is going to look like when we have  
17 abandoned mines that have been injected with this  
18 sludge that are held up by metal support beams and  
19 pillars of coals that this is designed to dissolve.  
20 Our future is going to subside.

21           Now, Guy didn't tell you this, but he  
22 recently had a cow put down from cancer, and the vet  
23 told him it's because of the particulate matter  
24 that's collecting on the pastures that the cows rub

1 their faces in when they go to graze. He also did a  
2 well drop after they started doing the core sample  
3 drilling. It is hard to farm without water and  
4 decent pastures. Please address farming impacts and  
5 agricultural impacts.

6 This is a picture of the clear-cutting  
7 that started in preparation for the mines to fuel  
8 these facilities. In AMP's application they've put  
9 that they want to use a mix of eastern and western  
10 coal in order to meet air regulations.

11 I'm not sure what you think is funny  
12 about this, but they take everything.

13 This is the picture of our school. If  
14 you thought that that picture was funny, there are  
15 two power plants immediately behind the school and  
16 they want to put two more. We spend thousands of  
17 dollars annually trying to educate our children who  
18 are damaged from neurological problems and receive  
19 learning disabilities because of the mercury exposure  
20 that they're given by living by these facilities.

21 The year I moved here they dumped almost  
22 2,000 pounds, 2,000 pounds of mercury from the four  
23 existing power plants around us. There's nothing  
24 funny about it.

1                   This is another picture of one of our  
2 schools. Do we need another power plant here? When  
3 we moved the school away from these power plants to a  
4 safe site that was back behind the coal yard over at  
5 Gavin, I have a friend whose husband worked at the  
6 power plant and he died of multiple myeloma. When he  
7 died, he had Dorothy promise him that she would buy a  
8 black granite tombstone with yellow roses, which she  
9 did. Within a year those yellow roses had been eaten  
10 off that granite. If these emissions are eating  
11 granite off tombstones, what are they doing to our  
12 children's lungs? There's nothing funny about it.

13                   This is a picture of the coal waste  
14 that's currently dumped on our roads.

15                   What AMP is proposing to do is have a  
16 fertilizer factory. Well, in our drinking water  
17 district we routinely, routinely test positive for  
18 unsafe levels of nitrates in our water.

19                   Power plant waste is very high in  
20 nitrogen. We don't need to have any more of this  
21 type of fertilizer dumped on our fields because it's  
22 a carcinogen and it's already present in our drinking  
23 water. Fifty more years of this are not going to do  
24 us any kind of service. Please do not build that

1     fertilizer factory on our account

2                     I have a letter here from the United  
3     States EPA that says for the siting of another power  
4     plant that was under consideration that you must take  
5     cumulative impacts into account, and it's not just  
6     the cumulative impacts from the coal industry, it's  
7     of all the supporting industries so that you have an  
8     accurate reflection of what the final end result in  
9     that community will be.

10                    Now, some of you may not think that coal  
11     mining is related to power plants, and AMP may say  
12     "We're not a coal company," but it's a facility that  
13     is dependent upon the extraction and the consumption  
14     of coal, and I think that there is a corporate  
15     responsibility to our community for the final result  
16     of what our county will look like.

17                    These are some pictures from a friend  
18     over in Lawrence County whose land recently dropped.  
19     They have been living without water or electricity  
20     for over a year. They bought this land, they're an  
21     older, retired, disabled couple, they don't have the  
22     money to relocate. And I'm telling you, when your  
23     land drops from abandoned mine land activity, there's  
24     no one to turn to. There's no one to sue. Your life



1 savings is gone. And we have a lot of retired people  
2 here in this community. This is not -- this is an  
3 injustice.

4 This was the first mine crack. This was  
5 the second. They moved their home twice, and I'd  
6 like to show you what they're now living in. This  
7 shed. This is their water. This is the water that's  
8 flowing across their land.

9 Now, I have a couple comments I'd like to  
10 read to you after I reviewed pieces of AMP's  
11 proposal. The first thing I would like to do is ask  
12 for an extension in the comment period. I believe  
13 that this is fair and reasonable. The people in West  
14 Virginia have not been public noticed on this  
15 activity, and when you look at that red zone that was  
16 on the map that I showed you of premature deaths,  
17 Meigs County is dead center and, make no mistake, the  
18 Tumor Registrar's office that I work beside, Meigs  
19 County is No. 1 in lung cancer in our adult men.  
20 No. 1 in the state. We are No. 2 in death rates.

21 But that circle extends across the Ohio  
22 border down into West Virginia. These people should  
23 have an opportunity to know what's happening here  
24 because it will impact them directly.

1                   Now, I know that the adjudicatory hearing  
2     has been moved to December 10<sup>th</sup>, so I can't see  
3     where it would cause a hardship for anyone if the  
4     comment period is extended to allow people from West  
5     Virginia to review the permit and comment on how it  
6     will impact them for the next 50 years of their  
7     lives.

8                   I would like to see an evacuation plan.  
9     When they put all the ammonia scrubbers over at  
10    Cheshire, they had a six-minute plan to get  
11    nine miles out of town. Six minutes, nine miles. I  
12    have not seen any kind of public notification system,  
13    you know, that is going to be put in place to let  
14    people know if there are accidents or unplanned  
15    releases. Six minutes, nine miles on a curvy river  
16    road is not reasonable, and I would like to know that  
17    we're going to have better.

18                  My car was recently hit by a construction  
19    worker, it was an accident, but he totaled my car on  
20    Route 7 because there was a truck he couldn't see  
21    around. It was nobody's fault. It could have  
22    happened the other way around. I could have hit him.

23                  But to put overloaded coal trucks on  
24    windy river roads, and they've said either they're

1 going to have to do barges or it will be 550 coal  
2 trucks a day, our community will be having a lot of  
3 safety issues from that.

4 With the cumulative impacts -- I'm going  
5 to give you a letter from the United States EPA, but  
6 some of the supporting industries are the coal mines,  
7 the fertilizer factory, we're talking about putting  
8 in barges to load coal and transport it, and I think  
9 that we really need to look at what the entire  
10 picture of this county will be.

11 Air quality considerations and  
12 monitoring. In order to accurately measure the  
13 health and environmental hazards posed by this  
14 facility, our community needs to have ambient air  
15 monitoring done to determine our actual current air  
16 quality from cumulative impacts. The only monitoring  
17 that is being done is on individual power plant  
18 stacks with no consideration of the crossfire that we  
19 are caught in from multiple existing industries.

20 Releases during shutdown and start-up  
21 times from power plants are the most hazardous, and  
22 they are not measured at all. A typical coal-fired  
23 power plant experiences two to three of these a year.  
24 IGCC shut down and started up 60, from the

1 information that I've read. None of this will be  
2 monitored unless we demand and receive ongoing  
3 ambient air monitoring prior to licensing and after  
4 the facility's operational.

5 Meigs County is the only county in the  
6 state that does not have a listing on the EPA's Toxic  
7 Release Inventory because the industries that have  
8 located beside us are technically not in our county  
9 or state.

10 Industries that are currently impacting  
11 our air quality include two power plants in Gallia  
12 County, two in West Virginia, potentially an IGCC  
13 that already received its siting permit in Meigs, and  
14 an existing manganese/alloy factory beside Philip  
15 Sporn, as well as an aluminum factory that  
16 technically is not in our county or even our state,  
17 but we are breathing those emissions and that was  
18 what was blowing across my farm in the picture that I  
19 showed you.

20 According to the Atlas of Cancer in Ohio  
21 showing incidence in mortality, Meigs is No. 1 in  
22 lung cancer incidence in adult males and No. 2 in  
23 resulting mortalities. We also suffer from  
24 disproportionate asthma and respiratory problems with

1 our children and elderly being the most vulnerable.

2 I have one neighbor who had a lung  
3 transplant that later died, and another one who died  
4 of lung cancer who never smoked. Never smoked.

5 We do not have a hospital within 45  
6 minutes of us which can be a devastating hardship for  
7 families whose children and older family members  
8 experience respiratory health crises from asthma.

9 MR. BENTINE: Your Honor, if I might.  
10 Ms. Young has intervened, and we've gone on 12  
11 minutes now. If she's going to testify here and at  
12 the substantive hearing --

13 MS. YOUNG: I spoke with the examining  
14 attorney, Greg Price, and he said there was no  
15 conflict of interest as long as I spoke from personal  
16 experience.

17 EXAMINER PRICE: Your objection's  
18 overruled. Let her proceed.

19 MS. BOJKO: Mr. Bentine, next time people  
20 in the back would like you to use the microphone so  
21 they can hear your arguments. Thank you.

22 MR. BENTINE: Okay.

23 EXAMINER PRICE: But having said that,  
24 you have gone on, and we did ask everybody to try to

1 keep it to five minutes.

2 MS. YOUNG: Okay. I would also like to  
3 say that I believe that this permit is incomplete  
4 because it does not accommodate in any way, shape, or  
5 form greenhouse gases which will affect much more  
6 than Meigs County residents.

7 And I would like to say that from the  
8 water permit, I have concerns about the water  
9 releases. It said that chromium would be one of the  
10 chemicals released. I would like to know if this is  
11 hexavalent chromium which was responsible for the  
12 contamination in Hinkley, California, that came to  
13 light after Erin Brockovich got involved. And I  
14 would like to know how much of that will be released,  
15 not only for the AMP facility, but also from the IGCC  
16 which the Ohio Power Siting Board has already given a  
17 permit to build a facility and operate.

18 And I just had a couple of things that I  
19 wanted to respond back from things that other  
20 community members said. If AMP were proposing a wind  
21 or hydro facility, I would not object. I would go  
22 after that in a heartbeat, and I would hope that you  
23 would deny this permit and allow them to come back to  
24 the drawing board and to build some kind of a truly

1 sustainable clean technology that will not poison our  
2 children.

3 I have a friend who lives in Florida and  
4 they had a coal-fired power plant proposed in her  
5 community in the Everglades, and she had just come  
6 back -- it was to fuel Disney World, believe it or  
7 not. And she had just come back from a Renewable  
8 Energy Portfolio conference where she said that they  
9 had done experimental hydro off the coast of Florida  
10 and had shown that within three years they could fuel  
11 the entire state of Florida with hydro; no coal. And  
12 if they extend that across the entire coast, within  
13 ten years they could fuel the entire United States.

14 When we were talking about the condition  
15 of the counties around us, I would also like to add  
16 that Gallia County boasts a major sacrifice zone,  
17 Cheshire, Ohio, and they also have a multimillion  
18 dollar cancer center that supports the members of  
19 this region who have contracted cancer from their  
20 exposures.

21 And in terms of sustainability,  
22 eventually this coal will run out, and I think that  
23 we should be taking a lead in developing  
24 sustainability renewable energy solutions that put

1 our people to work and that do not poison us. One of  
2 the colleges near us up at Hocking has a program to  
3 train people to install renewable energy systems;  
4 that is true energy independence.

5 And when people were discussing educating  
6 their children and sending them to college, it's much  
7 easier to do that when they have not been permanently  
8 brain damaged from mercury exposure. Thank you.

9 EXAMINER PRICE: Thank you. Give your  
10 exhibits to the court reporter and we will go ahead  
11 and mark those as Exhibit No. 3.

12 (EXHIBIT MARKED FOR IDENTIFICATION.)

13 MS. YOUNG: Okay. Let me put these in  
14 order for you.

15 EXAMINER PRICE: Do you have any  
16 questions?

17 MR. BENTINE: No.

18 (Witness excused.)

19 EXAMINER PRICE: While she's wrapping up,  
20 the next witness is Dencil R. Hudson.

21 (Witness sworn.)

22 EXAMINER PRICE: Please proceed.  
23 Remember to state your name and address for the  
24 record.



DENCIL R. HUDSON

presented himself as a public witness, and being  
first duly sworn, testified as follows:

DIRECT TESTIMONY

MR. HUDSON: My name is Dencil,  
D-e-n-c-i-l, Hudson, H-u-d-s-o-n. I reside at 1118  
College Street in Syracuse, Ohio.

I've been a lifelong member of Meigs  
County and I am for the AMP-Ohio plant. I have  
worked as a skilled laborer for 23 years, and in 23  
years I would say 20 of those years I've never worked  
in Meigs County. I have to go outside of this county  
to get work.

In the last five years I spent thousands  
of dollars to reside elsewhere so that I can live to  
support my family. And I feel that this plant will  
generate jobs for a lot of people in this county  
including myself, so I am for AMP-Ohio. Thank you.

EXAMINER PRICE: Thank you.

(Witness excused.)

EXAMINER PRICE: John T. Wolfe.

(Witness sworn.)

EXAMINER PRICE: Please proceed.

- - -

1 JOHN T. WOLFE

2 presented himself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MR. WOLFE: I don't want to cause any  
6 fuss, so I'm going to stick strictly to what I wrote  
7 down while I was sitting here, but I would like --

8 THE REPORTER: Excuse me. State your  
9 name.

10 MR. WOLFE: Oh, just a minute, I will.

11 My name is John T. Wolfe. I've lived  
12 under the shadow of power plants since early-1950. I  
13 live at Racine, Ohio. I can spit on Philip Sporn.

14 I am 77 years old and have been granted a  
15 long, healthy life. I too grew up without  
16 electricity. Me and my family milked 30 cows by hand  
17 morning and night; I know what work is. My  
18 10-year-old brother got up before school and milked  
19 cows by hand, 4 in the morning, 4 in the evening. We  
20 needed electricity, but we didn't have it.

21 I expressed my environmental feelings at  
22 Racine on the power plant. Electric and coal are the  
23 future if we want to be independent of foreign oil.  
24 Our young men will not have to go to war to provide

1 oil if we use coal.

2 Home heating costs this winter will go  
3 up. Figures show heating with fuel oil will go up  
4 40 percent; propane gas, 35 percent; natural gas,  
5 20 percent; electricity, 14 percent. What do you  
6 people want?

7 Ladies and gentlemen, and the Power  
8 Siting Board, we cannot afford not to build for now  
9 and the future. I am in favor of the power plant.  
10 Thank you.

11 (Witness excused.)

12 EXAMINER PRICE: Is there anybody who had  
13 previously passed on their opportunity or who has not  
14 signed up that would like to testify at this time?

15 Sir?

16 MR. TITUS: May I speak?

17 EXAMINER PRICE: Sure. Absolutely.

18 (Witness sworn.)

19 EXAMINER PRICE: Please state your name  
20 and address for the record.

21 - - -

22

23

24

1 ROBERT TITUS

2 presented himself as a public witness, and being  
3 first duly sworn, testified as follows:

4 DIRECT TESTIMONY

5 MR. TITUS: My name is Robert Titus,  
6 T-i-t-u-s. I reside at 401 Lincoln Hill Road, in  
7 Pomeroy, Ohio.

8 I've been a resident of this county for  
9 53 years. My father was employed by American  
10 Electric Power for most of his working life. Back in  
11 those days in the early-'40s and '50s plants didn't  
12 do as good of a job of protecting the environment as  
13 they do now. I think they've made great improvements  
14 in pollution control technology both with particulate  
15 matter, nitrogen oxide, and sulfur dioxide.

16 I realize that there is no free lunch  
17 when it comes to producing electric energy. The  
18 nuclear option, you have radioactive residue, and  
19 with coal-fired generation you have particulate  
20 matter and gaseous emissions as well.

21 I believe if we're going to maintain a  
22 strong economic and industrial base in this country,  
23 we need affordable electrical energy.

24 I also believe that the utilities have a

1 responsibility to protect the environment as well as  
2 protecting the general public health and well-being,  
3 and I think the utility companies of this era are  
4 beginning to recognize that and are genuinely trying  
5 to do a better job of protecting the environment.

6 I believe that the Ohio Power Siting  
7 Board should go ahead and approve the permit for the  
8 facilities proposed by AMP-Ohio, and I just hope that  
9 all parties concerned can somehow find a way to live  
10 and work together. Thank you very much.

11 EXAMINER PRICE: Thank you.

12 (Witness excused.)

13 EXAMINER PRICE: Once again, is anybody  
14 else interested in speaking tonight?

15 Sir? Please. You can be next.

16 (Witness sworn.)

17 EXAMINER PRICE: Please state your name  
18 and address for the record.

19 - - -

20 BILL QUICKEL

21 presented himself as a public witness, and being  
22 first duly sworn, testified as follows:

23 DIRECT TESTIMONY

24 MR. QUICKEL: My name is Bill Quickel,

1 Q-u-i-c-k-e-l. I am a lifelong resident of this  
2 area. I grew up in the shadow of Kyger Creek Power  
3 Plant. I have always lived here in Meigs County for  
4 approximately 30 years, so I also, by being in  
5 Cheshire, know what Gavin has done.

6 Gavin has had a lot of problems over the  
7 years. You know, things are fixed. Technology's  
8 moving on. Things are getting better. And I speak  
9 on behalf of myself; it's like election day, however  
10 many you think you represent, only one vote's given  
11 here, mine is the one vote here.

12 I believe that the site that the proposed  
13 plant's been on is minimum population. I believe we  
14 will have a minimum property impact to the area. I  
15 believe that AMP will be a good neighbor to everyone  
16 in this room. I believe also that the municipalities  
17 that belong to AMP are interested also in fair  
18 pricing for all of their residents, and we do need  
19 fair pricing for our electric bills. I particularly  
20 don't want my bill to go up anymore, I want to see  
21 the thing go down.

22 New technology is constantly being  
23 improved, and I also think this plant as it's being  
24 built will be improved, the same as Gavin is being

1 improved each and every year. We're seeing scrubbers  
2 added. We're seeing the environment cleaned up.

3 And some of these things has to come out  
4 of the lab. Yes, there's been technology for the  
5 small things. It's got to come off the lab floor and  
6 out and be put into practice to find out is it going  
7 to work or not. Well, let's see if it's going to  
8 work. I think the improvements being made daily are  
9 going to be an added benefit to this plant.

10 We speak of alternate energy. We say  
11 wind power, yes. I know when all of the big fans  
12 were put up north, everybody complained about the big  
13 fans. They got the big fans in West Virginia. We  
14 can't get enough big fans to produce the kind of  
15 energy that America requires.

16 Solar. How many acres of panels do we  
17 need to produce the energy to keep America running?

18 Hydro. AMP has already proved that they  
19 are a benefactor of hydro, they have one here. I  
20 understand they're also looking at going onto the  
21 Robert C. Byrd plant.

22 Yes, I do believe that we need to protect  
23 the environment. I believe that the environment is  
24 being well looked after by those here, those in

1 Columbus, and those in Washington. I also believe  
2 that there is global warming, but in watching the  
3 History Channel last night I also believe that the  
4 sun has a lot to do with this, and the solar flares  
5 for the miners and the majors in this 11-year cycle.  
6 So are we at the beginning or the end of the 11-year  
7 cycle for warming or not?

8           We want to worry about something? Let's  
9 worry about deforestation in other countries. I am  
10 an avid boater. I believe the river right now is  
11 cleaner than it was 30 years ago. I also know that  
12 on one of the local television stations they did a  
13 fishing expedition just a few years ago, caught fish  
14 out of the Ohio River and also the Kanawha River,  
15 took it to a chemist, asked that chemist what he  
16 thought of these fish, and he said, "I would eat  
17 them."

18           And then the interviewer asked the big  
19 question: "Would you feed those fish to your  
20 children?" And he said, "I wouldn't have a problem  
21 with doing that at all." So our environment is  
22 cleaning up.

23           If you look in our own county right now,  
24 we have an overabundance of wildlife. If you do not



1 see a deer on the way home tonight, I will give you  
2 \$5. We have turkey. We have beaver. We have  
3 coyotes. We have a sighting of a wolf. We have  
4 sighting of bears. We have waterfowl everywhere,  
5 along with all these other animals.

6 Some people just want to fight about  
7 every kind of improvement that comes down the pike.  
8 Any kind of industry that will come to an area is  
9 going to be fought by some group because it will have  
10 some kind of impact to that area.

11 We've been fighting over our roads. We  
12 finally have roads. We've been fighting over -- any  
13 kind of industry that would walk into this area,  
14 somebody is going to have opposition to it. Some are  
15 just born to complain. And some would argue if you  
16 hung them with a new rope.

17 Alternate jobs. Yes, I believe there are  
18 alternate jobs to be had out there, and I think if  
19 we're worrying about lead, then you stay out of  
20 Wal-Mart and quit buying lead toys from China.

21 I fully support the building of this  
22 plant in Meigs County. I believe it will have a  
23 positive impact to the community. I believe it will  
24 not have an adverse impact to our environment. Thank

1     you.

2                   EXAMINER PRICE:   Thank you.

3                   (Witness excused.)

4                   EXAMINER PRICE:   I believe we had another  
5     member of the public back there.   I believe you were  
6     interested -- yes.

7                   (Witness sworn.)

8                   EXAMINER PRICE:   Please state your name  
9     and address for the record.

10                                   - - -

11                                   LISA PROFFITT

12     presented herself as a public witness, and being  
13     first duly sworn, testified as follows:

14                                   DIRECT TESTIMONY

15                   MS. PROFFITT:   Lisa Proffitt, 23033  
16     Brimstone Road, Coolville, Ohio.   I live right on the  
17     Meigs County line.

18                   I am for this new power plant.   I am a  
19     single mother.   I work for the Ohio Operating  
20     Engineers Local 18 out of Ohio.   For the past 2 years  
21     I have been able and fortunate to work very close to  
22     home.   I am able to put my kids on the bus, get them  
23     off the bus, because I work at a power plant close to  
24     my home.

1           There are many of us union members that  
2 have to go away from home two to three to four hour  
3 drives every night. We don't have time to be with  
4 our family. We're lucky to have weekends off.

5           If this power plant goes, there will be a  
6 lot of us union members and people who live in the  
7 community close that will be able to spend time with  
8 their family, raise these children right, keep the  
9 children out of detentional schools/homes.

10           A lot of our community members are very  
11 unemployed. A lot say that it's because they don't  
12 have no jobs around here. Let's give them a reason  
13 to go out and work.

14           That's all I have to say.

15           EXAMINER PRICE: Thank you.

16           (Witness excused.)

17           EXAMINER PRICE: Is anybody else  
18 interested in testifying at this time? Going once.  
19 Don't be shy. Twice.

20           Thank you all for coming tonight. With  
21 that, this public meeting will be adjourned. Thank  
22 you.

23           (Thereupon, the meeting concluded at 8:03  
24 p.m.)

## CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, November 1, 2007, and carefully compared with my original stenographic notes.

Maria DiPaolo Jones  
Maria DiPaolo Jones, Registered  
Diplomate Reporter and CRR and  
Notary Public in and for the  
State of Ohio.

My commission expires June 19, 2011.

(MDJ-3098)

- - -

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EXHIBIT

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Case No: American Municipal Power: 06-1358-EL-BGN

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Case No: American Municipal Power: 06-1358-EL-BGN

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Case No: American Municipal Power: 06-1358-EL-BGN

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Case No: American Municipal Power: 06-1358-EL-BGN

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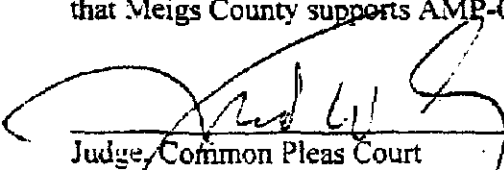
As residents and elected officials in Meigs County, we'd like to express our support for the American Municipal Power generating station that is proposed for Letart Township. We believe this is a positive step for our community, for our economy, and for future energy needs.

AMP-Ohio has been an outstanding partner thus far in the process. They have been open, informative, and forthcoming with the community about the project, have readily sought input on their plans, and have quickly become valued members of our community. We could not ask for a better corporate citizen to locate in our area.

The community is very supportive of the project and the economic impact it will have in our county. Meigs currently has the highest unemployment rate in Ohio, and has been consistently in the top five in this dubious category for several years. The new jobs and investment that this project brings will be a welcome addition to the county.

We are also very happy with the clean coal technology that AMP will utilize at this facility. This area of Ohio understands coal and power plants, and we appreciate how this facility will be far cleaner than any other plant in the area.

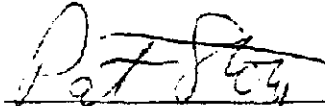
We would be happy to speak with you further about the project, and want you to know that Meigs County supports AMP-Ohio and this project.


  
Judge, Common Pleas Court

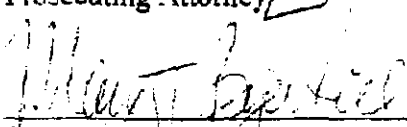
  
Judge, County Court

  
Judge, Juvenile Court

  
Judge, Probate Court

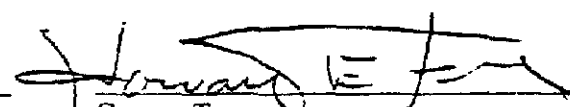
  
Prosecuting Attorney

  
Clerk of Courts

  
County Auditor

  
County Engineer

  
County Recorder

  
County Treasurer





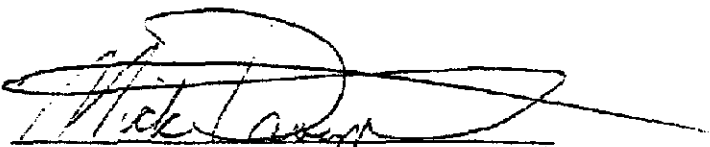
As residents and elected officials in Meigs County, we'd like to express our support for the American Municipal Power generating station that is proposed for Letart Township. We believe this is a positive step for our community, for our economy, and for future energy needs.

AMP-Ohio has been an outstanding partner thus far in the process. They have been open, informative, and forthcoming with the community about the project, have readily sought input on their plans, and have quickly become valued members of our community. We could not ask for a better corporate citizen to locate in our area.

The community is very supportive of the project and the economic impact it will have in our county. Meigs currently has the highest unemployment rate in Ohio, and has been consistently in the top five in this dubious category for several years. The new jobs and investment that this project brings will be a welcome addition to the county.

We are also very happy with the clean coal technology that AMP will utilize at this facility. This area of Ohio understands coal and power plants, and we appreciate how this facility will be far cleaner than any other plant in the area.


We would be happy to speak with you further about the project, and want you to know that Meigs County supports AMP-Ohio and this project.



Mick Davenport  
Meigs County Commissioner



Jim Sheets  
Meigs County Commissioner



Michelle Donovan  
Meigs County Chamber of Commerce

**Ohio Siting Board Hearing  
American Municipal Power Coal Plant  
Letard Falls, Ohio  
November 1, 2007**

**My name is Loraine McCosker.  
59 Elmwood Place  
Athens Ohio, 45701**

I live 38 miles from the proposed coal plant.  
I have worked as a community health and school nurse for fifteen years.  
These are my personal comments.

### **Three points**

Why place this plant so far away from the municipalities it will service?  
Does the Ohio Siting Board provide overview of the transmission lines?  
Is this the only economic development that can be offered to Meigs County.  
It does not look at the cumulative effects of air quality impacts of all surrounding power plants.

### **Air Quality impacts**

The Ohio River Valley from Cincinnati to Pittsburg hosts 42 major coal-fired power plants with more per square mile than anywhere else in the nation. This area is known as America's Electric Breadbasket due to the availability of coal and water resources. This has resulted in air quality issues as high particulates, mercury and the release of sulfur dioxide, nitrous oxide and carbon dioxide.

The proposed plant is requested an air permit to release heavy concentrations of pollutants into an atmosphere impacted by the toxic soup of air pollutants. Currently there are four coal-fired power plants, J.M. Gavin, Mountaineer, Phillip Sporn and Kyger Creek, all within 10 miles of Letart Falls.

The recent 4.6 billion settlement with AEP indicates the regulatory strength of the clean air act and the need for regulatory guidelines. This settlement will reduce pollution by 1.6 billion pounds each year through 2018, and save \$32 billion in annual health costs to treat lung and respiratory problems.

### **Children and pollution**

Children have a higher breathing rate than adults relative to their body weight and lung surface area. This results in a greater dose of pollution delivered to their lungs. Most biological air pollution damage is related to the dose of pollution inhaled in relation to the body weight and surface area of the target organ.

The American Academy of Pediatrics issued a policy statement in 2004. Air pollution is now recognized as an important problem, both nationally and worldwide. Our scientific understanding of the spectrum of health effects of air pollution has increased, and numerous studies are finding important health effects from air pollution at levels once considered safe. Children and infants are among the most susceptible to many of the air pollutants. In addition to associations between air pollution and respiratory symptoms, asthma exacerbations, and asthma hospitalizations, recent studies have found links between air pollution and preterm birth, infant mortality, deficits in lung growth, and possibly, development of asthma.

### **Global Warming and AMP capabilities to capture carbon**

I would like to remind the Ohio Siting Board and attendees that the Intergovernmental Panel on Climate Change and Al Gore were awarded the Nobel Peace Prize in past weeks. We all know the planet is changing. We talk about it in terms of the weather, fires, floods, crops. But it is changing and it is due to our life styles and carbon outputs.

The AMP plant would not capture carbon at its start up. The AMP plant would emit as least 7.3 million tons of CO<sub>2</sub> into the Atmosphere. AMP has no legal commitment to capture and sequester CO<sub>2</sub> emissions. The question remains whether AMP performed test studies to assess whether carbon capture is possible in this region prior to the siting and permitting applications.

The United States Supreme Court has ruled that Carbon Dioxide is a pollutant that must be regulated. Thus the very act of issuing such an air permit to AMP would appear to violate this ruling.

On October 9, 2007 the Sunflower Power Plant in Kansas was denied its air permit due to the requested carbon dioxide releases. The permit was rejected by Roderick L. Bremby, Secretary of the Kansas Department of Health and Environment (KDHE), on the basis of potential public health and environmental harms from plant pollution.

To quote the secretary of Health in Kansas:

"I believe it would be irresponsible to ignore emerging information about the contribution of carbon dioxide and other greenhouse gases to climate change and the potential harm to our environment and health if we do nothing."

### **Green House gas controls**

There have been many efforts to decrease global warming green house gases.

The Sierra Club has implemented a Cool Cities program. There are approximately 660 cities across the country that have signed this pledge to decrease greenhouse gas emissions to 10% or more of 1990 levels. The City of Athens has signed such an

agreement that involves community members, the city administration, businesses, chamber of commerce, churches and schools.

Similarly, Ohio University has signed the presidents climate agreement that pledges the carbon neutrality of this institution. Over 300 colleges and universities around the country have signed such an agreement.

In January 2007 Governor Strickland signed HB 251 which mandates that public institutions decrease green house gas emissions by specific time periods. Recently Ohio University sponsored this forum for representatives and facilities managers of public institutions of higher learning.

And presently, the Energy Bill is in development and deliberation at the State House. Energy Efficiency is considered to be the low hanging fruit. Within the bill there is a 25% renewable energy component. Although this includes 12.5% clean coal and nuclear the momentum from these measures is clear. Society is moving forward in reducing its reliance on dirty coal technology for generation of energy. We will achieve these measures through smart technology and a new approach to solving our energy needs. We do not need to destroy our present life ways, pollute our air and waters to achieve our energy needs. Is is therefore superfluous to build such a pulverized coal plant at a moment when we are at the brink of change. Such a air permit would violate the opportunities before us.



## **AMP-OHIO SITING HEARING CONCERNS AND OBJECTIONS:**

**Elisa Young  
48360 Carmel Road  
Racine, Ohio 45771  
(740)-949-2175  
(740)-416-2694  
elisayoung1@yahoo.com**

### **Extension of Comment Period**

I would respectfully ask the Ohio Power Siting Board to extend the comment period for AMP's siting application.

Ending the comment period on October 31, the day before this public hearing, does not give residents and impacted community members an opportunity to hear the information provided through testimony at tonight's hearing and submit comment.

AMP's application lists residents of our neighboring counties in WV as those potentially impacted. Considering the Ohio River would receive planned discharges and that the prevailing wind blows across Jackson and Mason Counties, and air still freely travels between us, West Virginians should be aware that this application is under consideration and also have an opportunity to submit comment. The PUCO is not required to public notice a comment period in WV, but extending the comment period would provide time for people to be made aware and submit comment on a facility that would potentially impact them for the next 50 years.

Since the Adjudicatory hearing has been rescheduled from November 8<sup>th</sup> to December 10, I don't think extending the comment period by a few weeks or a month would be unreasonable.

### **Questionable Funding**

I recently visited the Oberlin City council to express to them what the health and environmental impacts our community would mean should a concentration of additional power plants and extraction industries be allowed to proceed.

Their council decided through a split vote of 4-3 in favor of signing a contract with AMP Ohio, but only voted "yes" to buy time to do their own independent studies to determine if it was really necessary to tie into such a long-term, risky contract to provide their base load of electricity.

Representatives present told them, and I'm assuming other communities as well, that if they initially voted "yes" for the contracts by a November 1 deadline, that they could back out by March 1<sup>st</sup> without penalty.

I do not believe that the contracts that AMP has currently received are necessarily an accurate reflection of these municipality's commitment for this facility, and if there is any determination to be made by the PUCO based on the accuracy of total contractual agreements taken into consideration for permission to build this facility, a decision should not be undertaken until all of the contracts are final.

#### **Application Incomplete**

I believe that the application that AMP has provided is incomplete, as it does not take global warming from CO2 emissions into account - which the US Supreme Court recently ruled to acknowledge as a pollutant.

#### **Evacuation Plan**

I read in AMP's application that they may use ammonia scrubbers on the facility. When these type of scrubbers were proposed in Cheshire, there was a 6 minute evacuation plan for people to get 9 miles out of town. I do not see any provision for Ohio and WV community notification in the event of accidents, explosions, unplanned releases or any emergency evacuation plan in place.

Investing in efficiency to reduce our electricity consumption and shifting to renewables would represent a minimum adverse environmental impact. I am including a list of concerns from one of our recent Meigs CAN meetings listing community concerns regarding the expansion of coal-dependent technologies in our community.

### **Probable Environmental Impacts**

#### **Cumulative Impacts**

If all of the proposed power plants go through, we would have 9 power plants in an approximate 10-mile radius of where my family has lived for many generations. It would potentially be the largest concentration anywhere in the United States. We received the land in return for land grant payment for military service in the Revolutionary War. Moving to another piece of land to accommodate an unnecessary polluting industry is out of the question.

I am submitting a copy of a letter from the United States EPA in reference to cumulative impacts for the siting of another power plant that states past, present, and reasonably foreseeable actions must be taken into siting considerations:

"For instance, we note there are several large new projects proposed in the Iron Range, including the PolyMet mine and facilities, the proposed Minnesota Steel Industries, taconite mine and steel mill, and the Mesaba Nugget operation near Hoyt Lake. The DOE's cumulate analysis should evaluate the mesaba Energy Project's contribution to overall impacts on resources in the area.

The Meseba Energy Project EIS should describe potential secondary and indirect impacts from the addition of a new power plant in the area."

**Cumulative impacts from supporting industries that should be taken into consideration in Meigs include existing power plants, landfills, the fertilizer factory AMP is proposing, extraction impacts for coal from the mine nearly adjacent to the facility, loading docks, coal barges, traffic, and safety issues.**

**In the case of the proposed fertilizer factory, our public drinking water supply routinely tests positive for unsafe levels of nitrates, a carcinogen, which are attributable to fertilizer and the high nitrogen content found in coal combustion waste. Can our community handle that much more? Are the waste facilities they are proposing sufficient? Since scrubbers were added to power plants in Gallia and Mason counties, the waste production has tripled and new strip mines are being opened to accommodate the additional waste.**

#### **Air Quality Considerations and Monitoring**

In order to accurately measure the health and environmental hazards posed by this facility, our community needs to have ambient air monitoring done to determine our actual current air quality from cumulative impacts. The only monitoring that is being done is on individual power plant stacks, with no consideration of the cross-fire we are caught in from multiple existing industries. Releases during shut down and start up times from power plants are the most hazardous and are not measured at all. A typical coal-fired power plant experiences these 2-3 times a year. IGCC's shut down and start up about 60 from the information I've read. None of this would be monitored unless we have ongoing ambient air monitoring.

Meigs County is the only state in Ohio that does not have a listing on the EPA's Toxic Release Inventory site because the industries that have located beside us are technically not in our county or even state. (See map of existing Ohio River power plants)

Industries that are currently impacting our air quality include 2 power plants (Gavin, Kyger Creek) across the Gallia County at Cheshire; 2 WV power plants (Mountaineer, and Philip Sporn), potentially an IGCC which has been granted a siting permit in Meigs, an existing manganese/alloy factory (Fellman's) beside Philip Sporn, and an aluminum plant that technically not in our county, or even our state. But we are breathing the emissions. I have pictures of those emissions blowing across my farm from Cheshire.

According to the Atlas of Cancer in Ohio showing incidence and mortality, Meigs is #1 lung cancer incidence in adult males and #2 in resulting mortalities. We also suffer from disproportionate asthma and respiratory problems, with our children and the elderly being most vulnerable.

I have one neighbor who had a lung transplant that later died, and another who died of lung cancer who never smoked. We do not have a hospital within 45 minutes of us, which can be a devastating hardship for families whose children and older family members experience respiratory health crises from asthma.

We spend thousands of dollars annually per student to educate children with neurological problems and learning disabilities which are attributable to mercury exposure. Concentrating more power plants would be a gross injustice. The four power plants around us released almost 2000 pounds of mercury the year I set up permanent residence on the farm. Cumulative impacts must be taken into consideration.

Ohio has the worst air quality in the nation and Meigs County is in the center of the red zone that encompasses OH and WV for premature death rates attributable to PM 2.5 exposures (See Clean air Task force map), which are generated by coal-fired power plants. We must have ambient air monitoring prior to the siting of any additional power plants, not averaged modeling numbers provided by the industry that would profit from siting here. And we need ongoing ambient air monitoring to insure our health and safety.

AMP's draft air permit only lists PM10 numbers, which does not reflect the respiratable particulates responsible for compromised health and premature death, which is much smaller. PM 2.5 are the particulates that penetrate our lung tissue and enter the blood stream, and those are the particulates that must be monitored prior to siting consideration.

### **Water**

In the 401 permit that I glanced through, it listed chromium as one of many chemicals that would be discharged into our community. I would like to know if this is C6, or hexavalent chromium, whose health impacts were brought to light in Hinkley, California, by an unemployed single mother – Erin Brockovich.

Our public water wells are repleted by the Ohio River. We have the largest drinking water district in the state, and there are no alternative drinking water supplies. At all costs our water must be protected.

What type and how much chromium and other potential contaminants would be released from AMP, the IGCC (that the OPSB has already granted a PTI to), and the 4 existing power plants around us? Our public drinking water supply is already contaminated with C8 from Dupont, and our private drinking water supplies must be protected.

### **Farming**

I live on a farm that has been in our family for many generations, and I would like to set up sustainable, organic farming operations. Clean air, land, and water are fundamental to pursuing any of the dreams I have for our family's land.

### **Greenhouse Gases**

Without taking cumulative impacts from CO2 releases, or greenhouse gases, which the United States supreme court recently ruled is a pollutant, this application is incomplete. We recently have experienced massive deer die-offs because of record high fall weather. 92 degree weather in October in Meigs County is unheard of. A parasite that is usually killed by the first cold snap spread, infected, and killed hundreds of deer that had to be hauled out of the county at taxpayer's expense. Hunters are being told not to eat the deer.

Whether the record high temperatures were a fluke or part of a larger global warming trend, only time will tell. But it illustrated for Meigs Countians that the difference in temperature effects everything down to the size of an amoeba in ways that we would never think of. CO2 and global warming impacts must be considered in any construction and operation of additional coal-fired power plants.

We have been told that carbon sequestration may be coming down the road, but this is also risky, unproven technology on the scale that would be required to accommodate the emissions for a power plant the size of AMP, which further jeopardizes our health and environment.

We have the largest carbon sequestration test site directly across the river from our village. The Future Gen alliance abandoned their carbon sequestration project here because they were unwilling to assume the risk of inducing seismic activity. Two out of three of the geological stratifications they were testing for stability crumbled during testing according to their lead scientist, Neeraj Gupta.

What could go wrong with a carbon storage project? Geologists list some worst-case scenarios:

- A large CO2 plume escapes and forms a deadly cloud in a low-lying area on a still night -- an event not unlike what happened in those African lakes.
- CO2 escapes its underground reservoir via fault or fracture and acidifies soil and water. Researchers wonder if CO2 might spark acidic reactions underground that create pathways for water and gas to escape to the surface.
- An earthquake. In the mid-1960s, a hazardous waste injection triggered a 5.5 earthquake in Denver.

You can view slides at: <http://www.westgov.org/wga/initiatives/cdeac/index.htm> - Look for Aaron Koopman from Ramgen [www.ramgen.com](http://www.ramgen.com) also said:

- **CO2 Compression Power 12-15% of net output**
  - **CC&S capital \$1250-1500/kW**
  - **15% reduced output**

**Endangered species:**

On the study of amphibian species stated that the Eastern Spadefoot Toad was heard within the proposed site vicinity by Dr. Scott Moody from Ohio University in 2006. Since the proposed site area was determined to be a potential habitat for the species by Mr. Jeff Davis from the ODNR, AMP was asked to do locate potential mitigation locations.

I understand from the AMP 401 permit that the study for endangered species is incomplete for the determining the presence and habitat of the Indiana bat, and that it will take 3 years to complete beginning in Spring of 2007.

When the clearcutting of forests began in the late fall along Yellowbush Creek in preparation for the siting of a surface mine, coal prep plant, sediment, and sludge impoundments, I noticed bats flying across the road in front of my car at a time when they should have been hibernating.

Multiple sites are being simultaneously developed for proposed power plants and concentration of their supporting industries in the local area which include coal mining, barge loading facilities, transportation routes, waste landfills, and fertilizer factories. In order for this application to be deemed complete, the studies on native species need to be complete, and there must be a concerted effort to investigate the cumulative impacts from the concentration of these industries regarding the cumulative outcome of the conditions developed in the county, as to whether we it will be suitable to support the continued existence of these native species. For example, how will the dredging of the river for both AMP's and AEP's IGCC proposal, which has already received siting permission, impact the Ohio River and our drinking water quality both during construction and after these facilities would be operational? Unless cumulative impacts are taken into consideration, this application is incomplete and unacceptable.

In targeting municipalities to invest in signing 5-year contracts to purchase the megawatts that would be produced, AMP has done studies that reportedly showed an increased need for coal-fired energy generation and consumption, despite the fact that Ohioans decreased their energy consumption by 4% last year.

If the public utility commission's purpose to balance or safeguard Ohioan's interests rather than industry's, I think there should be an unbiased study done showing what our actual future electricity needs will be and see if those needs can be met by efficiency programs and investment in clean, renewable energies that do not further fuel the devastation that is spreading across Appalachia by the coal industry and coal-dependent technologies.

\* IF AMP WERE PROPOSING WIND OR HYDRO I WOULD NOT OBJECT

\* GALLIA CO. ALSO BOASTS A MAJOR SACRIFICE ZONE - CHESHIRE - TO SUPPORT COAL INDUSTRY, AS WELL AS A MULTIMILLION DOLLAR CANCER CENTER.

\* EVENTUALLY THE COAL WILL RUN OUT. WE SHOULD BE MAKING TAKING THE LEAD IN DEVELOPING SUSTAINABLE RENEWABLE ENERGY SOLUTIONS THAT DON'T POISON US.

\* EDUCATING OUR CHILDREN IS MORE CHALLENGING WHEN THEY HAVE BEEN PERMANENTLY DAMAGED BY MERCURY EXPOSURE.

\* WHEN I HAVE CALLED THE LOCAL AMP OFFICE, I HAVE BEEN UNABLE TO REACH A PERSON. THE CALLS WERE RETURNED FROM COLUMBUS AND I WAS TOLD THE LOCAL EMPLOYEE WORKS FROM HOME.

**Premature Mortality Risk Attributable to PM<sub>2.5</sub>, Based on 2002 Monitoring**

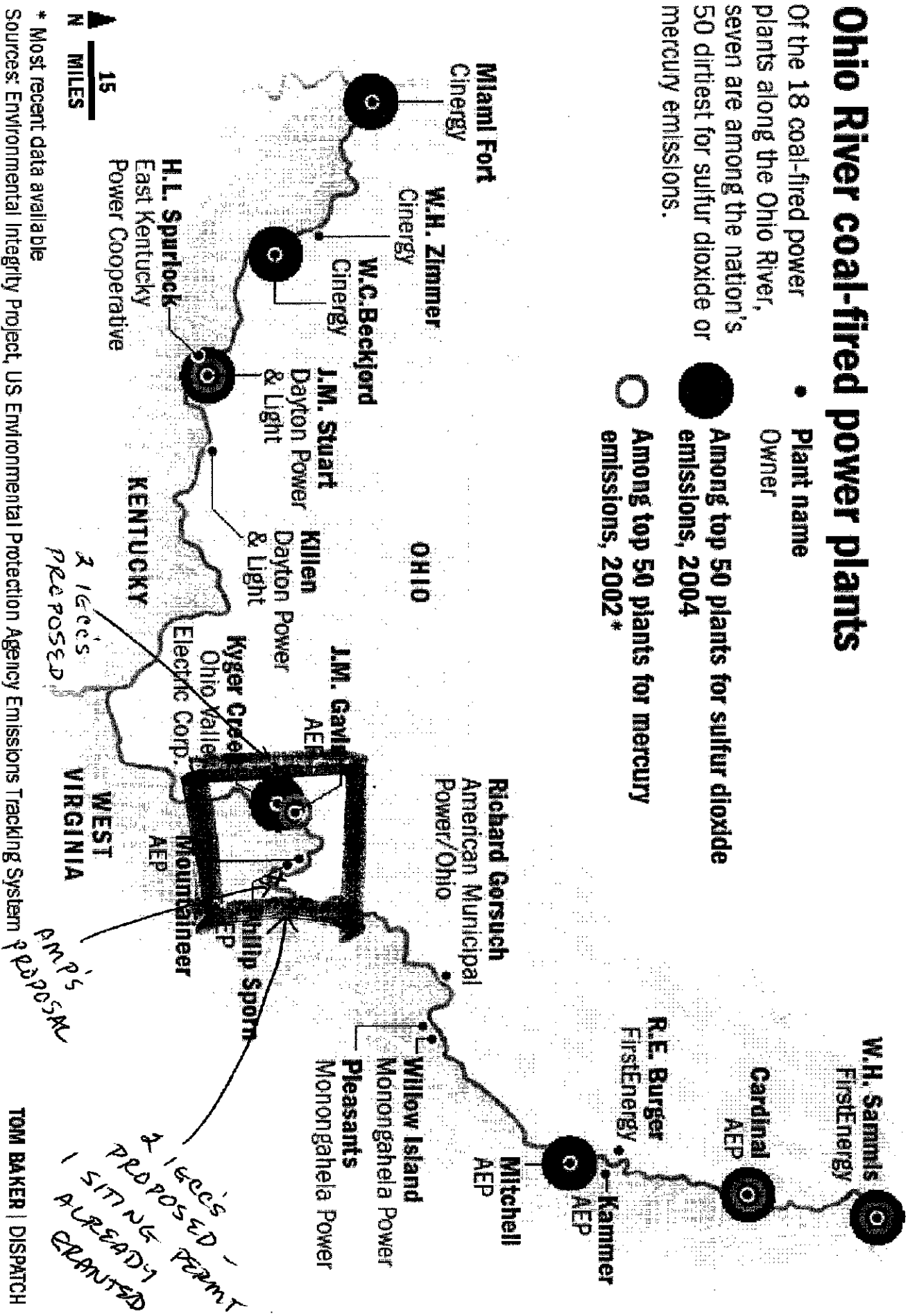




# Ohio River coal-fired power plants

Of the 18 coal-fired power plants along the Ohio River, seven are among the nation's 50 dirtiest for sulfur dioxide or mercury emissions.

- Plant name
- Owner
- Among top 50 plants for sulfur dioxide emissions, 2004
- Among top 50 plants for mercury emissions, 2002\*



\* Most recent data available

Sources: Environmental Integrity Project, US Environmental Protection Agency Emissions Tracking System

TOM BAKER | DISPATCH



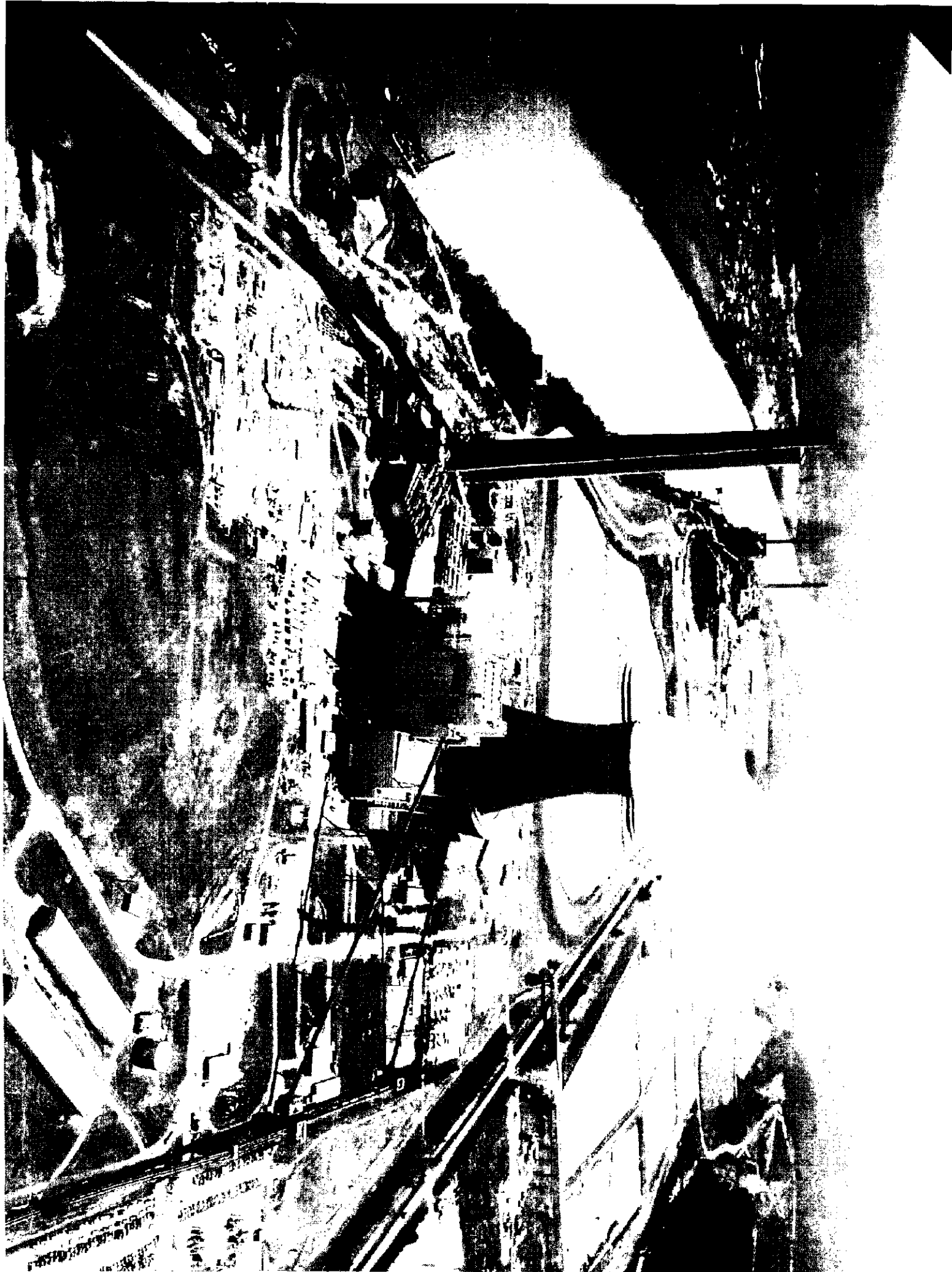
- ASR CUBO PARTICIPANTS AND GENERATION FACILITIES
- ▲ Western Baseload Generation
  - ASR Cubo Owned/Operated Generation
  - ☆ ASR Coal Generation
  - ☆ ASR Gas Generation
  - ASR Gas Turbine
  - Nuclear Peaking or Black-Start Generation
  - ASR Diesel Generation
  - General Generation Station
  - Hydroelectric Generation
  - ASR-Cuba Electric Vehicle Generation
  - ▲ CUBO Air Wind Farm

© American Electric Power Co., Inc. 2007-09-25

WYNN, VA  
CITY

VIRGINIA

BRAND







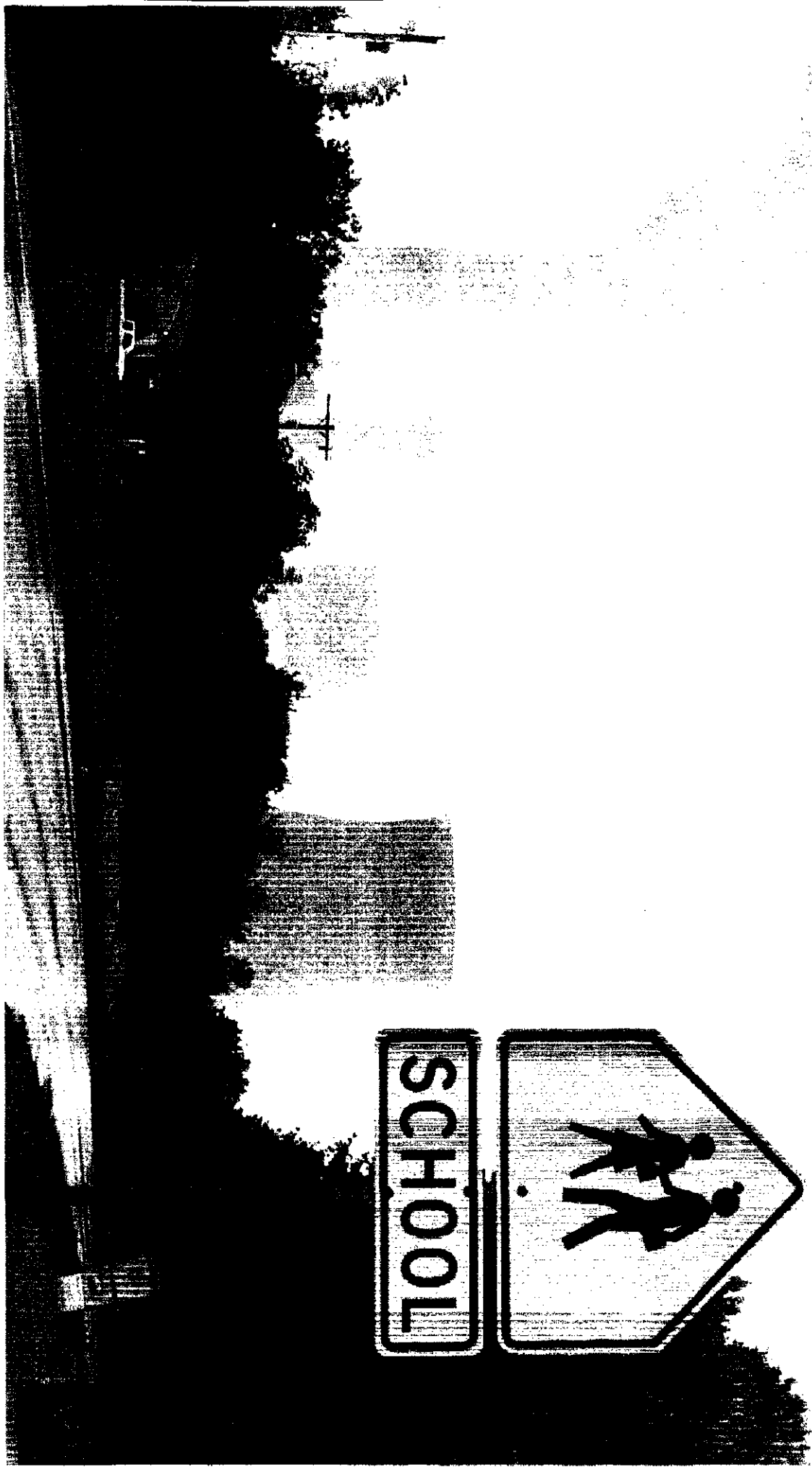












# SOUTHERN ELEMENTARY SCHOOL

FEBRUARY

8 INTERIMS

20 NO SCHOOL

10 VALENTINE PARTY

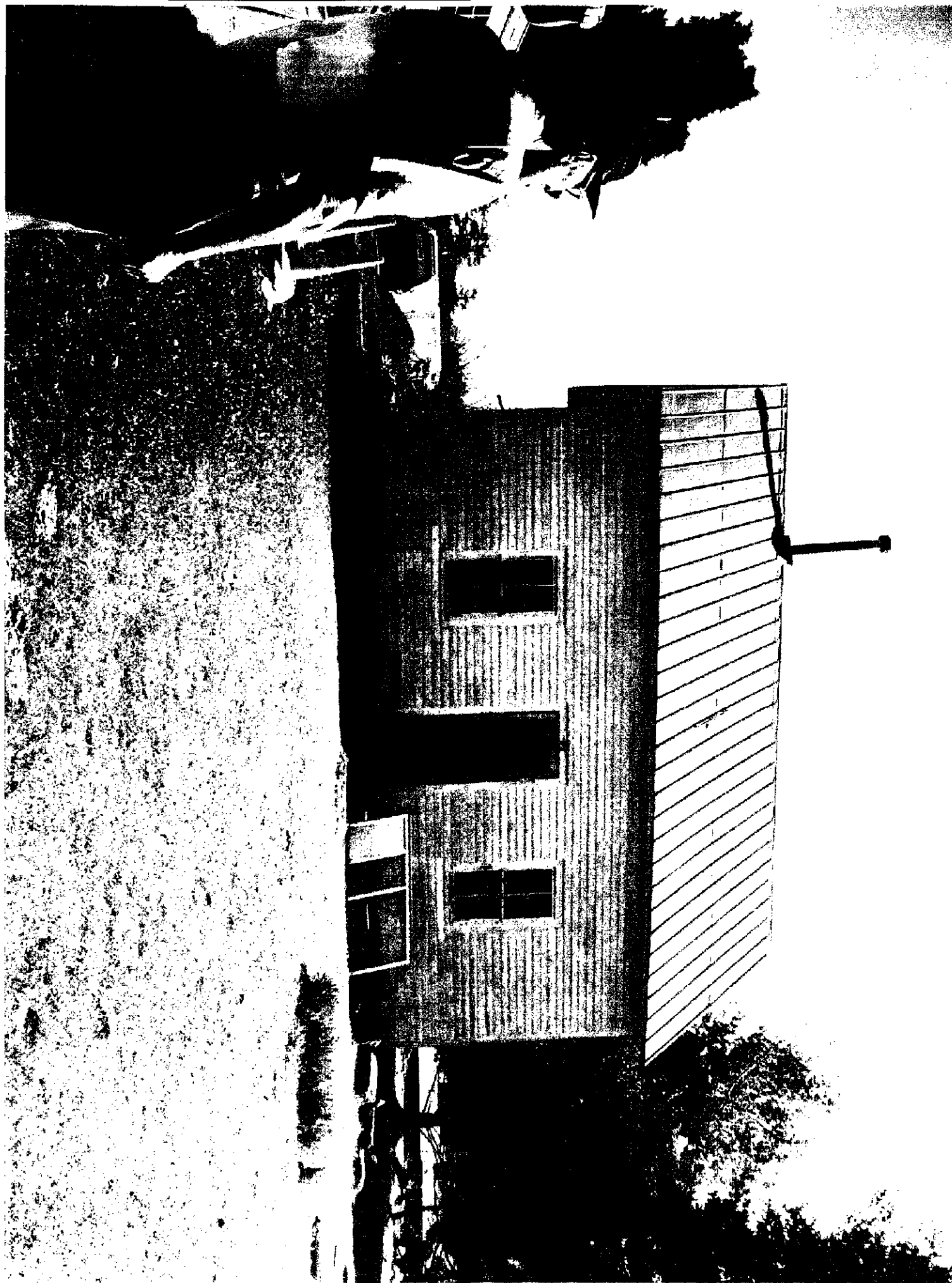
28 STAR SEARCH

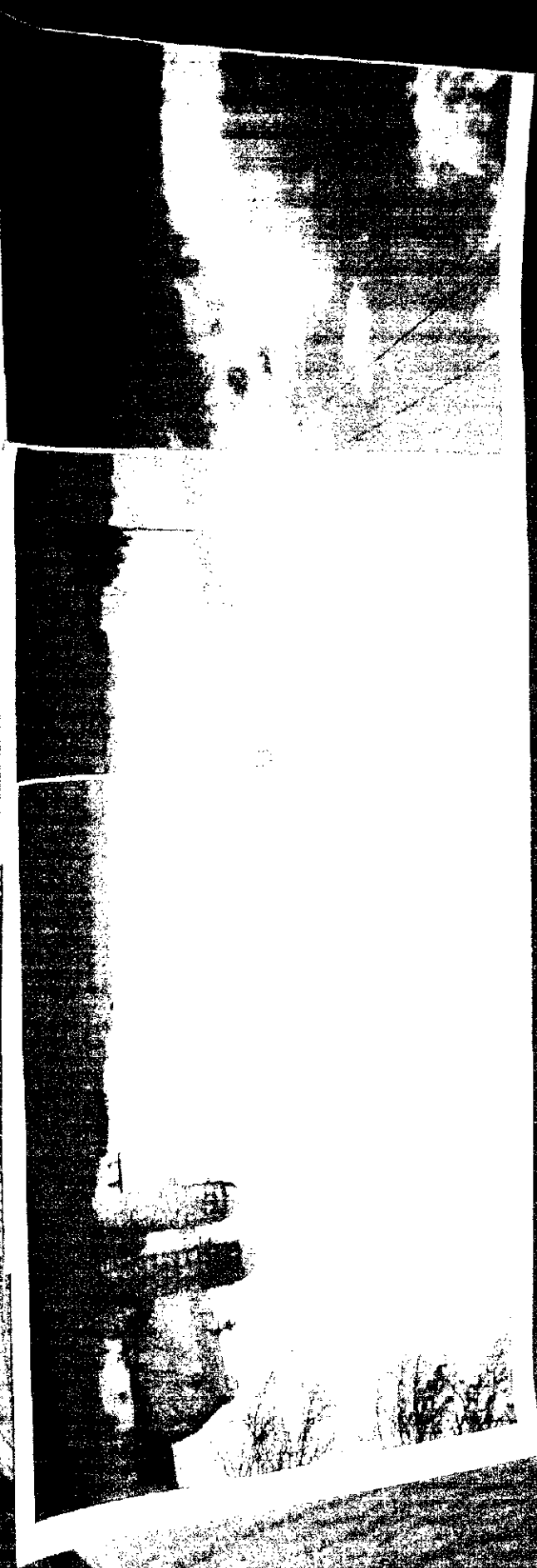
15 PT CONFERENCE

18 SCIENCE FAIR

#7A









UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGIONS 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 14 2005

REPLY TO THE ATTENTION OF

B-19J

Richard Hargis  
NEPA Document Manager  
National Energy and Technology Laboratory  
U.S. Department of Energy  
626 Cochran's Mill Road - P.O. Box 10940  
Pittsburgh, PA 15236-0940

**RE: Mesaba Energy Project - Comments on the Environmental Impact Statement Scope**

Dear Mr. Hargis:

The U.S. Environmental Protection Agency wishes to offer comments on the scope of the Environmental Impacts Statement (EIS) for the proposed Mesaba Energy Project. The proposed project, which is financially supported by the Department of Energy (DOE) Clean Coal Power Initiative Program (CCPI), is a coal gasification combined cycle electric generating facility in the northern Minnesota Iron Range area. In addition to the electric generating facilities, the project also includes high voltage transmission infrastructure (some of which exists already), intakes from and discharges to surface waters, gas pipeline connections, and connections to road and rail road corridors. We realize the Notice of Intent (NOI) in the Federal Register gave the comment deadline as November 14, 2005. We apologize for the lateness of these comments. We hope your agency will consider these comments and find them useful for planning the EIS. For the most part, our comments are general, given that the project background and information in the NOI is general. Most of our comments apply to all media, such as water, air, wetlands, land resources, and wildlife, as well as impacts to regional economics and population. In some cases as noted, however, the comments are specific to an environmental resource.

We concur with the general list of environmental issues in the NOI, and recommend that all be retained for analysis. The U.S. EPA encourages a thorough evaluation of all environmental impacts. Because the proposed project is a coal-fired power plant, careful analysis of impacts to air quality and Class I areas is of particular importance. In addition to the list in the NOI, we suggest that the EIS also describe the use and management of hazardous and non-hazardous materials, and discuss potential impacts from these sources and activities.

The NOI notes that the nature of this demonstration project and the program under which it is funded constrain the purpose, location, and alternatives that will be evaluated. That is, the purpose of the project is to demonstrate this technology. Furthermore, the NOI states that the



CCPI program limits DOE's role to approving or disapproving the project as proposed by the applicant. The NOI also notes that the Excelsior Energy, the applicant, has incentives from the state to locate the project in the Taconite Tax Relief Area in northeastern Minnesota. We nevertheless encourage the DOE to carefully evaluate the footprint of each alternative and location to determine the least amount of impact from plant location, storage piles, rail spurs, and every other aspect of the project. There may be alternatives and opportunities within the applicant's locations to minimize impacts.

We strongly suggest that the EIS thoroughly analyze cumulative impacts resulting from this project. The EIS ~~should include~~ past, present and reasonably foreseeable actions in the area. For instance, we note there are several large new projects proposed in the Iron Range, including the PolyMet mine and facilities, the proposed Minnesota Steel Industries taconite mine and steel mill, and the Mesaba Nugget operation near Hoyt Lakes. The DOE's cumulative analysis should evaluate the Mesaba Energy Project's contribution to overall impacts on resources in the area.

The Mesaba Energy Project EIS should describe potential secondary and indirect impacts from the addition of a new power plant in the area. For example, the EIS should assess whether the presence of the proposed plant and the power it generates will attract more industry or development to the area, and whether this development would further impact resources.

The NOI states that the proposed project will impact as many as 300 acres of wetlands. It also states that the final EIS will include a floodplain and/or wetlands analysis. Wetland characterization is a crucial part of the EIS. We strongly urge the DOE to characterize the types and locations of wetlands in the project area and quantify the potential impacts for presentation in the draft EIS. The type and location of specific wetlands may have a great bearing on decisions about plant locations, infrastructure location, and location of structures such as storage tanks, stockpiles, or waste storage within the site footprint. The EIS should discuss options to avoid, minimize, and mitigate wetlands impacts, in anticipation of the project needing a wetland fill permit under Section 404 of the Clean Water Act.

The U.S. EPA declined formal cooperating agency status via letter dated October 17, 2005. We will, of course, review future environmental documents for the Mesaba Energy Project in accordance with our authority under NEPA and Section 309 of the Clean Air Act. Thank you for providing information on the project. If you need further assistance, please contact Anna Miller of my staff at (312) 886-7060 or at [miller.anna@epa.gov](mailto:miller.anna@epa.gov).

Sincerely,



Kenneth A. Westlake  
Chief, NEPA Implementation Section



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGIONS 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 21 2005

REPLY TO THE ATTENTION OF:

B-19J

Christopher Childs  
Chair, Clean Air Committee  
Sierra Club  
2327 East Franklin Avenue  
Minneapolis, Minnesota 55406

**RE: Mesaba Energy Project Environmental Impact Statement**

Dear Mr. Childs:

Thank you for your letter, dated November 15, 2005, expressing the Sierra Club's concerns about the Mesaba Energy Project, a proposed coal gasification combined cycle electric generating facility in northern Minnesota's Iron Range area. The proposed project is financially supported by the U.S. Department of Energy's (DOE) Clean Coal Power Initiative Program. As you are aware, the DOE, in partnership with the Minnesota Department of Commerce, is preparing the Environmental Impact Statement (EIS) for this project under the National Environmental Policy Act (NEPA). The DOE recently published a request for public input to the EIS scope in the Federal Register. We note that your letter, which was addressed also to the DOE and the Minnesota Pollution Control Agency (MPCA), comments on the scope of the project EIS and requests that the U.S. Environmental Protection Agency (U.S. EPA) and the MPCA become formal cooperating agencies under NEPA for this project.

U.S. EPA undertakes cooperating agency status on select projects only, due to workload constraints and project circumstances. We have elected not to take on a cooperating agency role on the Mesaba Energy Project. U.S. EPA will, of course, review draft and final EIS documents in accordance with our authority under NEPA and Section 309 of the Clean Air Act. In addition, the facility's construction and operation would be covered under the Clean Water Act and the Clean Air Act (CAA), as well as other State and federal regulations. In particular, the proposed plant would be subject to the CAA New Source Review program. The State of Minnesota administers air, water and waste handling programs, with the U.S. EPA maintaining an oversight role.

We appreciate hearing your concerns about this project. U.S. EPA will give this proposed project a thorough review and evaluation when we receive its environmental documentation. If you need further assistance, please contact Anna Miller of the NEPA Implementation Section at (312) 886-7060 or at [miller.anna@epa.gov](mailto:miller.anna@epa.gov).

Sincerely,

ORIGINAL SIGNED BY

JERRI ANNE GARL

Jerri-Anne Garl

Director, Office of Science, Ecosystems and Communities

cc: Richard Hargis, M/S 922-342C ✓  
NEPA Document Manager  
U. S. Department of Energy  
National Energy Technology Laboratory  
P.O. Box 10940  
Pittsburgh, Pennsylvania 15236-0940

Sheryl Corrigan, Commissioner  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-4194