

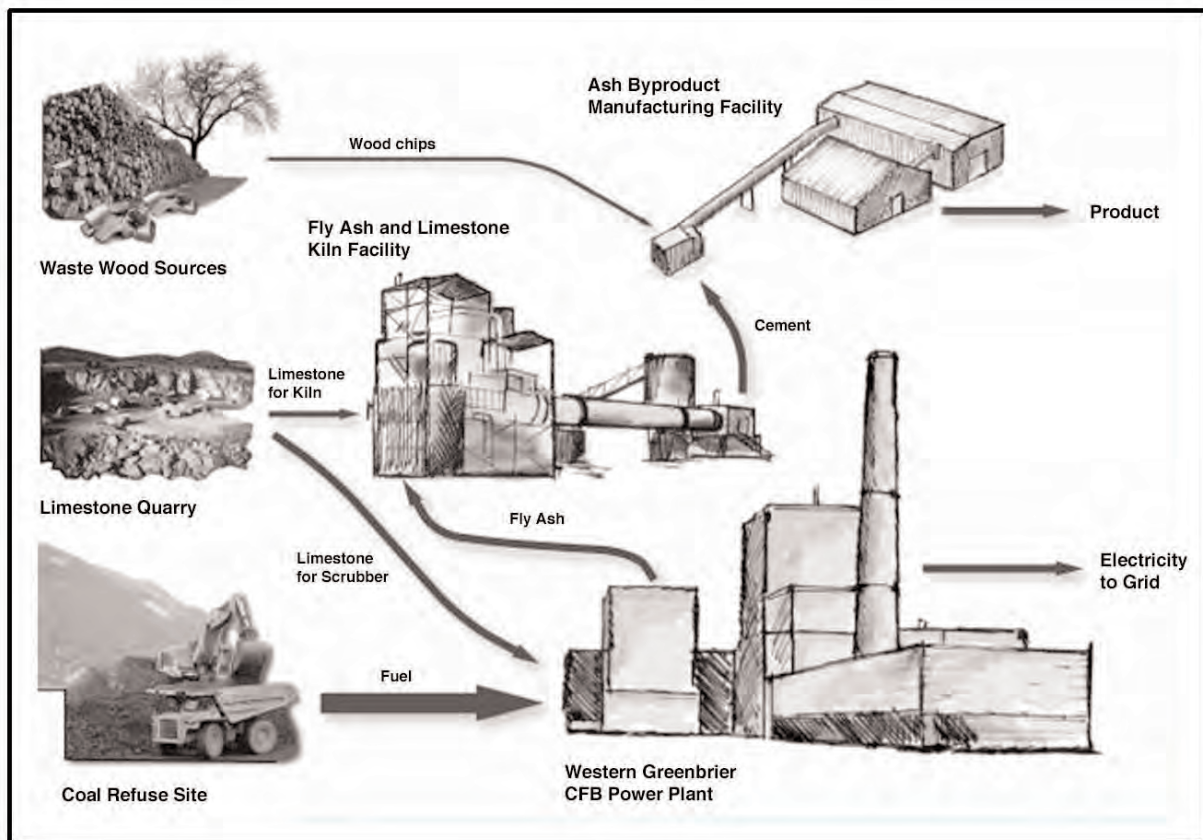
U.S. Department of Energy

WESTERN GREENBRIER CO-PRODUCTION DEMONSTRATION PROJECT

FINAL ENVIRONMENTAL IMPACT STATEMENT COMMENTS AND RESPONSES ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

VOLUME 3 OF 3

DOE / EIS-0361



NOVEMBER 2007



Office of Fossil Energy
National Energy Technology Laboratory



TABLE OF CONTENTS - VOLUME 3 RESPONSES TO COMMENTS ON THE DRAFT EIS

1. INTRODUCTION	1
2. METHODOLOGY	1
3. DESCRIPTION OF COMMENTS RECEIVED	1
4. GENERAL RESPONSES TO COMMON CONCERNS.....	7
4.1 COMMENTS RELATING TO THE PURPOSE AND NEED FOR THE PROJECT AND NEPA REQUIREMENTS	7
4.1.1 Innovative Technology.....	7
4.1.2 Financial Viability of the Facility.....	8
4.1.3 Need for Power Supply	8
4.1.4 Appropriate Use of Funding	8
4.1.5 Selection of Alternatives to be Analyzed in Detail.....	9
4.2 COAL REFUSE PILES AND PREP PLANT	10
4.2.1 Demonstration of a 20-Year Supply.....	11
4.2.2 Refuse Site and Prep Plant Operations.....	11
4.2.3 Success of Similar Applications of Ash	12
4.2.4 Leachate of Arsenic	13
4.2.5 Prep Plant Spoil Volume, Chemical Makeup, and Disposal Plan	14
4.3 AIR AND HEALTH-RELATED ISSUES.....	15
4.3.1 Best Available Control Technology Analysis and Compliance with the Clean Air Act	15
4.3.2 Fuel Quality and Impacts on Global Warming and Air Pollution	15
4.3.3 Mercury and Acid Deposition.....	16
4.4 WATER USE.....	16
4.4.1 The Meadow River	17
4.4.2 The Local Aquifer.....	20
4.4.3 Prep Plant.....	22
4.5 DISCHARGE OF HEATED EFFLUENT	22
4.6 IMPACTS ON FLOODING	22
4.7 TRUCK TRAFFIC AND IMPACTS ON SAFETY, NOISE, AND DUST.....	22
4.8 INCOMPLETE AND UNAVAILABLE INFORMATION.....	23
5. COMMENT LETTERS AND INDIVIDUAL RESPONSES.....	29
Transcript of the Public Hearing on the Draft EIS.....	31
Comment Documents and Individual Responses to Comments	39
6. REFERENCES.....	365

TABLES

Table 1. Issues and Issue Codes.....	2
Table 2. Commenters and Location of Comments.....	3
Table 3. Incomplete and Unavailable Information Relating to the Affected Environment	25

1. INTRODUCTION

EPA's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 1, 2006 (71 *FR* 69562), and DOE's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 4, 2006 (71 *FR* 70371 – 70372). Postcards announcing the availability of the Draft EIS and the public hearing were mailed to agencies, organizations, and individuals identified in the distribution list of the Draft EIS (Chapter 8 of Volume 1). The Notice of Availability and postcards invited comments on the Draft EIS and participation in the NEPA process. Advertisements publicizing the public hearing were printed during the weeks beginning December 17 and 31, 2006 in the following newspapers: *Charleston Gazette*, *Beckley Register-Herald*, and *West Virginia Daily News/Valley Ranger*.

DOE conducted the public hearing at the Western Greenbrier Middle School in Crawley, West Virginia on January 4, 2007. Additionally, an information session was held at the same location prior to the hearing. The public was encouraged to provide oral comments at the hearings and to submit written comments to DOE (the close of the comment period was January 18, 2007).

2. METHODOLOGY

In preparing the Final EIS, DOE considered all comments to the extent practicable. An identification number was assigned to each originator of comments (i.e., per commenter), including those verbally expressed at the public hearing. After reviewing and analyzing the comments received, a list of issues was developed and each was assigned an issue code (see Section 3, Table 1 of this volume). A listing of the commenters, their assigned identification number and affiliation, issues raised by each commenter, and the location of the corresponding comment document are provided in Table 2 of Section 3 of this volume.

Based on the comments received on the Draft EIS, DOE prepared responses and modified the EIS (Volume 1), where appropriate. Section 1.5.2 of Volume 1 provides a summary of the major comments received on the Draft EIS and the major changes to the EIS that resulted from the public comments.

Several thematic issues were identified as being prevalent among the comments and are listed in Section 3 of this volume. To address these recurring issues with the minimum amount of repetition and to provide a response that is meaningful to decision makers, DOE developed General Responses (Section 4 of this volume) to address these thematic concerns. Subsequently, Section 5 begins with the transcript of the public hearing (January 4, 2007) and is followed by scanned images of the original comment documents in chronological order as they were received by DOE (note that all comment documents on the Draft EIS, as shown in Section 5 of this volume, will be included in the administrative record for this EIS). The commenters and their comments are identified and labeled on each comment document image, including the public hearing transcript. Individual responses and issue code(s) for each comment are provided on the right-side of the same page where the comment originates.

3. DESCRIPTION OF COMMENTS RECEIVED

DOE received oral comments from 20 individuals at the public hearing and written and emailed comments from 179 individuals of which 2 federal agencies, 10 state and local agencies/offices, and 10 non-governmental agencies/organizations were represented. After the comments were reviewed, DOE developed a list of issue codes as shown in Table 1.

1. INTRODUCTION

EPA's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 1, 2006 (71 *FR* 69562), and DOE's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 4, 2006 (71 *FR* 70371 – 70372). Postcards announcing the availability of the Draft EIS and the public hearing were mailed to agencies, organizations, and individuals identified in the distribution list of the Draft EIS (Chapter 8 of Volume 1). The Notice of Availability and postcards invited comments on the Draft EIS and participation in the NEPA process. Advertisements publicizing the public hearing were printed during the weeks beginning December 17 and 31, 2006 in the following newspapers: *Charleston Gazette*, *Beckley Register-Herald*, and *West Virginia Daily News/Valley Ranger*.

DOE conducted the public hearing at the Western Greenbrier Middle School in Crawley, West Virginia on January 4, 2007. Additionally, an information session was held at the same location prior to the hearing. The public was encouraged to provide oral comments at the hearings and to submit written comments to DOE (the close of the comment period was January 18, 2007).

2. METHODOLOGY

In preparing the Final EIS, DOE considered all comments to the extent practicable. An identification number was assigned to each originator of comments (i.e., per commenter), including those verbally expressed at the public hearing. After reviewing and analyzing the comments received, a list of issues was developed and each was assigned an issue code (see Section 3, Table 1 of this volume). A listing of the commenters, their assigned identification number and affiliation, issues raised by each commenter, and the location of the corresponding comment document are provided in Table 2 of Section 3 of this volume.

Based on the comments received on the Draft EIS, DOE prepared responses and modified the EIS (Volume 1), where appropriate. Section 1.5.2 of Volume 1 provides a summary of the major comments received on the Draft EIS and the major changes to the EIS that resulted from the public comments.

Several thematic issues were identified as being prevalent among the comments and are listed in Section 3 of this volume. To address these recurring issues with the minimum amount of repetition and to provide a response that is meaningful to decision makers, DOE developed General Responses (Section 4 of this volume) to address these thematic concerns. Subsequently, Section 5 begins with the transcript of the public hearing (January 4, 2007) and is followed by scanned images of the original comment documents in chronological order as they were received by DOE (note that all comment documents on the Draft EIS, as shown in Section 5 of this volume, will be included in the administrative record for this EIS). The commenters and their comments are identified and labeled on each comment document image, including the public hearing transcript. Individual responses and issue code(s) for each comment are provided on the right-side of the same page where the comment originates.

3. DESCRIPTION OF COMMENTS RECEIVED

DOE received oral comments from 20 individuals at the public hearing and written and emailed comments from 179 individuals of which 2 federal agencies, 10 state and local agencies/offices, and 10 non-governmental agencies/organizations were represented. After the comments were reviewed, DOE developed a list of issue codes as shown in Table 1.

1. INTRODUCTION

EPA's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 1, 2006 (71 *FR* 69562), and DOE's Notice of Availability of the Draft EIS was published in the *Federal Register* on December 4, 2006 (71 *FR* 70371 – 70372). Postcards announcing the availability of the Draft EIS and the public hearing were mailed to agencies, organizations, and individuals identified in the distribution list of the Draft EIS (Chapter 8 of Volume 1). The Notice of Availability and postcards invited comments on the Draft EIS and participation in the NEPA process. Advertisements publicizing the public hearing were printed during the weeks beginning December 17 and 31, 2006 in the following newspapers: *Charleston Gazette*, *Beckley Register-Herald*, and *West Virginia Daily News/Valley Ranger*.

DOE conducted the public hearing at the Western Greenbrier Middle School in Crawley, West Virginia on January 4, 2007. Additionally, an information session was held at the same location prior to the hearing. The public was encouraged to provide oral comments at the hearings and to submit written comments to DOE (the close of the comment period was January 18, 2007).

2. METHODOLOGY

In preparing the Final EIS, DOE considered all comments to the extent practicable. An identification number was assigned to each originator of comments (i.e., per commenter), including those verbally expressed at the public hearing. After reviewing and analyzing the comments received, a list of issues was developed and each was assigned an issue code (see Section 3, Table 1 of this volume). A listing of the commenters, their assigned identification number and affiliation, issues raised by each commenter, and the location of the corresponding comment document are provided in Table 2 of Section 3 of this volume.

Based on the comments received on the Draft EIS, DOE prepared responses and modified the EIS (Volume 1), where appropriate. Section 1.5.2 of Volume 1 provides a summary of the major comments received on the Draft EIS and the major changes to the EIS that resulted from the public comments.

Several thematic issues were identified as being prevalent among the comments and are listed in Section 3 of this volume. To address these recurring issues with the minimum amount of repetition and to provide a response that is meaningful to decision makers, DOE developed General Responses (Section 4 of this volume) to address these thematic concerns. Subsequently, Section 5 begins with the transcript of the public hearing (January 4, 2007) and is followed by scanned images of the original comment documents in chronological order as they were received by DOE (note that all comment documents on the Draft EIS, as shown in Section 5 of this volume, will be included in the administrative record for this EIS). The commenters and their comments are identified and labeled on each comment document image, including the public hearing transcript. Individual responses and issue code(s) for each comment are provided on the right-side of the same page where the comment originates.

3. DESCRIPTION OF COMMENTS RECEIVED

DOE received oral comments from 20 individuals at the public hearing and written and emailed comments from 179 individuals of which 2 federal agencies, 10 state and local agencies/offices, and 10 non-governmental agencies/organizations were represented. After the comments were reviewed, DOE developed a list of issue codes as shown in Table 1.

Table 1. Issues and Issue Codes

Issue Code	Issue
A	No environmental issues to respond to
A1	Support for project, thus no environmental concerns raised
A2	No comments upon reviewing the Draft EIS
B	General concerns raised and/or request to deny funding
C	Policy/Compliance (Public Involvement, issuance of a Supplemental EIS or re-issuance of the Draft EIS)
D	Purpose & Need / Scope of EIS
D1	Innovative technology, CCPI Program
D2	Fund alternative energy projects
D3	Electricity
D4	Financial viability and auxiliary benefits (e.g., providing jobs)
D5	Alternatives
E	Coal Refuse (i.e., gob piles)
E1	Responsibility
E2	Supply/Availability
E3	Extraction impacts on acid mine drainage
E4	Remediation/ash application and water quality
E5	Prep plant (material handling)
F	Air & Health
F1	Fuel quality and impacts to global warming and air pollution
F2	Mercury and acid deposition
F3	Other air-related health concerns
F4	Air analysis/compliance, mitigation
G	Water Use
G1	Meadow River
G2	Local aquifer
G3	Prep plant water use
H	Drainage and other runoff concerns
H1	Heated effluent
H2	Flooding
H3	Miscellaneous water quality issues
I	Impacts from increased traffic
J	Noise
K	Aesthetics, property values
L	Biological resources
L1	Wildlife habitat
L2	Wetlands
M	Soils
N	Cultural resources
O	Transmission corridor
P	EcoPark, third-party ash byproduct facility
Q	Editorial comments

Issue codes A1, A2, and B refer to comments or letters which did not require specific/individual responses because the comment: 1) did not express any general concerns (A1); 2) expressed support for the project (A1); 3) specifically stated that there were no comments after reviewing the Draft EIS (A2); or 4) expressed only general concerns (B). After reviewing the comments, several issues emerged as being prevalent. DOE provided General Responses in Section 4 of this volume for the following common concerns:

- Comments relating to the purpose and need for the project (Section 4.1)
- Coal refuse piles and prep plant (Section 4.2)
- Air and health-related risks (Section 4.3)
- Water use (Section 4.4)
- Discharge of heated effluent (Section 4.5)
- Impacts on flooding (Section 4.6)
- Truck traffic and impacts on safety, noise, and dust (Section 4.7)
- Incomplete data in the Draft EIS (Section 4.8)

Table 2 provides a list of the commenters, the assigned identification number, their affiliation, the issues raised per commenter (via issue code), and the location of their comments in this volume.

Table 2. Commenters and Location of Comments*

ID #	Name	Affiliation / Organization	Issue Codes	Page
<i>(Transcript of Public Hearing)</i>				31
1	Vicky Neal	Citizen	A1	39
2	Beth Little	Citizen	C, G	42
3	Robert Handley	Citizen	E1, F	43
4	Libby Hunter	Citizen	A1	44
5	Rob Rappold	City of Beckley/4C Economic Development Authority	A1	45
6	Jay Hewitt	Citizen	A1	47
7	Gene Wright	Mayor – Quinwood	A1	48, 88
8	Eugene McKenzie	Mayor – Rainelle	A1	52, 87
9	William Turner	Citizen	D1, D4, F2, G1, I	55
10	Stacy White	Citizen	A1	59
11	Gabriel Duncan	Citizen	A1	62
12	Dale McCutcheon	Citizen	D1, D4, F1, F3, I	65
13	Steve Malcomb	Citizen	A1	68, 86
14	Scott Miller	Citizen	C, F	72
15	Pat Vaughn	Citizen	A1	75
16	Michael Rosolina	Citizen	D1, D4, E1, F, F2, G	76
17	Susie Bowyer	Citizen	A1	78
18	Joe Coughlin	Citizen	A1	80
19	Millie Smith	Citizen	A1	82
20	Tiff Hilton	Citizen	D1, E1, E4, G1, H3	83
21	John F. Herholdt, Jr	West Virginia Development Office	A1	90
22	Randall Reid-Smith	West Virginia Division of Culture & History	N	91
23	Sara Beth Brody	Citizen	B	93
24	Eugene A. McKenzie	Mayor – Rainelle	A1	94
25	Willard E. Wright	Mayor – Quinwood	A1	95
26	Mark Blumenstein	Citizen	D1, D3, D4, E1, E3, F1, F3, G1, G2, H1, H2, I, J	96
27	Ruth Tharp	Citizen	A1	97
28	Ivan Leef	Citizen	A1	98
29	David R. Essig-Beatty	Citizen	D1, D2, F2, F3	100
30	Alfred Ayers	Citizen	A1	101
31	Daisy A. Ayers	Citizen	A1	102
32	Imojean Gilbert	Citizen	A1	103
33	Travis L. Miller	Boilermakers, Local No. 667	A1	104
34	Walter Slayton, Jr.	Boilermakers, Local No. 667	A1	105
35	James Watkins	Boilermakers, Local No. 667	A1	106
36	David Fetty	Boilermakers, Local No. 667	A1	107
37	Craig Phillips	Boilermakers, Local No. 667	A1	108
38	Zachery Belcher	Boilermakers, Local No. 667	A1	109
39	Christopher Carpenter	Boilermakers, Local No. 667	A1	110
40	Todd Miller	Boilermakers, Local No. 667	A1	111
41	Matt Kennedy	Boilermakers, Local No. 667	A1	112
42	Christopher Chapman	Boilermakers, Local No. 667	A1	113
43	Bryan Pennington	Boilermakers, Local No. 667	A1	114
44	Alan Schrack	Boilermakers, Local No. 667	A1	115
45	Robert E. Moody	Boilermakers, Local No. 667	A1	116
46	Randy Cueuvront	Boilermakers, Local No. 667	A1	117
47	Larry Murray	Boilermakers, Local No. 667	A1	118
48	David Morris	Boilermakers, Local No. 667	A1	119
49	Corey Cumpston	Boilermakers, Local No. 667	A1	120
50	Chad Pinkerman	Boilermakers, Local No. 667	A1	121
51	Josh Moore	Boilermakers, Local No. 667	A1	122
52	Robert Prin	Boilermakers, Local No. 667	A1	123
53	David L. White	Boilermakers, Local No. 667	A1	124
54	Terry Staats	Boilermakers, Local No. 667	A1	125
55	Roger Lott	Boilermakers, Local No. 667	A1	126
56	Jesse McNeely	Boilermakers, Local No. 667	A1	127
57	Dewey M. Greear	Boilermakers, Local No. 667	A1	128
58	Jerry Fulk	Boilermakers, Local No. 667	A1	129

Table 2. Commenters and Location of Comments*

ID #	Name	Affiliation / Organization	Issue Codes	Page
59	Thomas W. Abbott, Jr.	Boilermakers, Local No. 667	A1	130
60	Robert Mosteller	Boilermakers, Local No. 667	A1	131
61	James Sutu	Boilermakers, Local No. 667	A1	132
62	Norman Meenach	Boilermakers, Local No. 667	A1	133
63	William Casey Jones	Boilermakers, Local No. 667	A1	134
64	Mickey Childers	Boilermakers, Local No. 667	A1	135
65	Chris Womack	Plasterers and Cement Masons, Local No. 887	A1	136
66	Mary Nutter	Citizen	A1	137
67	Chris Atwell	Citizen	F, F2, G1, G2	138
68	Thomas R. Chapman	U.S. Fish and Wildlife Service	A2	139
69	J. Xavier Montoya	USDA, National Resources Conservation Service	M	140
70	Curtis I. Taylor	West Virginia Division of Natural Resources	E3, E4, E5, G1, G3, L1, L2, O	141
71	Michael Rosolina	Citizen	D1, E1, F1, G1, G2, H1	144
72	Robert Must	Citizen	F1	145
73	Caroline Sharp	Citizen	D1, F4, G1, G2	146
74	Ginger Weiss	Citizen	D1, E4, F1, F3, F4, G1, H1, I, J, K	148
75	Michael T. Chezick	U.S. Department of the Interior	A2	150
76	Ronald L. Burdette	International Union of Operating Engineers, Local Union No. 132	A1	151
77	Bradley Karbowsky	Road Sprinkler Fitters, Local Union 669	A1	152
78	William Sheppell Jr.	Citizen	D1, D3, D4, D5, E1, E3, F1, F2, F3, F4, G1, G2, H1, I	153
79	Elizabeth Little	Citizen	C, C, E1, E2, E3, F2, G1, G2, G3, H1	154
80	Peter Iscaro	Citizen	D3, G1, H1, H2, I	157
81	William Turner	Citizen	D1, D3, D4, E1, E3, F1, F4, G1, G2, G3, H1, H2, I, J	158
82	Mary Wildfire	Citizen	D1, D2, D4, E4, F1, F2, F3, I	160
83	Morgan Jones	Citizen	D1, D3, E1, F1, F3, F4, G1, H1, I	162
84	Sharon Kearns	Citizen	D2, E1, F1, G, I	163
85	Jeff Brennan	Citizen	G1, H1	164
86	Matt Horton	Citizen	D2, D3, E3, E4, F1, G1, G2	165
87	Katie Buddenberg	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	166
88	Bradford Buddenberg	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	168
89	William Arguto	U.S. Environmental Protection Agency, Region III	D4, E2, E4, E5, F3, F4, G, G1, I, J, L1, L2, O, P, Q	170
90	Calvin F. Hite	National Park Service	C, D5, G1, H3, P, Q	176
91	James Kotcon	Sierra Club, West Virginia Chapter	C, D1, D2, D4, D5, E1, E2, E4, E5, F1, F2, F3, F4, G, G1, G2, I, J, K, L1, L2, O, P, Q	179
92	Margaret Janes	Appalachian Center for the Economy and the Environment; West Virginia Highland Conservancy	C, D1, D2, D4, D5, E1, E2, E4, E5, F1, F2, F3, F4, G, G1, G2, I, J, K, L1, L2, O, P, Q	196
93	Charles E. Brabec	Citizen	D1, D3, D4, E1, F1, F4, G1, G2, G3, H1, H2, I	232
94	Liz Garland	West Virginia Rivers Coalition; American Whitewater	C, E1, E3, E4, F1, F2, G1, G2, H1, H2, P	234
95	Brian Rahall	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	237
96	Deborah Merritt	Citizen	B	238
97	Allen Stump	Citizen	B	239
98	Donald Beyer	Citizen	G1, H1	240
99	Paul A. Schulte	Citizen	B	241
100	Skip Heater	New & Gauley River Adventures	F, G1, G2	242
101	Ben Curnett	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	243

Table 2. Commenters and Location of Comments*

ID #	Name	Affiliation / Organization	Issue Codes	Page
102	John Brown Harris	Citizen	D1, E, E1, E2, F1, F2, F3, G1, G2, K	245
103	Andrew Must	Citizen	D2, E4, F1	246
104	Naomi W. Cohen	Citizen	D1, D3, D4, E1, F1, F4, G1, G2, H1	247
105	William E. Deegans	Citizen	D1, D4, F2, F3, G1, G2, I, O	249
106	John Neely	Citizen	G1	253
107	Kelly Kemp	Citizen	D1, D3, E1, F1, K	254
108	Charles Szasz	Citizen	D1, D3, D4, E1, E3, F1, F4, G1, G2, G3, H1, H2, I	255
109	Mikala Shremshock	Citizen	D1, D3, D4, E1, F1, F4, G1, G2, H1, H2, I	257
110	Michael Mullins	Citizen	G1	258
111	Barry Williams	Citizen	A1	259
112	Jeremy Styles	Citizen	D1, D2, D3, D4, F1, F2, F4	260
113	Chris Gorman	Citizen	G1	263
114	Jeff Slagle	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	264
115	Alexander Clayden	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	265
116	Logan Bockrath	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	267
117	Eric Pories	West Virginia Professional River Outfitters	G1	268
118	Phyllis Tuckwiller	Citizen	F4	269
119	Martha Wilson	Citizen	B	270
120	Tamara Russell	Citizen	B	271
121	Kyle Heeter	Citizen	B, G1	272
122	Chris Eads	Citizen	D1, G1	273
123	Mary Moore Jacoby	Citizen	B	274
124	Deva Wagner	Citizen	B	275
125	John W. Bell IV	Citizen	B	276
126	Gary Roper	Citizen	B	277
127	Helge Kaehler	Citizen	B	278
128	Shannon Murphy	Citizen	B	279
129	Edith McKinley Gibson	Citizen	E1, F, G1, G2	280
130	Robert W. Foster	Citizen	B	281
131	E. Dale Adams	Citizen	D1, D4, E2, E4, F, G1, G2, H1	282
132	Laura Ferguson	Citizen	F	283
133	Ann Tate Bell	Citizen	D1	284
134	Harvey M. Cohen	Citizen	D1, D3, D4, E1, E2, F1, F4, G1, G2, H1	285
135	Pervis C. Major III	Citizen	B, G1	287
136	Caleb Paquette	Citizen	D4, E1, F, F1, G1, G2, H1	288
137	Rebecca Raye Smith	Citizen	D1, D4, E1, E2, E4, F1, F4, G1, G2, H1, I	289
138	John Petretich	Citizen	D1, F1, G1	291
139	Ken Dubel	Citizen	G1	292
140	Cheri Bailey	Citizen	D1, E, E1, E2, F1, F2, F3, G1, G2, K	293
141	Doug Proctor	Citizen	G1, H1	294
142	Patrick Myers	Citizen	D1, D4, E4, F1, G1, G2, H1, I	295
143	Autumn Bryson	Citizen	D1, F1, F2, G1, G2, H2	296
144	Julian Arbaugh	Citizen	A1	297
145	Mellie L. Bleau	Citizen	B, F3, I, J, K	298
146	Julie Wingard	New River Bike and Touring Co.	G1	299
147	Ron Shonbery	Citizen	F1, F2, F3	301
148	William Bowes	Citizen	F1	302
149	April & Jeff Crowe	Citizen	D1, F1, F2, F3, G1	303
150	Dallas Davis	Boilermakers, Local No. 667	A1	304
151	Marshall Wooten	Boilermakers, Local No. 667	A1	305
152	Anthony Reynolds	Boilermakers, Local No. 667	A1	306

Table 2. Commenters and Location of Comments*

ID #	Name	Affiliation / Organization	Issue Codes	Page
153	Anthony Kibbe	Boilermakers, Local No. 667	A1	307
154	Joshua Whitecotton	Boilermakers, Local No. 667	A1	308
155	Mark Hager	Boilermakers, Local No. 667	A1	309
156	Harry Fletcher	Citizen	E1, F3	310
157	Janet Bleau	Citizen	D1	311
158	Gary McClanahan	Citizen	D1, F3	312
159	Mike Matthews	Building and Construction Trades Council - Charleston	A1	313
160	Carli Mareneck	Citizen	E1, E4, F1, G2, H1, I	314
161	Peter Mareneck	Citizen	D1, D4, E1, E2, E3, E4, E5, F, F2, F3, F4, G1, G2, I, P	315
162	Rodney Marsh	International Union of Operating Engineers, Local Union No. 132	A1	317
163	David & Rose Buhrman	Citizen	D1, F1, M	318
164	Maura Kistler	Citizen	G1, H1, H3	319
165	Barbara Reyes	Citizen	A1	320
166	Frank Berry	Citizen	A1	321
167	Bonnie Gifford	Citizen	D1, F1, F4, G2, H1	322
168	Laura & Donald Ketchum	Citizen	D1, F3, F4, G2, I, J	323
169	Thomas Key	Citizen	D1, D4, E1, E3, E4, F1, F2, F3, F4, G1, G2, H1, H2, I, J	324
170	Richard Adkins	Citizen	A1	327
171	Janet Adkins	Citizen	A1	328
172	Christopher Danz	Citizen	F2, F3	329
173	Cristina Opdahl	Citizen	F2, F3	330
174	Stephanie Danz	Citizen	F3	331
175	Mariah Hibarger	Citizen	D1, E4, F1, F2, F3, F4, G1, G2, H1, I	332
176	Jarrett Lambright	Citizen	D3, G1	333
177	Martin Saffer	County Commissioner, Pocahontas County	D3, F1, F3	334
178	Julia Bonds	Coal River Mountain Watch	D1, D3, D4, E1, E3, F1, F4, G1, G2, G3, H1, H2, I, J	335
179	Josh Lipton	Citizen	D1, G1	337
180	Tommy Adkins	Citizen	A1	338
181	Gregory Adkins	Citizen	A1	339
182	Helen Harris	Citizen	A1	340
183	Robert Taylor	Citizen	A1	341
184	Ken Koth	Citizen	D1, D3, G1	342
185	Lauren Wadsworth	Citizen	D1, F1, F2, F3, G1, G2	343
186	Jo Weisbrod	Citizen	F2, F3, G1, G2	344
187	Ruth Murphy	Citizen	D1, E5, F1, F3	345
188	Kara Ware	Citizen	D2, F1, F2, F3	346
189	Glenn Singer	Citizen	D1, D3, D4, E1, E3, F1, F4, G1, G2, G3, H1, H2, I, J	348
190	Wendy Young	Citizen	D1, D2, F1	351
191	Jason Young	Citizen	D2	352
192	Sharon Bleau	Citizen	F1, G2, I	353
193	Kimberly Maxwell	Citizen	D1, D3, D4, E1, E3, F1, F4, G1, G2, G3, H1, H2, I, J	354
194	Robert Handley	Citizen	D1, D5, E1, E2, E4, F1, F4, H2, I, J, L2	357
195	Janeal Quinnell	Citizen	F1, F2	359
196	Larry Dadisman	Citizen	C, D1, D4	360
197	Keith Doherty	Citizen	E1, E4, F2, G1, G2, H1	361
198	Karen Childers	Citizen	D3, F1, F2, F3, F4, G1, G2, H1	362
199	Luke Begovich	United Brotherhood of Carpenters & Joiners of America, Carpenters Local No. 1911	A1	363

*All comment documents submitted to DOE for the Draft EIS (as shown in Section 5 of this volume) will be included in the administrative record for this EIS.

4. GENERAL RESPONSES TO COMMON CONCERNS

Because several concerns emerged as being prevalent in the comment letters submitted to DOE, and to prevent repetition from individually responding to similar comments, General Responses to the common concerns are provided in this section.

4.1 COMMENTS RELATING TO THE PURPOSE AND NEED FOR THE PROJECT AND NEPA REQUIREMENTS

4.1.1 Innovative Technology

Several commenters stated that the WGC Project does not warrant funding under the Clean Coal Power Initiative (CCPI) Program because it is not innovative technology. Others expressed concerns that the WGC Project includes many conventional processes and does not plan to include other advanced or innovative technologies that may be available for those processes.

The initial CCPI competition began in March 2002 when DOE issued a solicitation offering federal matching funds for industry proposed projects (see new text in Sections 1.2 and 1.7 of Volume 1 regarding the CCPI Program). In January 2003, the Secretary of Energy announced that eight projects, including the WGC Project, would make up the candidates for the first round of the CCPI solicitation. In Round I, the criteria for candidate projects were very broad — specifically, the solicitation was open to “any technology advancement related to coal-based power generation that results in efficiency, environmental, and economic improvement compared to currently available state-of-the-art alternatives.” The program is also open to technologies capable of producing any combination of heat, fuels, chemicals, or other useful byproducts in conjunction with power generation. Coal for the demonstration projects is required to provide at least 75 percent of the fuel energy input to the process. This provision ensures that multiple-fuel concepts, such as co-firing, are not excluded, but that a focus is maintained on coal-based power generation. Additionally, projects must show the potential for rapid market penetration upon successful demonstration of the technology or concept.

Therefore, to be considered for funding under the CCPI Program, a project need not include all available innovative technologies for all processes, but it may be selected competitively for purposes of demonstrating a technology of interest to the program goals. As stated in Section 2.3.2 of Volume 1, the proposed power plant would use an atmospheric circulating fluidized-bed (CFB) combustor featuring an inverted cyclone design versus a typical or conventional cyclone design. Overall, the inverted cyclone retains many of the same inherent design parameters as a conventional cyclone. However, the change in where the gas stream exits (in the inverted cyclone, the cleaned gas exits from the bottom of the cyclone versus the top of the cyclone) has a dramatic impact on the arrangement of other CFB components, resulting in the primary benefit of achieving a substantially smaller configuration. In addition, the inverted cyclone design provides additional reduction in the configuration size by allowing a mid-support structural system to be employed, as opposed to a conventional top support system. Collectively, the inverted cyclone design structure can result in a reduction of up to 60 percent in structural steel weight and 30 percent to 40 percent of the primary structure footprint and height over conventional systems. Thus, this technology provides substantial cost and space savings. Although the inverted cyclone design has been used successfully on small power plants in China, the WGC Project would demonstrate the first commercial application of this technology in the United States.

The project also offers a novel approach to converting waste ash into cement for commercial building products, while also using low-quality fuel (i.e., coal refuse) and integrating power generation with remediation of coal refuse piles. Although the integration of power generation with the remediation of coal refuse piles may not be novel, the combination of this feature with other innovative aspects of the project enhances the novel characteristics of the WGC Project and was considered in the basis for selection of the

project as one of eight candidates for co-shared funding under the CCPI Program. To be economically feasible, the WGC Project would also include numerous conventional processes selected by the project proponent for their cost-effectiveness in meeting operational parameters.

4.1.2 Financial Viability of the Facility

Many commenters expressed concern about the financial viability of the proposed project based on factors such as the availability of adequate fuel supplies and cooling water, as well as the marketability of the raw cement. These comments expressed concerns about the plant being abandoned prematurely and leaving the local governments with an undue economic burden.

As documented in the EIS, WGC estimates that adequate fuel supplies (see Section 2.2.2 of Volume 1 and General Response 4.2.1) and sufficient cooling water (see Sections 4.4.3.3 and 4.6.3.5 of Volume 1 and General Response 4.4) are available to support continued operations of the power plant. Furthermore, WGC conducted initial research on the market for the raw cement. That research and additional ongoing efforts confirm that there would be a significant opportunity to sell the raw cement product. The market has shown that private byproduct industries are buying raw cement at market price and creating and selling value-added products. Therefore, whether or not the ash byproduct facility is implemented, there would be more than an adequate market for the cement from the kiln operations. DOE believes that the probabilities of the plant never being completed or being abandoned prematurely are extremely low and recognizes that, as owners of the WGC Project, the municipalities of Rainelle, Rupert, and Quinwood have a strong incentive to see it succeed, as does DOE. DOE will take into consideration the risks associated with long-term project success in its decision-making process.

4.1.3 Need for Power Supply

Several commenters questioned whether another power plant is needed to supply power in West Virginia and expressed the opinion that the state has all the power it needs.

The electricity to be generated by the WGC Project would be distributed to the national grid, not to West Virginia alone. Moreover, DOE's purpose in deciding whether to co-fund the project is to deploy innovative clean coal technologies that can meet near-term energy and environmental goals, reduce risk in the business community to an acceptable level, and provide private sector incentives for undertaking innovative research and development of projects that address long-range energy supply problems. DOE's decision on whether to co-fund the project is related to these goals for a demonstration project selected competitively under the CCPI Program.

4.1.4 Appropriate Use of Funding

A number of commenters stated that the government funding for this project could be better used for another purpose, including actions that would directly create new regional employment. Others expressed concerns that the removal of coal refuse and use of circulating fluidized-bed (CFB) ash to remediate coal refuse sites would cause taxpayers to bear additional costs for the cleanup of sites that were already a responsibility of the state's Special Reclamation Fund paid by the coal industry.

DOE would distribute federal funds for the WGC Project through the CCPI Program (see new text in Sections 1.2 and 1.7 of Volume 1 regarding the CCPI Program). As described in Section 1.3 of Volume 1, DOE's purpose for agency action is to demonstrate a technology of interest for the CCPI Program to meet the need of accelerating the deployment of clean coal technologies. The WGC Project was selected competitively as one of eight projects for further consideration from among 33 applicants during the first round of proposal submitted under the CCPI Program. DOE proposed the WGC Project for co-funding specifically to demonstrate the first commercial application of the compact, inverted cyclone CFB design in the United States.

As stated in Section 1.3.2.2 (Volume 1), WGC's needs for the proposed facility include several objectives to provide economic benefits listed below:

- Create economic and social revitalization in western Greenbrier County through the development of an ecologically balanced and sustainable industrial park;
- Provide a low cost, reliable supply of steam and hot water for use by the industrial park;
- Provide electrical energy for distribution to the national electric grid using coal refuse as fuel; and
- Demonstrate an economical coal refuse cleanup strategy by using the coal refuse as a fuel source and using the coal ash for both remediation of acid drainage from coal refuse piles and for production of cement to be used in the manufacture of building materials.

Although DOE considered these aspects favorably when evaluating WGC's application, DOE's proposal was not based on the need for providing economic support to the region. Other federal agencies and programs have mandates to provide the kinds of economic incentives and support to communities mentioned by several commenters.

With respect to the remediation of the coal refuse sites in conjunction with the WGC Project, one of WGC's objectives is to enable the West Virginia Department of Environmental Protection (WVDEP) to fulfill its obligations to reclaim the refuse sites more cost-effectively, and thus reduce future financial stress on the Special Reclamation Fund. Although these sites may be covered under the fund, the state already spends quite a large proportion of the fund treating persistent acid mine drainage (AMD) problems through conventional remediation methods (i.e., ground cover and surface water diversion). The remediation of the coal refuse sites would help minimize environmental problems (e.g., reduce AMD) that would otherwise continue if the piles were left in place (see Section 2.4.3 of Volume 1). For example, the agreement between WGC and WVDEP for the Anjean site provides that WGC would implement a WVDEP-approved remediation plan at no-cost to the state (termed a "No-Cost" Remediation Plan explained in the Memorandum of Understanding and Use Agreement for the Anjean site in Appendix N). The state would benefit from this plan, because unused funds in the Special Reclamation Fund would be available to address other remediation problems throughout West Virginia. DOE would potentially benefit by demonstrating the successful linkage of a clean coal project with the environmental remediation of a problem created by past coal mining practices. DOE believes that any marginal cost to individual taxpayers would be so small as to be essentially negligible in comparison to the regional and national benefits to be potentially gained.

4.1.5 Selection of Alternatives to be Analyzed in Detail

Various commenters stated that they would like to see additional alternatives analyzed, noting that the CEQ NEPA regulations [40 CFR 1502.14] require an agency to consider the range of reasonable alternatives, including those not within the lead agency's jurisdiction.

Determining the range of reasonable alternatives requires consideration of an agency's underlying purpose and need and the context of the proposed federal action. In the case of the WGC Project, DOE's action is to decide whether to provide cost-shared funding for a project selected competitively under the CCPI Program. This context necessarily limits DOE's alternatives. As explained in Section 2.6.3 of Volume 1, alternative coal technologies (e.g., IGCC) and alternative energy sources (e.g., wind and solar) are outside of the purpose and need of this agency action.

The CCPI Program only allows for joint funding of proposed projects that have been selected through a solicitation and negotiation process (see new text in Sections 1.2 and 1.7 of Volume 1 regarding the CCPI Program). In March 2002, DOE issued the first round CCPI solicitation. Private sector participants submitted proposals in response to the solicitation. A group of proposals, representing diverse technologies and using a variety of coals, was selected to further the goals of the CCPI Program. DOE's choices were

limited by virtue of having to choose from the proposals that were submitted under the solicitation process. The proposed project was selected under the first round of the CCPI Program because of the opportunity to demonstrate the specific technology proposed: a Co-Production Facility based on an innovative atmospheric-pressure circulating fluidized-bed (ACFB) boiler with a compact inverted-cyclone design. Other projects that proposed to demonstrate other technologies are not alternatives to the proposed project for NEPA purposes.

As such, DOE cannot now choose alternative technologies or sites that would undermine any of the unique features that DOE considered when approving WGC's application for funding under the CCPI and entering into a cooperative agreement with WGC to provide that funding (see Section 2.6.3 in Volume 1 for additional discussion on other technology alternatives that were considered and dismissed). For example, an alternative plant design that would result in a plant larger than those analyzed in this EIS would undermine one of the key advantages of the inverted cyclone design, which is to reduce the footprint of the plant. Such alternative technologies or sites are unreasonable.

Within the scope of the purpose and need for the Proposed Action (the WGC Demonstration Project), DOE considered alternatives for implementing the Proposed Action. As explained in Section 2.6.1 (Volume 1), DOE has examined numerous implementing alternatives or options for power plant site, fuel supply, water supply, limestone supply, means of transportation, and transmission corridors in the course of identifying its Preferred Alternative (these options are described by component group in Section 2.6.2, "WGC Options"). For example, DOE has considered three locations for the proposed power plant facility, each of which would change the size of the power plant footprint. Given that one of the advantages of the inverted cyclone technology is that it reduces the plant footprint in comparison to traditional cyclone technology, the size of the footprint is relevant to DOE's decision to fund or not fund. DOE has also considered four coal refuse sites for fuel supply that vary widely in size and distance from plant site. DOE has also considered secondary and tertiary water supply options that would involve varying degrees of surface (river) water and groundwater. DOE has further considered options for transportation.

These options, in some instances, have distinct environmental impacts. For example, one option for water supply would reduce streamflow in the Meadow River to a greater degree than the other option. This EIS analyzes in detail, the environmental and socioeconomic impacts of these different options. In Section 4.4.3.3 in Volume 1, DOE analyze a number of impacts from the two options, including impacts on average daily flow, water balance and recreational uses. DOE similarly analyzes the environmental impacts from the options for other components of the project (such as power plant siting and transmission corridor siting).

DOE gave full consideration to comments received during scoping and the comment period for the Draft EIS when developing, analyzing, and modifying the range of options and related impacts. Other than comments recommending alternatives outside the scope of the purpose and need for the WGC Project (e.g., solar power, wind power sources, design changes that would alter footprint size and other technological changes) or alternatives already considered by DOE, DOE received no comments from the public in the NEPA public process suggesting a specific alternative that DOE should consider with respect to the WGC Project. This further evinces that, given the limited scope of the purpose and need of agency action, DOE has analyzed the range of reasonable alternatives.

4.2 COAL REFUSE PILES AND PREP PLANT

DOE received a number of comments related to the use of coal refuse as a fuel, activities that would be undertaken to remove coal refuse materials from Anjean and other coal refuse sites, and reclamation activities that would be undertaken at the sites, including the placement of project-generated ash and other spoil materials (e.g., prep plant spoil material). Many of the comments received on these topics were related to the level of detail provided in the Draft EIS on these activities.

This response presents additional information and clarification on several key topics:

1. Demonstration of a 20-year supply;
2. Refuse site and prep plant operations;
3. Success of similar applications of ash;
4. Leachate of arsenic; and
5. Prep plant spoils volume, chemical makeup, and disposal plan.

4.2.1 Demonstration of a 20-Year Supply

Comments were received related to the use of coal refuse as a fuel source. Several comments expressed the need for DOE to ensure that the proposed coal refuse sources would provide adequate quality and quantity of fuel to operate the plant for the required 20-year life of the project.

Table 2.4-1 in Section 2.4.3 (Volume 1) shows the characteristics of the coal refuse piles at Anjean and Green Valley and notes that the Donegan and Joe Knob sites are still being investigated; however, as noted in that section, it is assumed that the proposed use of beneficiation would result in comparable characteristics of processed fuel for the CFB plant. As stated in Section 2.2.2, Donegan and Joe Knob are undergoing core drilling and volumetric measurements to determine more accurately the potential amount of available fuel supply. Section 2.2.2 (Volume 1) identifies Anjean, Joe Knob, Donegan, and Green Valley as "initial fuel sources" and provides the expected sequence for use of these sites. This section also indicates that WGC is considering all coal refuse sites within 30 miles of Rainelle and that fuel supply would not necessarily be limited to the four initial sites. An assumed 40 percent average yield from the coal refuse would produce a "ready-to-burn" fuel with a Higher Heating Value (HHV) of 8,000 BTU/lb. Based on this expected yield, Anjean/Joe Knob could supply 0.6 million tons (8,000 BTU/lb) per year for 3 years (including fines) and Green Valley 4.2 years. WGC has identified approximately 60 additional coal refuse sites within 25 miles of Rainelle, including several potential sites that could be used for fuel sources in the future as indicated in Figure 2.2-4 in Volume 1. WGC's approach, which includes a semi-mobile preparation plant (prep plant), provides the flexibility to use other coal refuse sites in the area if one or more of the initial sites do not produce the expected duration of fuel supply.

Several concerns were also expressed about the use of coal refuse with BTU values below the performance coal BTU value in WGC's air permit.

The performance coal BTU value should be compared to the BTU value of beneficiated fuel that would be produced through the beneficiation process rather than the BTU value of the coal refuse. Beneficiation provides the ability for WGC to use coal refuse with BTU values as low as 3,500 BTU while producing a fuel with a 7,000 BTU value, which well exceeds the performance coal requirement. Thus, DOE considers the quality of the coal refuse at the initial coal refuse sites to be adequate for producing fuel for the project.

DOE recognizes that the quantity of fuel generated by any of the coal refuse sites has a degree of uncertainty associated with it. However, statistical sampling and intensive investigation of all candidate coal refuse sites that might be considered as fuel supply sources is not practical. Therefore, in its decision-making process, DOE will take into consideration the level of information available on the coal refuse sites and the uncertainties associated with this information as related to project risk. In accordance with 40 CFR 1502.22(b), DOE believes that the EIS has evaluated the reasonably foreseeable impacts pertaining to the availability of an adequate fuel supply for the proposed WGC facility.

4.2.2 Refuse Site and Prep Plant Operations

Reclamation plans for the coal refuse piles would not be developed until the design phase of the WGC Project; therefore, details of these operations are not available for inclusion in the EIS. However, DOE

expects that reclamation plans would be developed under the supervision and direction of WVDEP, and that WVDEP would ultimately own and administer these plans with WGC serving as a no-cost contractor. Although these sites may be covered under the state's Special Reclamation Fund, WGC, as a no-cost contractor, would aid WVDEP in the execution of work at AMD sites based on individual reclamation plans developed for and approved by WVDEP. This expectation is based on a March 2, 2004 Memorandum of Understanding (MOU) between WGC and WVDEP (see Appendix N) as summarized in Section 2.4.3.1 (Volume 1). In addition, and as stated in the MOU, WVDEP would retain full and final authority on reclamation details and the development and implementation of any remediation plans.

DOE indicated in the EIS areas where information was unavailable with respect to certain design aspects and project features, including specifics on reclamation plans and site operations at the coal refuse sites. The EIS also indicated that written agreements are in place between WGC and WVDEP that establish the roles and responsibilities by which the development of these plans would be completed and subsequent activities governed. The consequence of not having specific design and operational information for site reclamation activities is that certain details related to localized activities (i.e., those occurring within the coal refuse site boundary) and associated impacts could not be quantified in the EIS (e.g., the number of acres that would be disturbed at any one time). However, the framework established in the MOU between WGC and WVDEP and the specific requirements for reclamation activities within the State of West Virginia, as enforced and overseen by WVDEP, provides sufficient information for DOE to evaluate the "...reasonably foreseeable significant adverse effects..." in accordance with 40 CFR 1502.22. In the EIS, DOE considered the potential for such impacts to groundwater (Section 4.6.3.5 of Volume 1) and surface water resources (Section 4.4.3.4 of Volume 1) by assessing the potential for leaching of pollutants from materials to be placed at the coal refuse sites.

DOE also acknowledged that there are uncertainties related to the chemical composition of spoil materials that would be generated by the coal beneficiation process. This uncertainty is due to the fact that the beneficiation plant has not yet been designed and the exact process and materials that would be used and produced by the plant are not available for testing. However, Section 2.4.4.1 (Volume 1) presented chemicals that could reasonably be expected to be used (based on chemicals that are typical within the industry), which may show up as residuals on the spoils. This Final EIS provides additional information on the use of similar materials in similar applications, as well as concerns with specific chemicals that could be used (see General Response 4.2.5).

WVDEP would have the ultimate authority for activities taking place at the coal refuse sites and has a responsibility to protect and prevent the degradation of groundwater and surface water resources within the state. WVDEP ultimately bears responsibility for the remediation of coal refuse sites predating the Surface Mining Control and Reclamation Act (SMCRA) of 1977 and would be directing and supervising the development and implementation of the site-specific reclamation plans; therefore, it is DOE's expectation that these plans would be developed in a manner that not only is protective of groundwater and surface water resources, but would potentially have a long-term beneficial impact. A primary goal of the project is to reduce the harm currently caused by AMD that is generated by the coal refuse sites and to have these sites restored to a more productive use. Thus, potential consequences to water quality would be a key consideration in the development and implementation of reclamation activities.

4.2.3 Success of Similar Applications of Ash

WGC proposes to use alkaline CFB ash to neutralize AMD from coal refuse sites. Some of the comments received noted that the Draft EIS did not provide any evidence demonstrating that CFB ash application could be successful in mitigating AMD and improving, or at least avoiding deterioration of, water quality.

CFB ash application has been carried out at several former coal mining sites in Pennsylvania and other states (Menghini et al., 2005; Murarka et al., 2006; Kania et al., 2004). Of the 16 identified coal ash placement cases for which information was available (see Table 1 in Appendix P), the results at three sites in Pennsylvania have been included in the EIS (see Appendix P), because the operations carried out at these sites most closely resemble the Proposed Action. In general, water quality at two of the three sites has improved significantly, while the third site has shown no change. Since CFB ash is a cement-like material and can be compacted to achieve extremely low porosity, co-disposal of ash and coal refuse has the potential to significantly reduce water infiltration and, consequently, the volume of AMD generation. Furthermore, the alkaline CFB ash would potentially neutralize any AMD that does form within the co-disposed piles.

The potential adverse environmental impacts of ash disposal were also examined by the General Assembly of Pennsylvania in deciding whether to impose a statewide moratorium on the use of ash in mine reclamation projects (see Appendix P). After reviewing available studies, the Pennsylvania Department of Environmental Protection (PADEP) monitoring data, and public testimony, the General Assembly concluded that, while improper use of ash could constitute an environmental hazard, data from several sites in Pennsylvania suggests that ash can be used effectively and safely when properly managed (PGA, 2004).

DOE recognizes that the successful use of CFB ash in mitigating AMD and improving water quality at the coal refuse sites depends on a number of factors, including the specific practices employed during coal refuse removal, processing, and CFB ash co-disposal. As described above, under “Refuse Site and Prep Plant Operations,” specific reclamation plans for the coal refuse piles would not be developed until completion of design for the WGC Project and, therefore, details of these operations are not available for inclusion in the EIS. Mitigating existing AMD is a primary goal of the project, however, and WVDEP would direct and supervise the development and implementation of site-specific reclamation plans. Available information on other successful coal refuse reprocessing and CFB ash co-disposal projects, in conjunction with a framework for WVDEP oversight, has provided DOE with sufficient information to determine that significant adverse impacts are unlikely.

4.2.4 Leachate of Arsenic

The potential for arsenic to leach from CFB ash has been identified as a concern by a few of the commenters.

To evaluate the potential for arsenic leaching, additional tests on ash from the coal refuse piles under a variety of conditions were conducted (these results are presented in Table 4.6-4 of Volume 1). These tests were designed to mimic the effects of rainfall, as well as simulate acid and alkaline environments. For all tests, the concentrations of arsenic leached were lower than EPA’s standards for toxicity under the Resource Conservation and Recovery Act (RCRA), although the concentrations were higher than the drinking water standards. The concentration of arsenic observed in these tests represents the potential concentration of leachate from 100 percent ash and does not account for mixture of ash with materials at the coal refuse site or pozzolanic effects that could occur at the site.

As indicated above, there are conditions which could result in the mobilization of arsenic. DOE reviewed a report produced by the Agency for Toxic Substances and Disease Registry (ATSDR) that referenced a 1997 study indicating that liming of mine tailings as a remediation technique could result in the mobilization of arsenic (DHHS, 2005). DOE also reviewed the supporting 1997 study, “Arsenic Transport in Contaminated Mine Tailings Following Liming” (Jones et al., 1997). The supporting study, based on mining sites in the Clark Fork Basin in Montana, indicated that soluble arsenic levels did not correlate with total arsenic concentrations, and were more strongly correlated with solution pH and adsorption-desorption reactions of oxide minerals, leading to the conclusion that the distribution of soil bound arsenic is important for determining mobilization following liming. The process of liming mine

tailings, although similar to the Proposed Action, may not be directly applicable to the use of CFB ash as the process may not have the same pozzolanic effects that have been observed with the application of CFB ash. However, the study does provide insight to circumstances under which arsenic could leach and the importance of evaluating the distribution of soil-bound arsenic when developing remedial plans.

In the absence of data related to leaching of arsenic from the existing coal refuse piles, DOE also reviewed available literature and case studies related to the leachate potential from CFB ash applications (see Appendix P and General Response 4.2.3). The recent report from the Pennsylvania General Assembly noted that, in general, arsenic present in coal ash is less mobile than arsenic in coal refuse, and therefore, less likely to leach (PGA, 2004) (see Appendix P). Based on the case study reviews and the report from the Pennsylvania General Assembly, DOE believes that CFB ash can be used to remediate coal refuse sites in a manner that does not degrade groundwater resources through the leaching of arsenic or other metals. The ultimate potential for leaching of metals would be dictated by remedial plans in the context of local conditions at a coal refuse site (e.g., geology and hydrology). However, it is expected that the potential for mobilizing arsenic and other metals would be carefully evaluated as part of the remediation planning efforts overseen by WVDEP (see Section 4.6.3.5 in Volume 1 for updated discussions on potential impacts on leachate).

4.2.5 Prep Plant Spoil Volume, Chemical Makeup, and Disposal Plan

WGC intends to use approximately 4,000 tons/day of coal refuse. The beneficiation plant has a design yield of approximately 40 percent, which indicates that 2,400 tons of prep plant spoils would be generated per day. The chemical makeup of prep plant spoils cannot be determined until the plant has been designed and the specific chemical processes and quantities defined. This data would not be available until the next phase of the project. Therefore, WGC would characterize prep plant spoil materials for toxicity prior to mixing and placement of the material at the coal refuse site.

It is assumed that during the beneficiation process the spoils would be separated into two streams: rejected aggregates and pyritic solids. WGC's intent is to collect and market the pyritic solids for commercial purposes, while the aggregates would be disposed of at the coal refuse site in accordance with a reclamation plan to be prepared for and approved by WVDEP. If the spoil materials are determined to have toxic characteristics or pose a threat to groundwater resources, WGC would evaluate the use of alternative process chemicals to remove toxicity concerns, or would develop alternative disposal methods for this material (e.g., disposal in a permitted landfill facility). Although spoil materials are exempt from regulation under RCRA, WGC would present the characterization data to WVDEP as part of the reclamation planning and implementation process. It is expected that the reclamation plan for each coal refuse site would address the proper disposal of spoil material from the prep plant.

The planned beneficiation plant would use substantial quantities of only two chemicals: (1) sodium hydroxide for water media pH control and (2) polyacrylamide as a flocculant for waste fines capture. Both are commonly used in coal cleaning operations. Polyacrylamide is also commonly used in drinking water treatment, and its use for that purpose is regulated by EPA. Polyacrylamide itself is not hazardous, but acrylamide, which may be present in small amounts (a few percent) in polyacrylamide flocculants, is a suspected carcinogen. However, acrylamide rapidly biodegrades in soil and water; up to 90 percent of acrylamide is degraded within 14 days in soil, and acrylamide is completely degraded within 12 days in water (http://www.epa.gov/chemfact/s_acryla.txt). Sodium hydroxide does not present any significant health or environmental hazards.

It is DOE's expectation that the compounds used in the beneficiation process would be handled using industry standard practices. Specific information related to potential impacts from these activities is presented in the Fuel Supply subsections of EIS Sections 4.2 through 4.15 (Volume 1).

4.3 AIR AND HEALTH-RELATED ISSUES

4.3.1 Best Available Control Technology Analysis and Compliance with the Clean Air Act

Several commenters questioned the project's compliance with air regulations and implementation of Best Available Control Technology (BACT) (also see General Response 4.1.1 with respect to the use of innovative technology).

WVDEP's Division of Air Quality (the state's regulatory authority on air quality) issued an air permit (PSD Permit Number R14-0028) in April 2006 to WGC, which allows for the construction and operation of the proposed Co-Generation Facility. In May 2006, the Sierra Club (West Virginia Chapter), West Virginia Highlands Conservancy, and Greenbrier River Watershed Association filed an appeal with the West Virginia Air Quality Board (AQB) against WVDEP's issuance of the air permit. The final order for this appeal was issued on February 28, 2007, in which the AQB affirmed the WVDEP's issuance of the air permit (see Appendix O3). According to the final order, it was concluded that WGC conducted the BACT analysis, and WVDEP complied with procedural requirements, in accordance with the applicable laws and regulations. Some of the findings of the AQB's final ruling included:

- Not enough evidence was provided to support the claim that the BACT analysis was flawed by the use of PM₁₀ as a surrogate for PM_{2.5}.
- Based on an independent review of the BACT analysis, it was concluded that "serious technical, economic, environmental and energy considerations prevented the selection of: 1) Selective Catalytic Reduction (SCR) for NO_x removal and 2) Wet Flue Gas Desulfurization Scrubber ('wet scrubber') for removal of SO₂." (See Appendix O3 in Volume 2.)
- An air quality dispersion modeling expert concluded that the dispersion modeling was conducted in a proper manner and testified that: "both models were simulated according to the guidelines and were even more conservative than necessary, 2) the guidelines require 'representative data' not just on-site (local) meteorology, and 3) predominate wind directions and the size and location of the facility were taken into consideration when determining that pollutant 'puffs' would not rotate in a clockwise direction and move against the predominate wind direction into the area of concern..." (See Appendix O2 for expert witness's testimony).

DOE has concluded that the BACT analysis is acceptable and that WGC has complied with the state's air regulations, as confirmed by the AQB's ruling filed on February 28, 2007. Results of the BACT analysis are discussed in Section 4.3.1.1 of the EIS (Volume 1).

4.3.2 Fuel Quality and Impacts on Global Warming and Air Pollution

Several commenters raised concerns about the use of coal refuse as a fuel source and its contribution to global warming and other pollutants. In addition, the issue of future regulations related to global warming and their impacts to the viability of the project was raised in several comment letters.

DOE has evaluated the reasonable alternatives (see Section 2.6.2 of Volume 1) available to the project proponent within the context of the project as selected under the CCPI Program for the demonstration of particular technologies and attributes, which includes the use of coal refuse as a fuel source. DOE will take into consideration during its decision-making process the impacts of using coal refuse on air quality as discussed in Section 4.3 (Volume 1).

Section 4.3.3.2 of Volume 1 (under "Greenhouse Gases") discusses the potential CO₂ emissions from the Co-Production Facility and the potential contribution to global CO₂ concentrations. In Section 4.16.2 (Volume 1), DOE discussed the cumulative impacts on CO₂ emissions if the project became successful and contributed to the widespread commercial acceptance and application of the Integrated, Inverted Cyclone –

Mid-Support (I²CMS) technology for CFB power plants. Section 4.16.2 (Volume 1) also discusses why sequestration is not feasible for this project. Additionally, new text has been added to Section 4.3.3.2 (Volume 1) regarding potential future regulations on carbon emissions and the feasibility of mitigation measures for this project.

Long-term CO₂ control strategies and purchase of carbon credits would depend upon the CO₂ emissions regulations that would be implemented and, thus, would be speculative at this time. However, DOE will take into consideration potential future carbon emission regulations and the associated risks for long-term project success in its decision-making process for the EIS.

Regarding air-related impacts on health, a health risk assessment was performed for the WGC Project and modeling results indicate that the Total Risk and the Hazard Index values are still well below the U.S. EPA criteria. See Section 4.14 of Volume 1 for a more detailed discussion on potential health impacts.

4.3.3 Mercury and Acid Deposition

Several commenters raised concerns about the increase of mercury and its health impacts associated with stream advisories and impacts on acid rain as a result of SO₂ emissions from the proposed power plant.

Elemental mercury, which has a very low bioavailability potential, was used in the risk assessment as discussed in Section 4.14 (Volume 1). Even if 100 percent of mercury emissions were assumed to be in a very bioavailable form (i.e., mercuric chloride), the hazard quotients for subsistence fisher adults and children would be 1.9×10^{-7} and 1.2×10^{-7} , respectively. These conservative estimates indicate that the health risks would be extremely small. For example, these values are seven orders of magnitude below the U.S. EPA quotient of 1.0 for acceptable risk from non-carcinogens (see Table 4.14-7 of Volume 1). Therefore, the potential incremental increase of mercury concentrations to streams as a result of the Co-Generation Facility's emissions, based on these conservative assumptions, would have an insignificant cumulative human health impact on even the potentially highest exposed receptors (i.e., subsistence fishers and nursing infants) with respect to areas which already have fish consumption advisories due to high levels of mercury contamination.

With respect to acid rain, the concentrations of SO₂ that would result from the Co-Generation Facility are shown in Tables 4.3-5 through 4.3-10 in Volume 1. As described in Section 4.3.3.2 of Volume 1, predicted emissions and resulting concentrations of SO₂ from the proposed facility were below EPA screening levels, and thus, significant adverse impacts to soils and vegetation are not expected. Additionally, in accordance with objectives set forth by the Acid Rain Program (in Title IV of the Clean Air Act) to reduce the adverse effects of acid rain, WGC would be required to obtain a Phase II Acid Rain Permit.

4.4 WATER USE

DOE received several comments related to the use of the Meadow River and local groundwater sources for plant process water, and the potential impacts to these resources as well as the resources downstream of the Meadow River. Specific concerns were also expressed about the potential for adverse effects to the Gauley River watershed and uncertainties that were communicated in the EIS related to groundwater studies and modeling. Sections 4.4.3.3 and 4.6.3.4 of Volume 1 have been revised for clarification and to provide updates from the new groundwater study (SSP&A, 2007; Appendix D2).

DOE presented information in the Draft EIS on expected impacts to groundwater resources, which was based on information collected by DOE to support the EIS. This information included the results of groundwater pump tests, investigations, and detailed groundwater modeling. Through the scoping process DOE determined that this information was needed to evaluate the potential for reasonably foreseeable

impacts in order to make a reasoned choice among the alternatives. DOE presented the expected range of impacts to groundwater resources in the Draft EIS and acknowledged the uncertainties in the analysis. DOE also indicated that the conclusions presented in the Draft EIS would be reviewed against on-going and longer-term groundwater investigations.

DOE also presented information on water withdrawals that would be expected to occur in the Meadow River and presented the expected range of impacts based upon withdrawal limitations that would be imposed to prevent adverse impacts from occurring. Although this information was provided, DOE recognizes that the information was not illustrated in a manner that provided the reader with a clear understanding of how the Meadow River would be used to support the project. Therefore, additional explanation is provided in this response and new text has been added in Section 4.4.3.3 of Volume 1.

4.4.1 The Meadow River

As discussed in Sections 2.4.6 and 4.4.3.3 of Volume 1, the water demand for the Co-Production Facility would range from 2.0 to 2.7 cubic feet per second (900 to 1,200 gallons per minute) depending on the season. WGC intends to use 100 percent of the Rainelle Sewage Treatment Plant's (RSTP) discharge. During typical power plant operations, WGC would obtain effluent from the RSTP via the point of its discharge and, therefore, would not impact the RSTP's operation. This effluent would then be directed to the power plant's on-site water treatment system before use at the facility. Average monthly discharge rates from the RSTP range from 0.8 to 1.3 cubic feet per second (or 370 to 570 gallons per minute) (see Figure 2.4-5 in Volume 1), which is also dependent on seasonal influences. Therefore, supplemental water sources ranging from approximately 0.7 to 1.8 cubic feet per second (300 to 800 gallons per minute), would be required to supply the remaining balance for the facility's average monthly demand.

Two options for supplemental water sources were presented in the EIS:

- Option A – WGC would withdraw groundwater from PW-1 and PW-3 (and other potential wells) as the secondary source of water supply to supplement the use of up to 100 percent of the RSTP effluent. As a tertiary source of water supply, WGC would take water from the Meadow River using a temporary withdrawal structure to be located near the RSTP.
- Option B – As the secondary source of water supply to supplement the use of up to 100 percent of the RSTP effluent, WGC would take water from the Meadow River using a permanent withdrawal structure to be located approximately 500 feet upstream of the RSTP. During periods when withdrawals would cause the flow in the Meadow River to decline below 60 percent of the average annual or seasonal flow (i.e., based on the Tennant Method, the river flow rate above which adverse water quality and aquatic habitat impacts would not be expected), groundwater would be withdrawn from PW-1, PW-3, and other potential wells as a tertiary source of process water supply.

At the time of the writing of the Draft EIS, WVDEP recommended that the priority of use for the supplemental sources should be surface water from the Meadow River, and then groundwater (Bowman, 2006). WVDEP advised WGC to analyze withdrawal rates and potential impacts to the river using the Tennant Method, which is typically used by the West Virginia Division of Natural Resources (WVDNR) to evaluate withdrawal rates and impacts to riparian rights (Bowman, 2006). A description of the Tennant Method is provided in Section 4.4.3.3 of the EIS (Volume 1). Based on these reasons, DOE reviewed flow data on the Meadow River and groundwater pumping studies and determined that Option B would satisfy the water balance with minimal adverse impacts to water resources.

Other than the recommendation to use the Tennant Method as an approach for evaluating withdrawal rates and impacts to the Meadow River, the state had not yet provided detailed recommendations to WGC at the time of writing of the Draft EIS. It was stated in the Draft EIS that WGC would continue their

consultation with the state and await their recommendations, which would include WVDNR's prescribed base flows and monitoring requirements. Therefore, DOE used the Tennant Method and available flow data to estimate impacts to the Meadow River as discussed in Section 4.4.3.3 of Volume 1.

The Tennant Method (also commonly referred to as the Montana Method) is an easy and widely-used approach in determining base flows necessary to protect the aquatic resources in streams (Tennant, 1975). Base flow, in this case, refers to the average annual or seasonal flow of a stream. As discussed in Section 4.4.3.3 of Volume 1, the method prescribes several base flow regimens that correspond to different ranges of water quality conditions (see Table 4.4-2 in Volume 1). To maintain an optimum range (i.e., high water quality conditions) for aquatic and recreational resources, the method recommends that 60 percent of the stream's base flow be maintained. WGC intends to maintain this level of water quality conditions in the Meadow River. On days when the river is at or is approaching this threshold, WGC would switch to groundwater resources.

The Draft EIS used the 60 percent average annual flow threshold as a basis to evaluate impacts to the Meadow River and several commenters expressed concern that WGC was proposing to extract 40 percent of the river's flow, which is not the case. Because the amount of flow in a stream is a composite manifestation of the drainage area, geomorphology, climate, vegetation and land use, the natural flow pattern in a stream can vary widely, even on a day-to-day basis, depending on these characteristics. Thus, low flow and high flow variations, usually with distinct flow characteristics corresponding to the different seasons, are commonly experienced by aquatic habitats. Thus, the first step in using the Tennant Method is to determine the average annual flow. The Tennant Method states that 60 percent of the average annual or seasonal flow provides excellent to outstanding habitat for most aquatic habitat conditions and for the majority of recreational uses. This threshold ensures that withdrawal from the Meadow River would not likely occur during low flow events as to exacerbate already stressed conditions (i.e., drought seasons).

Since the Draft EIS was published, river withdrawal guidelines have been developed by WVDNR, including recommended flow thresholds. In addition, an ongoing groundwater study referenced in the Draft EIS has now been completed and reviewed by DOE and has been added to the EIS (see Appendix D2 in Volume 2). This information provided more insight to facilitate WGC's water use decisions and confirmed assumptions and impacts as originally evaluated in the Draft EIS.

WVDNR estimated flows in the Meadow River using the Watershed Characterization and Modeling System and determined that the average annual flow for the proposed withdrawal site is approximately 296 cubic feet per second. WVDNR also reviewed aquatic sampling results immediately downstream from the proposed location of the intake structure on the Meadow River. Thus, based on the Tennant Method and the assumption that outstanding aquatic habitat conditions are to be maintained, WVDNR has prescribed the following guidelines which would be followed by WGC:

- A flow of 178 cubic feet per second must always be maintained in the Meadow River during the months of April – September (Spring/Summer);
- A flow of 118 cubic feet per second must always be maintained in the Meadow River during the months of October – March (Fall/Winter);
- Approximately 2.7 cubic feet per second is the maximum rate at which WGC would be allowed to withdraw water from the river; and
- A flow monitoring gage via a calibrated staff (i.e., a rated staff that relates water levels to corresponding streamflows at a given location) must be implemented to alert operators or inspectors when the flows are at or approaching the thresholds.

The minimum requirement for monitoring the Meadow River would be a staff gage, which would be calibrated to the flow levels that equate to the minimum flow rate. The proposed facility's personnel would be responsible for the monitoring. As a mitigation measure, WGC would install an electronic

monitoring device tied to the facility's distributed control system (DCS), which would provide constant and instantaneous river flow information. A "low flow" alarm can also be added to the system as a mitigation measure to warn the operators whenever the flow is nearing the withdrawal limit. The monitoring data would be stored electronically. In either case, pumping activities (when pumping starts or stops) would be recorded into the plant's log book.

Details of WVDNR's stream studies and modeling, potential impacts, and specific monitoring requirements will be reviewed and made available by WVDEP during the 401 Certification permitting process. Based on these flow thresholds, it is evident that WGC would only be limited to withdrawing water during high flow conditions, and therefore, would not add adverse biological impacts on the Meadow River to already stressed conditions during low flow scenarios (i.e., droughts). Thus, impacts to riparian rights downstream, as was originally described in the Draft EIS (see Sections 4.4.3.3 and 4.7.3.3 of Volume 1), are expected to be minor. Additionally, according to WVDEP's water use survey, there are no large water users (persons who withdrew and/or consumed more than 750,000 gallons of water in any month) within the Meadow River watersheds (WVDEP, 2006). The degree of impact on downstream users is lessened even further downstream, where the Meadow River flow increases significantly near its confluence with the Gauley River, approximately 35 miles downstream from Rainelle.

To examine the impacts from eliminating the RSTP's discharge to the Meadow River during low flow conditions, minimum flow values for the Meadow River were analyzed. Low flow values for the Meadow River near the withdrawal location were based on a 40-year dataset (extrapolated from a USGS station at Mount Lookout, located approximately 30 miles downstream of Rainelle – see Section 4.4.2 below on discussion of using a scaling factor to estimate Meadow River flow data near Rainelle). The median value for daily low flow is approximately 18 cubic feet per second (or 8,000 gallons per minute). As previously stated, average monthly effluent discharges from the RSTP range from 0.8 to 1.3 cubic feet per second (or 370 to 570 gallons per minute) (see Figure 2.4-5 in Volume 1). Discharge rates of 0.8 to 1.3 cubic feet per second represent approximately four to seven percent of the median low flow value (18 cubic feet per second) of the Meadow River, respectively. Assuming the median low flow value is a typical flow for the Meadow River during dry conditions, it is not expected that eliminating this source of discharge from the river would result in a significant adverse impact for downstream users, because the discharge represents a small fraction of the stream flow during low flow conditions.

Observing the thresholds recommended by WVDNR and using flow data extrapolated from a gage station located downstream of Rainelle (see Section 4.4.2 below on discussion of using a scaling factor to estimate Meadow River flow data near Rainelle), it is estimated that for the Spring/Summer season (April – September), withdrawal from the Meadow River would occur, on average, over approximately 68 days (37 percent of the season) and the wells would be pumped on 115 days (63 percent of the season); during the Fall/Winter season (October – March), river withdrawal would occur on approximately 125 days (68 percent of the season) and the wells would be pumped on 57 days (32 percent of the season). Over the 40-year period, the months of July, August, and September exhibited the greatest frequency of flows that fell below the thresholds provided by WVDNR (approximately 75 percent of the time). Therefore, it is expected that the majority of the water would come from underground sources during these months (see Figure 4.6-4 in Volume 1, Percent of Days per Season for Groundwater Pumping, 1966 – 2006).

According to the guidelines outlined above, the maximum that WGC would be allowed to withdraw from the Meadow River (also approximately the maximum amount of water required by the proposed facility) is 2.7 cubic feet per second (or 1,200 gallons per minute), which represents less than one percent of the river's average annual flow (296 cubic feet per second) at the withdrawal location. However, the proposed facility's peak demand would likely occur during April through September for the majority of the days when the Meadow River would exhibit lower than normal flows and would not be used. For this period, groundwater would then be the supplemental source because of low flow conditions. Withdrawal

from the Meadow River would likely occur during October through March, when the net decrease to the Meadow River would be approximately 2.2 cubic feet per second (includes RSTP flow that would otherwise have been discharged). This flow rate represents two percent of the 118 cubic feet per second threshold that must be maintained in the Meadow River during the Fall/Winter season.

Commenters also expressed concern over the impacts to the Meadow River, and consequently, impacts to the Gauley River National Recreation Area (GRNRA). From the perspective of flows downstream, the median flows of the Meadow River at the Mount Lookout station from April through September was approximately 170 cubic feet per second, and from October through March it was approximately 615 cubic feet per second (based on approximately 40 years of data). This gage is near the confluence of the Meadow River and Gauley River, about five miles below the Summersville Dam. The Gauley River has been regulated by the dam since 1966 for the main purpose of flood control. According to a WVDNR report, it was determined that although the Meadow River adds significant flows, its influence on the Gauley River (and therefore, the GRNRA) is overshadowed by the presence of the Summersville Dam (Bennett et al., 2006). Therefore, the net decrease of flow in the Meadow River, is expected to have negligible impacts to recreational activities at the GRNRA. The average annual flows of the Gauley River below the Summersville Dam ranged from approximately 1,200 to 2,600 cubic feet per second. Average annual flows of the Gauley River above Belva ranged from 1,500 to 4,000 cubic feet per second. In comparison, 2.7 cubic feet per second – the maximum rate at which WGC would be allowed to withdraw from the Meadow River (also the approximate maximum amount required by the proposed facility, which also includes the RSTP discharge amount) – represents less than 0.5 percent of the average flows in the GRNRA.

4.4.2 The Local Aquifer

Groundwater impacts were analyzed for both Options A and B. The original pump test results that were discussed in Section 4.6.3.4 of Volume 1 indicated that it would be feasible to produce 760 gallons per minute (even with the conservative assumption that this maximum pumping rate would continuously occur) during a 25-year period, but it would cause significant drawdown within the local aquifer (Appendix D1; SSP&A, 2005). As was indicated in the Draft EIS, this analysis was based on relatively short-term aquifer tests and a conceptual geologic model that was based on limited field data. To improve the reliability of the original groundwater model, and to confirm that the evaluation of impacts as described in the Draft EIS was reasonable, a long-term aquifer test with additional monitoring wells was performed in October and November 2006. The additional supporting data obtained from drilling two new monitoring wells for long-term pumping tests was used to refine the structure of the groundwater flow model. Since the publication of the Draft EIS, results of this groundwater study were made available and have been added as Appendix D2 (SSP&A, 2007). New text has been added to Section 4.6.3.4 (Volume 1) that discusses the results of this study. Additionally, Table 3.6-3 (Volume 1) includes approximate depths of the wells, including the city wells. Although the exact depths of the city wells could not be confirmed, based on a review of public records and interviews with local officials, it is assumed that the city wells are approximately 200 feet in depth and the groundwater pumps are greater than 100 feet.

In the updated groundwater analysis, two scenarios were considered for the analysis of the potential impacts to the local pumping wells and the flows in Meadow River. The first scenario (Option A) considered groundwater as the primary supplemental source of water for the plant. Constant pumping rates corresponding to average, maximum, and seasonal demands were used in model simulations for a 25-year period. The second scenario (Option B) considered surface water from the Meadow River as the primary supplemental source of water, with supporting groundwater withdrawals whenever the flow in the river was below seasonal thresholds imposed by the state (as discussed in General Response 4.4.1).

The streamflow data at the USGS gage station on the Meadow River at McRoss, used in the impacts analysis as discussed in Sections 4.4.3.3 and 4.6.3.4 of Volume 1, was selected due to its close proximity

to Rainelle. However, only three years of actual flow data were available from this station. Because some of the commenters expressed concern about the validity of using only three years of streamflow data, a more detailed analysis of historical streamflow data was conducted to confirm that the impacts analysis on the water resources provided in the Draft EIS was bounded. Historical streamflow data from the McRoss station was compared to the data available at the Mount Lookout station, which covered approximately 40 years. As previously mentioned, the drainage area at the Mount Lookout station is larger by a factor of approximately 2.2. Therefore, a larger dataset (approximately 40 years) for the McRoss station was provided by scaling down the flow data at Mount Lookout by a factor of 2.2. The appropriateness of using this scaling factor was confirmed by comparing the three years of actual data at the McRoss station to the flow at the Mount Lookout station over the same period and seeing if the scaling factor held true; it was determined that this scaling factor was reasonably valid (the data from the two gages were tested for correlation).

In the updated groundwater modeling report, the average seasonal pumping rates used for Option B were weighted to reflect the operating schedule of the wells as a function of the number of days the wells would be used (based on state-imposed thresholds on Meadow River withdrawals as outlined above). The seasonal pumping rates were determined based on the analysis of available streamflow data for the Meadow River. The impacts to the aquifer and the amount of leakage from the Meadow River, an indication of pumping influence on the river (i.e., strength of hydraulic connectivity between the aquifer and the river), were then evaluated.

Assuming that the conditions of the last 40 years are representative of future conditions, the scaled dataset was used to represent the Meadow River flow rates near Rainelle and was used to determine the pumping rates corresponding to Option B over a 25-year period. The pumping rates corresponded to the amounts of water necessary to be pumped from the aquifer on a seasonal basis in order to cover the demand when river flows would be below the flow thresholds prescribed by WVDNR.

The updated groundwater model (Appendix D2; SSP&A, 2007) demonstrates that both Options A and B for obtaining water are feasible. New text has been added in Section 4.6 of Volume 1, which describes in greater details the pumping rates and corresponding levels of drawdown for each option modeled in the new study. The model shows that Option B would have less of an impact on the water table (groundwater surface) and that both options would not cause unacceptable levels of drawdown. The city wells would still be able to safely meet the city water demand since, based on information obtained from the Rainelle Water Department, the wells are approximately 200 feet deep and the pump is set at greater than 100 feet below ground surface. In addition, the water level prior to the 60-day pump test was at approximately 25 feet below ground surface. Therefore, the depth of the city well pumps is expected to be greater than drawdown levels that would occur from the proposed plant and not be adversely impacted. If this is not the case, the pumps in the city wells would need to be reset to a greater depth. Regarding other potential wells, because water was initially supplied to the town by the Meadow River Lumber Company, it is assumed that residential or private wells are not prevalent in the area. Therefore, impacts to other unknown private wells are considered unlikely. WGC would verify pump depths for the city wells as part of a groundwater monitoring program to ensure that groundwater withdrawals for supplemental plant water supply would not draw down aquifer levels and threaten public water supplies and private wells (well details, see Table 4.6-3 in Volume 1).

The new groundwater modeling (Appendix D2; SSP&A, 2007) was also used to analyze the relationship between aquifer storage depletion and reduced river discharge. The analysis shows that most of the pumped water comes initially from aquifer storage; only after the initial eight to nine years of pumping is it demonstrated that the amount of water coming from the storage equaled the amount of water drawn from the river. Option B would have less of an impact on the river because water would be pumped from the aquifer only when the river flow falls below a certain threshold. Under Option A, the streamflow

would be reduced by a maximum of approximately 1.6 to 2.0 cubic feet per second at the end of the 25-year horizon. Under Option B, the streamflow reduction would be approximately 0.8 cubic feet per second at the end of the same period.

4.4.3 *Prep Plant*

Some commenters inquired about the water demand for the proposed prep plant at the coal refuse sites and whether or not a source would be available.

The water requirement for the prep plant (up to 100 gallons per minute) was stated in Section 2.3.6 of Volume 1. The source and availability of a water supply would be an important siting criteria for the prep plants (as identified in Section 2.4.4.2 of Volume 1); however, it is assumed that because the coal refuse piles are located at or near coal processing plants, which created the waste pile, there would be a sufficient source of water. For Anjean, WGC has preliminarily identified a spring near the abandoned cleaning plant location (see Figure 2.2-16 in Volume 1) that could serve as a water source. For other coal refuse sites, the selected preparation plant location would be guided by appropriate water availability, as well as other factors including proximity to the waste pile(s).

4.5 DISCHARGE OF HEATED EFFLUENT

Several commenters expressed concerns about the adverse impacts from heated effluent being discharged into the streams.

However, the EIS did not discuss the potential for this type of discharge, because project plans do not call for process water or any thermal discharges into any water bodies. As discussed in Section 4.12.3.3 (Volume 1), WGC intends to recycle and reuse water from cooling towers after treatment in an onsite system. WGC also plans to retain the majority of onsite surface runoff in collection ponds during operations as described in Section 4.4.3.2 (Volume 1), which would be treated in the onsite system and used to supplement power plant's water demand. The small amounts of excess surface water runoff (not heated) to Sewell Creek and the unnamed tributary would not be expected to adversely affect these water resources. Furthermore, as described in Section 4.4.3.1 (Volume 1), WGC intends to minimize the impacts of surface runoff during construction in accordance with a National Pollutant Discharge Elimination System (NPDES) General Construction Permit.

4.6 IMPACTS ON FLOODING

Several commenters raised concerns about the impacts of building in the floodplain.

As was stated in Section 4.5.3.1 and quantified in Table 4.5-1 in Volume 1 and as analyzed in the Floodplain and Wetland Assessment (Appendix M), although portions of the floodplain would be filled, it is estimated that the siting options would be well below the FEMA-designated height of one foot for the 100-year event. The EIS stated that there would be approximately a 0.5-foot (0.15-meter) change in water surface elevation at 2,000 feet (610 meters) upstream of the power plant site, where it is essentially free of any structures. Furthermore, the flood analysis accounted for a potential third-party facility in the EcoPark (see Figure 4.5-1). For these reasons, and because FEMA guidelines are the standard methods to analyze flood impacts, DOE deems the analysis provided in Section 4.5 of Volume 1 acceptable and will take into consideration the impacts as stated in this section during its decision-making process.

4.7 TRUCK TRAFFIC AND IMPACTS ON SAFETY, NOISE, AND DUST

Several commenters expressed concern that at least one additional coal truck would pass through Rainelle every five minutes, 24-hours a day, seven days a week. Several commenters also expressed concerns that, due to the increased truck traffic related to construction and plant operations, certain roads and bridges may experience a decrease in the level of service (LOS). Also, commenters stated that the use

of overweight trucks may increase the rates of damage to roadways, and the increased truck traffic would result in increased noise levels, air pollution, traffic accidents and congestion for local residents.

As stated in Section 4.13 of Volume 1 (also see Table 4.13-4 in Volume 1), processed fuel (i.e., beneficiated coal) and return ash truck deliveries would be limited to the eight-hour shift (8 a.m. to 5 p.m.), Monday through Friday. Also, the truck trip estimates include associated kiln/cement production trucks to capture bounded estimates in anticipation of planned cement-related deliveries. With respect to LOS issues, the EIS acknowledges that although decreases in LOS may occur, none of the key intersections would fall below LOS C, which is an acceptable level to handle traffic (see Table 4.13-5 in Volume 1).

The EIS also addressed the potential for damage to roadways. As discussed in Section 3.13.2.3 (Volume 1), the fuel sources are located within the Coal Resources Transportation System (CRTS). A CRTS-designated road is a road that the WV Department of Transportation (WVDOT) has determined to be safe and sufficient – one that allows for a Gross Vehicle Weight (GVW) of up to 120,000 pounds depending on their truck configuration – specifically for hauling coal. WGC plans to use trucks that are configured especially for hauling heavy loads such as coal and limestone. These trucks with 20- and 40-ton dump trailers would be within the GVW allowed on the truck routes (see Table 3.13-1 and Figure 3.13-2 in Volume 1) and would not be considered “overweight.” Additionally, Senate Bill 583 (passed and signed into law in 2003) states that the WV Public Service Commission (WVPSC) will enforce permits for CRTS routes – these permits are required for annual renewal, with permitting fees funding the maintenance of CRTS roads (see Section 4.14.3.1 in Volume 1). It should be noted that the region has long been an important transportation route for various heavy-load industries (e.g., coal, lumber, and limestone) and the additional truck traffic would represent a small incremental increase in comparable truck traffic.

As discussed in Section 4.14.3.1 (Volume 1), DOE acknowledges that there would be an increase in traffic accidents as a result of increased truck traffic. The accidents analysis presented in the EIS is based on the best available information for trucks greater than 10,000 pounds and appropriately characterizes the probabilities of traffic-related injuries and fatalities that may result from the project (Table 4.14-6 in Volume 1). However, Senate Bill 583 enforces safer road conditions by requiring stricter electronic weight reporting and imposing higher penalties for violators. Also, a hotline has been established enabling citizens to report poor driving or traffic violations.

Instead of transporting fuel from the coal refuse sites and preparing it at the proposed facility in Rainelle, WGC opted for the beneficiation of coal refuse to occur at or near the refuse piles. This would limit the number of trucks, thus decreasing the potential adverse impacts to residents near the facility (see Section 4.13.3.2 of Volume 1). The air emissions associated with truck transportation are described in Section 4.3.3.5 (Volume 1). The noise impacts of truck transportation are described in Section 4.15.3.2 (Volume 1).

4.8 INCOMPLETE AND UNAVAILABLE INFORMATION

Several commenters stated that the Draft EIS was presented with incomplete information and, therefore, did not present the potential impacts in a manner that provided an informed analysis to the public, and therefore, warranted an issuance of a revised Draft EIS or supplemental EIS.

40 CFR 1502.9(a) states in part: “If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and circulate a revised draft of the appropriate portion” and 40 CFR 1502.9(c) states in part: “Agencies ... Shall prepare supplements to either draft or final environmental impact statements if: (i) The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or (ii) There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.” Neither of these

circumstances prevails and DOE has determined that a supplemental EIS or revised Draft EIS is not warranted.

Under NEPA (40 CFR 1502.22), federal agencies must make clear incomplete or unavailable information when evaluating reasonably foreseeable impacts on the human environment in an EIS. In addition, if the incomplete information is essential to a reasoned choice amongst the alternatives, and the overall cost of obtaining the data are not exorbitant; the agency shall include the information in the EIS. If the agency is unable to obtain the information because overall costs are exorbitant or because the means to obtain it are not known, the agency must:

- Affirmatively disclose the fact that such information is unavailable;
- Explain the relevance of the unavailable information;
- Summarize existing credible scientific evidence that is relevant to the agency's evaluation of impacts on the human environment; and
- Evaluate the impacts based upon theoretical approaches or research methods generally accepted in the scientific community.

In the development of the EIS, DOE conducted extensive studies to collect data for evaluating reasonably foreseeable impacts. In addition, DOE used collected data to model and predict the reasonably foreseeable impacts based on this data and information on the Proposed Action. In accordance with NEPA, DOE also indicated in appropriate sections of the EIS areas where uncertainties were present in the analysis due to incomplete or unavailable information. Table 3 below summarizes areas where data is unavailable or incomplete, and describes its relevance to the range of environmental impacts.

Areas where data was either incomplete or unavailable were generally related to: (1) information on the Proposed Action that will not be known until more detailed design and planning are complete, or (2) data that was either cost exorbitant to collect due to the time or level of effort required collecting the data. Areas of detailed project design and planning were primarily associated with activities that could not proceed until Phase II of the project, which is subject to DOE's overall decision on the Proposed Action. Under DOE NEPA procedures, detailed design normally is not available until after completion of the NEPA process.

Although there are uncertainties associated with the WGC Project, DOE has taken a hard look in evaluating reasonably foreseeable effects on the human environment (e.g., by making conservative or 'bounding' analytical assumptions). Where specific information has been incomplete or unavailable, DOE has proceeded in accordance with 40 CFR 1502.22 to evaluate the reasonably foreseeable impacts of the Proposed Action. Therefore, DOE does not intend to issue a supplemental EIS or revised Draft EIS for the WGC Project at this time.

Table 3. Incomplete or Unavailable Information Relating to the Affected Environment

Project Feature		Relevance to Potential Environmental Impacts
	Incomplete or Unavailable Information	
Co-Generation Facility		
	Maximum and steady-state air emissions	Air emissions from the Co-Generation Facility would be influenced by the project's final design and fuel supply characteristics. Emission estimates in the EIS were made based on the air permit levels (PSD permit no. R14-0028). Although there is some uncertainty related to air emissions with respect to unknowns with the fuel supply (i.e., chemical characteristics), it is expected that because the modeling was based on permit levels and methods generally accepted in the scientific community, the estimates presented in the EIS provides a reasonable upper bound. Therefore, the range of air emissions estimated is adequate to determine the maximum reasonably foreseeable impacts of the Proposed Action.
Water Supply for Co-Generation		
	Meadow River streamflow data	Streamflow data for Meadow River at a gaging station (McRoss) near the intake structure location was limited (three years). A scaling factor, based on the drainage area ratio between the nearby gaging station and a downstream station (Mount Lookout), was used to extrapolate streamflow from a greater data set at the Mount Lookout station. The appropriateness of using this scaling factor was confirmed by comparing the three years of actual data at McRoss to the flow at Mount Lookout station over the same period and seeing if the scaling factor held true. It was determined that this scaling factor was reasonably valid as the data from the two gages exhibited a strong correlation.
	State guidelines for river use	Details of WVDNR's guidelines will be reviewed and made available by WVDEP during the 401 Certification permitting process. Analyses presented in the EIS were based on thresholds in WVDNR's recommended river withdrawal limits and it is expected that WVDEP would agree or impose stricter thresholds than those stated in the guidelines. Thus, the analysis presented in the EIS is expected to provide a reasonable upper bound of impacts.
	Final design of water intake structure and alignment of waterline	Refinement of the intake structure design may change the size of the facility; however, the EIS analyses assumed a maximum footprint of the structure and provide upper bound estimates of the impacts to wetlands. DOE would continue Section 106 consultation with WV SHPO (for cultural resources impacts) until this process is complete, and WGC would consult USACE (for wetlands impacts) as a result of the final design of the intake structure and waterline alignment. Although design details are not available at this time for the intake structure, this structure would be designed to 316(b) standard of the Clean Water Act which is designed to minimize impacts to aquatic resources. Thus, the analysis presented in the EIS is expected to provide a reasonable upper bound of impacts.
	Existing wells	The exact depths of the city wells (from which the city of Rainelle receives its drinking water supply) are unknown. Based on a review of public records and interviews with local officials, the EIS analysis assumes the city wells are approximately 200 ft in depth and that the groundwater pumps are greater than 100 ft. Therefore, the depth of the well pumps is expected to be greater than draw down levels that would occur from the plant. If this is not the case, the pumps in the city wells would need to be reset to a greater depth.

Table 3. Incomplete or Unavailable Information Relating to the Affected Environment (*continued*)

Project Feature		Relevance to Potential Environmental Impacts
	Incomplete or Unavailable Information	
Transmission Corridor		
	Final alignment of corridor	Refinement of the transmission corridor (Segment C) is currently ongoing and final alignment decision criteria include minimum impacts to wetlands. WGC is in the process of consulting with the USACE for the wetland permitting process to identify wetland impacts and methods for avoiding and minimizing impacts and developing suitable forms of wetland mitigation. Additionally, DOE and WGC will continue consultation with WV SHPO under the NHPA Section 106 review process with respect to public comments and ongoing refinements of the transmission line location (Segment C). Because these efforts would be focused on minimizing impacts to wetland and cultural resources, the range of impacts presented in the EIS is considered to be bounding.
EcoPark		
	Potential tenants or types of development and details on ash byproduct	Potential tenants and types of businesses that are likely to develop in the EcoPark are unknown. Thus, potential positive (e.g., economic vitalization) and adverse (e.g., increased traffic) impacts associated with the EcoPark are uncertain and contingent on factors outside of DOE or WGC's control. To the extent practicable, the EcoPark was treated as a connected action and incorporated in much of the analyses in the EIS, including traffic and floodplain analyses. DOE used reasonable assumptions based on information provided by the WGC and the city of Rainelle when conducting analyses for the EIS.
Fuel Supply		
	Fuel quality at Joe Knob and Donegan and amount of fuel supply	Statistical data on coal refuse pile quality is not available and was prohibitively expensive to collect as part of the EIS process. The lack of this data introduces uncertainty into the number of years that a particular coal refuse pile could be used by WGC as a fuel source. DOE used reasonable assumptions based on information provided by WGC and when conducting the EIS analysis with respect to operations at the identified coal refuse sites.
	Reclamation plans and extent of mining	Removal, placement and compaction strategies for the ash application to mitigate water quality problems would vary from site to site depending upon the local hydrology, the final desired site topology, etc. WGC is in consultation with WVDEP on developing reclamation strategies at Anjean; however, details on the extent of mining and the reclamation plans are not available at this time and would not be available until the next phase of the project. In general, the complexity of preparing a remediation plan and the siting of a prep plant are such that approximately two years of advanced planning is anticipated at each fuel supply source. Available information on other successful coal refuse reprocessing and CFB ash co-disposal projects (see Appendix P), in conjunction with a framework for WVDEP oversight, has provided DOE with sufficient information to reasonably assess the potential impacts.
	USACE-verified wetland boundary determinations at the Joe Knob, Donegan, and Green Valley sites	Extraction of coal refuse from Joe Knob, Green Valley, and Donegan is not expected to occur within the next five years. Because USACE-verified wetland boundary determinations are valid for a five-year period and wetland boundary conditions can change over time, extensive investigations for wetlands at the remaining coal refuse sites were not conducted for this EIS. However, potential site-specific impacts to existing wetland features and streams at the coal refuse piles are discussed in Section 4.7.3.5 of Volume 1.

Table 3. Incomplete or Unavailable Information Relating to the Affected Environment (*continued*)

Project Feature		Relevance to Potential Environmental Impacts
	Incomplete or Unavailable Information	
Transmission Corridor		
Prep Plant		
	Site location	Candidate prep plant locations have not been finalized and associated siting characteristics are estimated to the extent practicable in the EIS. Unknown factors, including water availability, proximity to power sources, and the location of wetlands and cultural resources at a site, would be part of the siting criteria for the prep plant location.
	Storm water management	Because the locations for the prep plant have not yet been identified and the plant would be constructed and operated by a third party, specific storm water measures at the prep plant are unknown at this time. As described in the EIS, it is anticipated that the prep plant would employ general storm water management practices that are typically used at cleaning plants and required under the NPDES permit.
	Types and quantity of chemicals	Specifics of the operations at the third party prep plant are unknown at this time. Therefore, DOE assumed that industry standard coagulants, flocculants, and pH control inputs would be used as is typical in coal prep processing.
	Details on the prep plant spoil volume, chemical makeup, and disposal plan	Chemical makeup of prep plant spoils cannot be determined until the plant has been designed and the specific chemical processes and quantities defined. This data will not be available until the next phase of the project. Therefore, WGC will characterize prep plant spoil materials for toxicity prior to mixing and placement of the material at the coal refuse site. This characterization data would be presented to WVDEP as part of the reclamation planning and implementation process, and if the spoil materials are determined to have toxic characteristics or pose a threat to groundwater resources, WGC would evaluate the use of alternative process chemicals to remove toxicity concerns, or would develop alternative disposal methods for this material (e.g., disposal in a permitted landfill facility).

INTENTIONALLY LEFT BLANK

5. COMMENT LETTERS AND INDIVIDUAL RESPONSES

The remainder of this document provides scanned images of the comment documents and DOE's individual responses to the comments. This section begins with the transcript of the public hearing for the Draft EIS (January 4, 2007 in Crawley, West Virginia) and continues with the comment documents received by DOE. For any reference to a general response, see Section 4, "General Responses to Common Concerns," in this volume.

INTENTIONALLY LEFT BLANK

PUBLIC HEARING

WESTERN GREENBRIER
CO-PRODUCTION DEMONSTRATION PROJECT

Draft Environmental Impact Statement

U.S. Department of Energy
National Energy Technology Laboratory

Western Greenbrier Middle School
Crawley, West Virginia

January 4, 2007

Reported by: Michele G. Hankins
Court Reporter
Notary Public

Michele G. Hankins
PMB 729 Ninth Avenue #129
Huntington, West Virginia 25701-2718
(304) 697-3217

APPEARANCES:

DOE-NETL, Presentation Speakers:

ROY SPEARS, DOE, NEPA Document Manager

U.S. DOE/NETL

MS/N-03,

Post Office Box 880,

Morgantown, West Virginia 26507

1-800-432-6330.

KEN MARKEL, DOE, Office of Major Demonstrations
NELSON REKOS, DOE, Project Manager

The public hearing pursuant to notice regarding the Western Greenbrier Co-Production Demonstration Project, took place before Michele G. Hankins, Court Reporter and Notary Public in and for the State of West Virginia, on the 4th Day of January 2007, 7:00 p.m., at the Western Greenbrier Middle School, Crawley, West Virginia.

3

CONTENT		
DOE-NETL Presentation Speakers:	Page	
Roy Spears	4	7
Ken Markel		8
Nelson Rekos	11	
Roy Spears		
Public Comments:		
Vicky Neal		15
Beth Little		18
* Dave Cowan		19
Robert Handley		21
Libby Hunter		23
Rob Rappold		24
Jay Hewitt		
Gene Wright		
* Naomi Cohen		28
Eugene McKenzie		31
William Turner		
Marcus Sutherland		35
Stacy White		38
Gabriel Duncan		41
Dale McCutcheon		44
Steve Malcomb		48
Scott Miller		51
Pat Vaughn		52
Michael Rosolina		54
Susie Bowyer		56
Joe Coughlin		58
Millie Smith		
Tiff Hilton	59	
Steve Malcomb		61
Eugene McKenzie		63
Gene Wright		64
* Did not speak; will submit comments in writing.		

4

PROCEEDINGS	
MR. SPEARS: Good evening, ladies and gentlemen.	
Welcome.	
I would like to get started with this public hearing for the Western Greenbrier Co-Production Demonstration facility.	
We are very pleased to have you here at this very important public meeting to contribute your comments in preparation for the Final EIS.	
Let the record show that at 7:07 p.m., this hearing is officially underway.	
I would like to introduce some distinguished guests that we have here with us this evening. If you would, when I call your name just stand and be recognized.	
The mayor of Quinwood, West Virginia, Gene Wright. He must be in the hallway.	
The mayor of Rainelle, West Virginia, Eugene McKenzie.	
Former state senator, Ralph Williams.	
Thank you, Mr. Williams.	
Steve Palota from the office of Governor Manchin is with us.	

5

1 Former Greenbrier County Assessor, Nancy
2 Sartoe.

3 Rainelle councilman, George Brooks.
4 Former county commissioner, Steve Malcomb.
5 Thank you.

6 One other person I would like to recognize
7 tonight. He has worked on this project for several
8 years and some of you probably have recognized him
9 in your conversations with him from the scoping
10 meeting that we had in 2003, is Mr. Mark McKoy with
11 the Department of Energy.

12 About the public meeting. NEPA, or the
13 NEPA process, states that we need to have these
14 meetings in order to solicit your comments.

15 They are very, very important and it helps
16 us -- as I mentioned earlier -- it helps us to
17 prepare the Final EIS for this study and for this
18 project.

19 Some of you were here for the informal
20 hearing of the information and I see some of the
21 same people this evening.

22 This meeting will be a little different,
23 in that it will not be a question and answer
24 session.

6

1 The purpose of this meeting is really to
2 accept all of the comments that you have with regard
3 to the Environmental Impact Statement that has been
4 provided to you for you to comment on.

5 This is the time for you to comment and we
6 would like for you to comment to the DOE officials
7 that are sitting to my left here.

8 So when you come down to speak, I would
9 ask of you to speak into the microphone in front of
10 the stage. I will give you a little bit more
11 information on speaking after our comments.

12 All of the comments, of course, tonight
13 are being recorded by a court reporter and this will
14 be for the public record.

15 All of the comments received up to the
16 closing of the comment period, January 18th, will be
17 used to alter or revise, if necessary, the Draft
18 Environmental Impact Statement in preparing it for
19 the Final.

20 At this point, I would like one of my
21 colleagues to give you some information on the clean
22 coal power initiative, Mr. Ken Markel.

23 MR. MARKEL: Good evening.
24 My purpose tonight is to give you a sense

7

1 of how this project got here.

2 The Clean Coal Power Initiative is a
3 legislative and mandated program, which is funded
4 entirely of money appropriated in the year 2002 and
5 2003.

6 Your Congressman and Senator represented
7 you in a debate that appropriated the money and said
8 to the Department of Energy, solicit requests for
9 proposals for a Clean Coal Power Initiative provided
10 in a competitive reward demonstration of
11 commercial-scale technologies to reduce the barriers
12 to be continued in the standard use of coal.

13 That statement results in this meeting
14 tonight. The projects were solicited, a competitive
15 evaluation was done, 36 projects were submitted,
16 eight were selected. This was one of the eight
17 selected.

18 The Clean Coal Power Initiative is only
19 the most recent in a long history of demonstration
20 programs that have been authorized by the Congress
21 for the Department of Energy to implement, which was
22 started back in 1985.

23 There have been about 50 projects that
24 have been initiated and most of them are completed.

8

1 Today we have approximately ten active projects,
2 this being one of them.

3 I wanted to make that clear that what we
4 are doing here tonight is not a government thing.

5 It is a thing that your Congressman and Senators
6 authorized to be done and we are following through
7 on it as a consequence of that legislation.

8 With that, I am done.

9 Proceed with the rest of the meeting
10 directed toward the Environmental Impact Statement.

11 MR. REKOS: I am Nelson Rekos. I am the
12 Department of Energy's project manager on this
13 project. I work for Ken Markel in the Office of
14 Major Demonstrations.

15 Just a little bit of project information.

16 This will be a 98 MegaWatt net circulating fluidized
17 bed combustor designed by Alstom Company.

18 It is specifically a unique design to burn
19 waste coals efficiently and cleanly, specifically
20 targeting, in the Alstom design, for the particular
21 coal for this region.

22 The waste coal, as one of the spots that
23 is located right up the road, in fact, will
24 basically be cleaned at the site to reduce the ash

9

1 content to essentially raise the Btu value before
2 delivering it to the power plants. So all the
3 cleaning will be done onsite.
4 In case you don't know where we are, the
5 DOE's contribution is \$107.5 million. The project
6 cost right now is \$215 million.
7 The schedule, essentially it was selected
8 in 2003, but the contract for the Cooperative
9 Agreement with the Department of Energy was in 2004.
10 The idea was that construction -- as we
11 get down the road, we will give you more
12 information -- but the target for construction is
13 2007, through 2009, with our completion of
14 construction and operation beginning in 2010.
15 Just to kind of simplify with a diagram of
16 what occurs, essentially -- I don't know if you can
17 see it real well -- essentially the wash coal and
18 the limestone is trucked to the Atmospheric Fluid
19 Bed. They are burned together to about 1,200 to
20 1,800 degrees fahrenheit.
21 That combustion event produces steam,
22 which is sent to the CFB boiler and generates the 98
23 MegaWatt net. In fact, it generates slightly more,
24 but the net is 98.

10

1 The ash coming out of the fluid bed is --
2 a lot of it will be sent to a rotary ash kiln to
3 make cement biproducts, but also it can be sent back
4 to the ending pile, or the waste coal area, to
5 remediate the site. So these two functions are very
6 integrated.
7 This is just an overall picture of it.
8 Here is the additional information that has already
9 been supplied to you.
10 Here in this picture, this is the coal
11 pile storage area and limestone will be trucked in
12 and the washed coal here and cooling tower over
13 there.
14 Again, there is more information in the
15 packet.
16 Lastly, in addition to the interest that
17 is in this project, it is not only a way to use
18 waste coal and remediate sites, it is just extremely
19 low emissions and combustion power plant.
20 And also, this design is rather unique in
21 that it is a compact designed circulating through a
22 fluidized bed. This is an advanced technology that
23 will be represented here.
24 It is very compact. It requires about

11

1 30 percent less steel. It will end up reducing the
2 construction and production time, which makes it an
3 ideal candidate and demonstration of this type of
4 project for all of the waste coal sites.

5 So the DOE has a long vision as a result
6 of this demonstration that this can be duplicated in
7 various parts in either West Virginia or any other
8 site that has a waste coal pile.

9 Thank you.

10 MR. SPEARS: Thanks, Nelson and Ken.

11 I will give you a little brief outline of
12 some of the NEPA process and lots of other details.
13 The NEPA process is very, very important in looking
14 at the environmental aspects of things.

15 As you can see on the overhead, the
16 National Environmental Policy Act was in January of
17 1970, so it has been around for a while, but
18 probably -- I don't know -- it is more important now
19 than it was then, and now it is just very, very
20 important right now because of all of the things
21 that are going on in this world right now.

22 Of course, it involves all of the
23 government agencies then with a national charter for
24 the protection of the environment.

12

1 This is sort of animated here, but I put
2 this on here so that you could read it.

3 Environmental information must be available to the
4 public officials and citizens before Federal
5 decisions are made and before the Federal actions
6 are taken. That is required.

7 To make decisions based on the
8 understanding of the consequences. Focus entirely
9 on the significant issues. And we would like to
10 promote environmental planning, which NEPA is a
11 planning tool and we certainly hope to do that and
12 that we do all of the things that we need to do in
13 the planning process.

14 This slide indicates some of the things
15 that are required to begin the Environmental Impact
16 Statement.

17 You can read through those and many of you
18 have already seen the Draft Environmental Impact
19 Statement. If you haven't seen that yet, I hope you
20 will take an opportunity to read through it and look
21 at some of those things, which those are available
22 at the public library and many of them have been
23 mailed to you.

24 Where are we in the process? I have had

13

1 about a half a dozen people asking me tonight and in
2 this session, Where are we in this process of NEPA?

3 Very briefly, we have the Notice of
4 Intent. It went out in April of 2003. Mark
5 conducted the public scoping meeting here in May of
6 2003, then the process began to build that Draft EIS
7 and then an amount of data had to be collected from
8 the field to put some things into that document.

9 It takes a while to collect the data and
10 then put it in public comment period. Once we
11 published and make an order of that Draft EIS, it
12 runs for 45 days and we are within that 45-day
13 period right now and are within the process of
14 conducting the public hearings.

15 What will happen now is that we will
16 accept comments from you through the 18th of
17 January, and if you want, you can do it verbally
18 here, or you can send it in written and those will
19 be equally considered in making that Final EIS.

20 Once the Final is finished, it goes to
21 headquarters for approval -- the headquarters in
22 Washington -- and it is published and the Record is
23 prepared -- the Record of Decision is prepared, and
24 then the Executive Decision can't be signed by the

14

1 Assistant Secretary for Fossil Energy, Department of
2 Energy, until all 30 days have passed.

3 We are hopeful that will be done right
4 after that, but that is up to the Assistant
5 Secretary of the Department of Energy and his staff
6 and they will evaluate it and look at that Final EIS
7 and then make a decision to fund it or to not fund
8 it.

9 With regard to your comments and your
10 comment period, I would ask that each speaker please
11 adhere to a five-minute time limit.

12 An additional opportunity will be made
13 available if you want to have another three-minute
14 session and then if you have other things to say
15 beyond that, please do that in writing and submit
16 that to us here.

17 I have a list of preregistered speakers
18 and we will start from that list and we will go from
19 the first to the last on that and we will ask if
20 there is anyone else from the floor that would like
21 to speak.

22 Please state your name and spell it for
23 the court reporter, before you begin the comment.

24 With regard to the comment cards that we

INTENTIONALLY LEFT BLANK

Commenter 1 – Vicky Neal

1 have available back here at the table -- back at the
2 entry door -- you can take those comment cards and
3 if you want, you can mail those in to the address
4 that is at the bottom.

5 Additional comment cards are available if
6 you need those.

7 Our first speaker will be Vicky Neal.

8 Please state your name and if you could,
9 address the stage.

10 MS. NEAL: Good evening.

11 My name is Vicky Neal. I am from here.

12 V-I-C-K-Y N-E-A-L. I live here in the community.

13 My husband and I were born and raised

14 here. We have lived away for several years and we
15 always knew that we were going to come back.

16 So when a position became available at the
17 local high school, we moved back about three- or
18 three and a half years ago.

19 It was quite a change after being born and
20 raised here, to come back and see what has gone on
21 with our communities, Crawley, Rainelle, Rupert and
22 Crichton.

23 I have been disturbed by the fact that our
24 students do not have anyplace to go after they are

RESPONSES

Comment: 1-001, Issue Code: A1
Comment noted.

1-001

Commenter 1 – Vicky Neal

1 out of high school. There is nothing really here
2 for them. Some people refer to it as the "Hillbilly
3 Highway" because they leave because there is not a
4 lot here.

5 As you can probably tell, I am really
6 trembling because I really don't like to speak in
7 front of my peers. I would rather have a classroom
8 full of my students -- and you all would probably
9 hate that -- but this is a little bit nerve-racking
10 for me.

11 But I decided that I did want to speak
12 because I feel like that this contract is going to
13 be very beneficial.

14 Yes, it has some things that worry me.
15 Some things that might be going on, but hopefully --
16 because this is all about -- I heard somebody refer
17 to it as a fascist practice. So I am hoping that
18 everything is going to be done to make this one
19 issue they can take it all around the world to show
20 it off.

21 So I am hoping that you are going to look
22 at those things.

23 Somebody had mentioned back about the
24 roadways verses railways and so forth. We need to

1-001
(continued)

RESPONSES

Commenter 1 – Vicky Neal

1 go ahead and talk about it and figure out a way if
2 it is too dangerous and how this is going to impact
3 the roads and hopefully that will be looked at.

4 This project has already put a lot into
5 the schools and opened the eyes of some of our
6 students here and in Meadow Bridge because they have
7 been helping with the scoping survey, that I believe
8 you referred to during this process, and they have
9 learned a whole lot and they see that there is
10 something out there that they might be interested in
11 that is staying in our area.

12 I know that the start-up jobs, there are
13 going to be a lot of those. Then they said, Well,
14 there is not going to be a lot of permanent jobs.
15 The point being that they need jobs, to keep our
16 students here, my kids here.

17 Also there is going to be satellite
18 businesses that will give them an opportunity to
19 actually make something of themselves here in our
20 community.

21 I would like to see it back to where it
22 was before we moved away. There was more hope. We
23 don't have a whole lot of hope in a lot of our
24 citizens here.

1-001
(continued)

RESPONSES

Commenter 2 – Beth Little

1 Thank you for your time.
2 MR. SPEARS: Thank you Ms. Neal.
3 Beth Little.
4 MS. LITTLE: My name is Beth Little.
5 B-E-T-H L-I-T-T-L-E-E.
6 On one of these earlier charts, there is a
7 mandate or a requirement of NEPA for the
8 Environmental Impact Statement. Was the information
9 provided to the officials and the citizens before
10 the decisions and actions were taken?
11 In the Draft EIS, the information about
12 the water supply is inconclusive. In fact, the
13 report is very skeptical about whether there is
14 enough water and in asking questions tonight, I
15 found out that there are ongoing tests that are
16 being made, and if so, it is still not known for
17 sure if there is going to be enough water.
18 I would like to request that the Draft EIS
19 be redone, or a supplemental EIS should be issued,
20 when there is sufficient information for us to know
21 the environmental impacts about the use of water.
22 In other words, that there will be a
23 sufficient water supply.
24 Thank you.

2-001

2-002

2-003

RESPONSES

Comment: 2-001, Issue Code: C

The Draft EIS was made available for public review for 45 days. According to 40 CFR 1506.10(c), "the public review and comment period on a draft EIS shall be no less than 45 days." Officials and citizens were notified of this project as part of the EIS scoping process, as described in Chapter 1 in Volume 1. A DOE decision on the Proposed Action will not be made until completion of the Final EIS.

Comment: 2-002, Issue Code: G

Since the Draft EIS was published, river withdrawal guidelines have been developed by the West Virginia Division of Natural Resources (WVDNR), including flow thresholds to be maintained in Meadow River. In addition, an ongoing groundwater study referenced in the Draft EIS has now been completed and has been reviewed by DOE (Appendix D2). This information on both of these water resources provided more insight to facilitate WGC's water use decisions and confirmed assumptions and impacts as originally evaluated in the Draft EIS. See General Responses 4.4.1 and 4.4.2.

Comment: 2-003, Issue Code: C

DOE provided analysis and information on anticipated surface water and groundwater impacts in the Draft EIS. DOE also discussed uncertainties related to the Draft EIS's water resources analysis and the range of potential impacts given such uncertainties. Although DOE has conducted additional studies to reduce uncertainties, and verify analysis originally presented in the Draft EIS, DOE does not believe a supplemental EIS or a re-issuance of the Draft EIS is warranted. See also General Response 4.8 regarding uncertainties in the EIS.

Commenter 3 – Robert Handley

1 MR. SPEARS: Thank you very much.
2 Dave Cowan?
3 MR. COWAN: I am going to submit mine in
4 writing.
5 MR. SPEARS: Thank you.
6 Robert Handley.
7 MR. HANDLEY: I am Robert Handley.
8 R-O-B-E-R-T H-A-N-D-L-E-Y. I live at Renick, which
9 is 15 to 20 miles to the east of here.
10 I am concerned about the toxic fumes that
11 will come from the plant when winds from the west or
12 southwest come right into the Greenbrier Valley very
13 quickly.
14 We have a lot of pollutions here from the
15 Ohio River plants and we don't need anymore.
16 Also, we went up into where the gob pile
17 is this afternoon and I have come up with a theory
18 that -- the gob is pretty much surrounds the
19 Greenbrier Mall up there right above Hamtree and
20 there is some strip mines that have taken the
21 surface coal around the edges, but at this point the
22 gob, a lot of it is washer refined. It is in the
23 way. It should have been treated that way quite a
24 while ago, but nobody made them do it.

3-001

3-002

RESPONSES

Comment: 3-001, Issue Code: F
See General Response 4.3.2. Impacts to air quality and public health are discussed in Sections 4.3 and 4.14 of Volume 1, respectively.
Comment: 3-002, Issue Code: E1
Comment noted.

Commenter 3 – Robert Handley; Commenter 4 – Libby Hunter

1 The coal companies that are responsible
2 for it. Now it is in the way of mountaintop removal
3 and if they can get the coal treatment plant to
4 remove it for them and pretty much reclaim their
5 end, then they don't have to worry about it.
6 Right now, if they were to take the top
7 off the mountain, they would have tons of gobs and
8 treat it themselves. So I don't think that is
9 right.

10 Thank you very much.

11 MR. SPEARS: Thank you.

12 I am sorry I mispronounced your name. I
13 couldn't read your writing.

14 Libby Hunter.

15 MS. HUNTER: Good evening. I am a mother,
16 a grandmother, and I am also a teacher at Pike
17 Elementary and at the present time I am teaching
18 fifth grade.

19 I spent the last week in Dayton, Ohio,
20 because my son had to leave this area.

21 My family is very much into the
22 environment. My family hunts, we fish, we camp, we
23 hike, so we are well aware that there will be some
24 negative environmental factors contingent with this

3-002
(continued)

4-001

RESPONSES

Comment: 4-001, Issue Code: A1
Comment noted.

Commenter 4 – Libby Hunter; Commenter 5 – Rob Rappold

1 project.

2 But we also believe that we need to be
3 problem solvers and as we go onto this project, our
4 children that we are raising and training to become
5 problem solvers will solve these problems.

6 In the classroom, we are now putting in
7 technology. We have fifth graders using TI-73
8 calculators, doing GPS projects.

9 We are doing clear channel reads and we
10 are doing robotics and these children are being
11 prepared to be engineers. These kinds of projects
12 will need these children.

13 This is not a project that is just going
14 to be a niche here in Western Greenbrier County. It
15 is going to be a global impact and our children need
16 to have the advantage of working with this project.

17 Thank you.

18 MR. SPEARS: Thank you, Ms. Hunter.

19 Rob Rappold.

20 MR. RAPPOLD: Good evening. Thank you for
21 the opportunity to say a few words.

22 I am from Beckley, about 35 miles away. I
23 have been a member of the Beckley City Common
24 Council.

4-001
(continued)

5-001

RESPONSES

Comment: 5-001, Issue Code: A1
Comment noted.

Commenter 5 – Rob Rappold

Excuse me. I'm sorry. It is Rob, R-O-B, Rappold, R-A-P-P-O-L-D.

I have been a member of the Beckley City Common Council since 1988. I am also a member of the 4C Economic Development Authority. Which is comprised of the four counties that are Nicholas, Fayette, Raleigh and Summers.

These four representatives have spent a considerable amount of time, talent and resources, to attract projects that -- here before, the city wasn't really compared to scope with what this project brings to this region.

The motto of the 4C Economic Development Authority is that what is good for one county in that 4C region is good for the entire region.

If you look at a map, particularly of this area of Western Greenbrier County, or Nicholas County, Fayette County and Summers County, this portion over at the Greenbrier County really fits more into the 4C region, than it does maybe the rest of Greenbrier County.

So we were brought in to this successful project. We are proud of the innovators who brought the project out of infancy and we are proud of

RESPONSES

5-001
(continued)

Commenter 5 – Rob Rappold; Commenter 6 – Jay Hewitt

1 the -- as we mentioned earlier -- with the summer
2 programs that we have already initiated in the last
3 couple of years with high school students.

4 We hope that they will be corporate
5 citizens and we would expect that to continue to
6 grow in scope.

7 So, I checked with the mayor of Beckley
8 today and told him what I intended to say this
9 evening. He is also a past member of the 4C
10 Economic Development Authority and he gave me full
11 authority to make these comments.

12 Thank you very much.

13 MR. SPEARS: Thank you.

14 Jay Hewitt.

15 MR. HEWITT: I also would like to thank
16 you for the opportunity to speak.

17 Jay Hewitt. J-A-Y H-E-W-I-T-T.

18 I grew up in Richmond, West Virginia, in
19 neighboring Nicholas County.

20 I agree completely with the two school
21 teachers. For young people today, the economy in a
22 small town is just dying in West Virginia and I
23 think a project like this can only be beneficial for
24 young people, as well as everybody.

5-001
(continued)

6-001

Comment: 6-001, Issue Code: A1
Comment noted.

RESPONSES

Commenter 6 – Jay Hewitt; Commenter 7 – Gene Wright

6-001
(continued)

1 I am a recent graduate of the University
2 of Charleston and I work for Wells Fargo.

3 It is just so tough for young people today
4 to come back to a small community like this where
5 they grew up and we all want to be where our family
6 is.

7 I just think that this would be a great
8 project for everybody. It is going to be well run,
9 obviously, and very professionally run. And I think
10 when it is all said and done, it can be something
11 that our community can be very proud of.

12 Thank you.

13 MR. SPEARS: Thank you, Jay.

14 Gene Wright.

15 MR. WRIGHT: My name is Gene Wright.

16 G-E-N-E, Wright is W-R-I-G-H-T.

17 I want to say that I am obviously for this
18 project. A long time ago after the oceans separated
19 from the mountains and likely these mountains were
20 covered, before the mountains came up.

21 Anyway, things happened geologically here
22 on earth and eventually the great Greenbrier Valley
23 was formed.

24 The end of all man was roaming the earth

7-001

RESPONSES

Comment: 7-001, Issue Code: A1
Comment noted.

Commenter 7 – Gene Wright

1 then and eating roots and obviously he had to do a
2 lot of things to survive.

3 One day his wife left him on a rundown
4 path and hey, there is food. So they prepared to
5 attach the baskets on them to get the fruit and just
6 about the time they were all going to throw their
7 spears, a thunder formed all over the place and a
8 huge bolt of lightening came out of the sky and bam,
9 it hit the big bass and fried it.

10 Hey, what was this? They didn't know what
11 to do for a while. They didn't know if they were
12 ruined, but a guy picked it up and took a big bite
13 and said, Hey, that was good. It was just like
14 beef, man. Hey, let's try this again.

15 So they waited around and there was no
16 more thunderstorms for a while, but eventually
17 another storm came and lightning caught the woods on
18 fire and guess what, they hit on a big bass and one
19 kneeled over it and cooked it again.

20 Time passed, eventually man learned how to
21 use this fire for his good use. Well, more time
22 passed and finally he dug up some stuff out of the
23 river and it was coal and it burned. Now they can
24 cook their meat a little better then.

7-001
(continued)

RESPONSES

Commenter 7 – Gene Wright

1 Time passed, the world grew up, New York
2 came up, and everybody was burning coal to keep
3 warm, but the one thing it did, it smoked up the
4 place something terrible.

5 I am sure you have read about it in the
6 history books, somebody invented a stove. There was
7 no smoke, it blew a lot of heat. Things got a long
8 pretty good.

9 Eventually, this is pretty good to cook
10 our meat, but there should be something better. So
11 a guy came along and thought up electricity. And
12 boy, that made it a lot easier.

13 You didn't have the smoky mess to take
14 care of and it didn't smoke up the place. Just
15 stick it up there on the grill and it was pretty
16 good.

17 We got to the point now, it got much more,
18 much more and much more efficient. So it takes a
19 little bit of coal to make our electricity and we
20 are getting used to it and we have plenty of coal
21 now, but more people want electricity.

22 More and more people want electricity.
23 How are you going to get it? What do you mean? Dig
24 more coal, dog on it.

7-001
(continued)

RESPONSES

Commenter 7 – Gene Wright

1 So in the last 50 years, there have been
2 cleaner and cleaner ways to burn coal, but naturally
3 man wants electricity so he can have his steaks in
4 the skillet. We can cook them on the grill, if we
5 want to.

6 But anyway, these things are more
7 efficient and now we have one of the most efficient
8 plant designs that will be used anywhere in the
9 country. And hopefully, like the man says, it will
10 be the forerunner for those people who help this
11 country be more powerful and make it more
12 comfortable for you, the people.

13 So I am all for the project. It makes it
14 even cleaner. After this is done, who knows,
15 someone might get a little better generator and make
16 it even cleaner.

17 But at the same time, it is going to give
18 us jobs, it will give us electricity, you will be
19 able to do it clean and if you want to, you can go
20 ahead and burn your fire at night and it releases
21 smokes and pollute anywhere you want, but this is
22 going to take care of a lot of that smoke and
23 pollution.

24 Thank you.

7-001
(continued)

RESPONSES

Commenter 8 – Eugene McKenzie

1 MR. SPEARS: Naomi Cohen.
2 MS. COHEN: I will submit my comments in
3 writing,
4 MR. SPEARS: Thank you.
5 Eugene McKenzie.
6 MR. MCKENZIE: I am Eugene McKenzie.
7 E-U-G-E-N-E M-C-K-E-N-Z-I-E.
8 First of all, I want to thank you for the
9 opportunity to speak here tonight and especially I
10 appreciate you bringing this hearing here to our
11 local area so that people can have a chance to
12 comment on the way they feel about this project.
13 I am the mayor of Rainelle. I am also a
14 member of the city board for the Cogeneration Plant.
15 I have been around the coal business for
16 the biggest part of my life and I have mined and
17 delivered coal by truck and rail and by other
18 methods -- barges -- and I have even participated in
19 different exports to ship coal to other parts of the
20 country.
21 I have visited many plants that I have
22 shipped coal to such as Wesvaco, American Electric
23 Power, Virginia Electric, Duke Power, and many
24 others and Dupont in South Richmond and even Ohio

8-001

RESPONSES

Comment: 8-001, Issue Code: A1
Comment noted.

Commenter 8 – Eugene McKenzie

RESPONSES

1 Edison.

2 I have shipped coal to different places
3 around the world, in Europe and Argentina and Japan
4 and many other places.

5 I have been around the coal business a
6 long time and I have visited a lot of different
7 boilers and plants throughout the country. It has
8 been a great experience for me. It has been a
9 learning experience for me.

10 I have learned, because of this project
11 here, I understand what is going on. I see no
12 reason why our emission controls can't be reaped at
13 a successful rate, when broader technology and
14 expertise are used.

15 Even though you don't have a barn yet, can
16 get close to what you need to do. It is totally
17 impossible to get a rate of what these air
18 pollutions are going to be unless you get some type
19 of a temporary barn.

20 Once you get a barn, then you can control
21 the air pollution to get the successful rate or
22 rates that are acceptable to our environment and to
23 our lives.

24 You can do that by different methods, you

**8-001
(continued)**

Commenter 8 – Eugene McKenzie

1 can do that by washing coal that is proposed here in
2 this project. You can also do it by blending.

3 Blending the coal, to make smokeless coal that will
4 make less smoke and less pollutions come out of this
5 plant here.

6 I think it is such an educational
7 situation. It is not guesswork. It is, to a
8 certain point, but once you get power to the plant
9 and use the technology that you have today, you can
10 be provided a successful rate of air pollution or
11 that is acceptable to everyone.

12 I think that this is a good project. I
13 think that it is a project that should happen. I
14 think with your help and the help with everyone
15 around it, it can happen and I pray for you that it
16 will happen.

17 The area needs it economically. I think
18 it is a good project, not only for the production of
19 electricity, but it is going to remove a lot of the
20 emissions that is being caused by slow oxidation
21 into the ground and into the air by gob piles and
22 pollution at Arjean and also other surrounding areas
23 where other gob piles exists.

24 I think that the people that have worked

8-001
(continued)

RESPONSES

Commenter 8 – Eugene McKenzie; Commenter 9 – William Turner

RESPONSES

1 on this project, have worked diligently. I think it
2 is a legitimate project that needs to come to a
3 realistic stage.

8-001
(continued)

4 I hope and pray that the economic impact
5 and also the atmosphere and surroundings, I think
6 that it will be one of the best things that can
7 happen to our area or that has happened here in
8 many, many years of my life.

9 Thank you very much.

10 MR. SPEARS: Thank you.

11 William Turner.

12 MR. TURNER: Good evening.

13 I am Bill Turner. T-U-R-N-E-R.

14 I am a lawyer in Lewisburg and I

15 appreciate the opportunity to comment here tonight.

16 My conclusion, after studying the project,
17 is that cost outweigh the benefits of the project.

18 In my view, this is not a new technology
19 that is being employed here. This type of plant has
20 been built in China already.

9-001

21 As the Draft Environmental Impact
22 Statement already notes, it is not an appropriate
23 use of clean coal dollars because frankly, this
24 plant is not a clean coal plant.

Comment: 9-001, Issue Code: D1

Comment noted. See General Response 4.1.1.

Commenter 9 – William Turner

1

It is dirtier, in fact, than two other plants that have been built in Fairfax,

2

West Virginia, or in Pennsylvania. That would

3

include the Longview Plant in the Morgantown area

4

and the Greene County, Pennsylvania plant just

5

across the stateline and about 30 miles north of

6

Morgantown.

7

This plant would be cleaner if a wet

8

scrubber were used to contain and control the

9

emissions, but unfortunately a dry scrubber is being used here.

10

11

This plant is also going to have some

12

significant negative impacts on water quality and

13

water quantity in the area.

14

In terms of the Meadow River, the plant

15

proposes to use up to 40 percent of the flow of the

16

Meadow River. It is not a large stream. I know it

17

because I have spent time on it. As some of the

18

people in this room know, I am a fisherman and I

19

caught my first muskie in the Meadow River.

20

It is not a big river and 40 percent of

21

the flow in the summertime is going to be quite a

22

dent out of the Meadow River.

23

I don't understand why we would be

24

RESPONSES

Comment: 9-002, Issue Code: G1

See General Response in Section 4.4.1.

Comment: 9-003, Issue Code: D1, F2

See General Responses 4.1.1 and 4.3.1. Impacts on air quality and pollutant deposition are discussed in Sections 4.3 and 4.14 of Volume 1, respectively.

Commenter 9 – William Turner

1 building a project that is not new technology that
2 is going to add to the mercury burden in the
3 waterways in the area here.

4 This plant under its permit could emit up
5 to 28 pounds of mercury per year. We already have,
6 as you may know, we have a statewide fish
7 consumption advisory in West Virginia for mercury
8 already.

9 So this is just more of an indication of
10 why this is not a clean coal plant.

11 The Meadow River, in my view, could be an
12 asset to the west end of Greenbrier County, if it
13 was used appropriately, much like the Greenbrier
14 River is an asset to the eastern part of the county.

15 Transportation is another area that if I
16 lived in Rupert or Rainelle, or anywhere in between,
17 I would have some serious concerns about.

18 Under the Draft Environmental Impact
19 Statement, you note that the worst case scenario is
20 up to 97 round trips of trucks on US 60, WV 20, or
21 County Route 1, from 8 a.m. to 5 p.m. That is a
22 significant increase in the burden of truck traffic
23 on roads that are already quite dangerous.

24 In terms of jobs, I think many people in

RESPONSES

Comment: 9-004, Issue Code: I
See General Response 4.7.
Comment: 9-005, Issue Code: D4
See General Response 4.1.4.

Commenter 9 – William Turner

RESPONSES

1 this room disagree about some of the things that I
2 just said, but I will say this: I have spent the
3 better part of my 20 years as a lawyer representing
4 displaced or fired employees and workers and I am
5 very sensitive to the issue of jobs.

6 There is \$107 million, is what the
7 government proposes to invest in this plant. We
8 could hire 321 workers for 10 years at \$12 an hour,
9 plus benefits, allowing one-third of the pay for
10 benefits as a pretty realistic assumption that the
11 economy could use.

12 That is more jobs than this plant proposes
13 to create once the construction is done.

14 According to the EIS draft, the plant is
15 proposing to create around 55 jobs, 11 of which are
16 going to be for management or financial-type
17 positions and 44 of which are going to be for like
18 hourly-type jobs for the power plant and for the
19 cement plant.

20 So in my view, we would be better off to
21 take the \$107 million that is supposedly invested in
22 this plant, and hire workers at \$12 an hour and put
23 more people to work.

24 We could do things like fix up housing

9-005
(continued)

Commenter 9 – William Turner; Commenter 10 – Stacy White

9-005
(continued)

1 here in the west end of the county, which is a
2 tremendous need, and we could build one or more
3 parks out here that would be a real asset to the
4 area and that would be a better use of the money.

5 My bottomline conclusion after studying
6 this project is: It isn't a good use of government
7 money and the cost outweigh the benefits.

8 Thank you.

9 MR. SPEARS: Marcus Sutheland.

10 MR. SUTHELAND: I will write mine in.

11 MR. SPEARS: Stacy White.

12 MS. WHITE: Stacy White. S-T-A-C-Y
13 W-H-I-T-E.

14 Good evening. My name is Stacy White and
15 I am a teacher from Meadow Bridge High School. Our
16 principal, Mr. Al Martine, wasn't able to be here
17 tonight. This is his written statement and he asked
18 me to read it.

19 "I apologize for not being at this
20 hearing, but ironically I am in a conference on
21 business leadership and education currently being
22 held in Charleston."

23 "I would encourage the Department of
24 Energy in its continued support of the Western

RESPONSES

Comment: 10-001, Issue Code: A1
Comment noted.

Commenter 10 – Stacy White

1 Greenbrier Co-Generation Project."

2 "Meadow Bridge High School participated in
3 education as part of a research project last summer.

4 The emphasis was on higher math, science, technology
5 and field acquisitions."

6 "We believe that the economic impact of
7 this project will enhance the quality of life for
8 the residents in Greenbrier and surrounding counties
9 and support the Department of Energy in going forth
10 with this project."

11 Now, if you will bear with me, I did write
12 down what I wanted to say in order to keep my
13 thoughts in order.

14 I wanted to share my experience with
15 everyone on this project from an educational
16 viewpoint.

17 I am currently on my 9th year of teaching.
18 I teach Science 10 and Advanced Chemistry and AP
19 Chemistry.

20 When I first began teaching, Chemistry was
21 a required class with students enrolled in college
22 prep track. The class size ranged from 22 to 27
23 students.

24 There were students who did not want to be

10-001
(continued)

RESPONSES

Commenter 10 – Stacy White

RESPONSES

1 in a more advanced class, but because of their
2 chosen track, they were expected to take that class.

3 In 2002, students in the 9th grade began
4 choosing a program of study, it was like declaring a
5 major. Chemistry then became a class that was not
6 required for all chosen interest studies, but a
7 recommended elective.

8 The class size dropped from 22 to 27
9 students, to five to eight students. Now our
10 problem was no longer trying to encourage students
11 that were being forced to take the class they did
12 not want to take, to trying to recruit students into
13 the class without lowering the difficult
14 requirements of the curriculum.

15 When I was approached about the summer
16 research program sponsored by Co-Generation and
17 Marshall University, I saw the perfect opportunity
18 to answer the question I have been so long asked,
19 Ms. White, when are we ever going to use this stuff?

20 The students that participated were given
21 concrete examples of using higher math and science
22 and know by experiences.

23 Of the 11 students from our school that
24 participated, nine are enrolled in a chemistry class

10-001
(continued)

Commenter 10 – Stacy White; Commenter 11 – Gabriel Duncan

1 and the other two are enrolled in a higher science
2 class that was not required for graduation.

3 My class size for the year is 18 students
4 and I push them harder than ever and they are doing
5 an excellent job.

6 I cannot count the number of times this
7 school year that we have been able to say, Remember
8 this summer when we did that experiment? Well, this
9 applies to that experiment.

10 In addition to the summer program, I have
11 been approached multiple times with further support
12 from Co-Generation and Marshall.

13 They have offered services ranging from
14 setting up a tutoring program for our students, to
15 offering to buy the required equipment that we need
16 at the school, but are unable to purchase.

17 I cannot tell you what a positive impact
18 the addition of the Co-Generation plant to our
19 community will have on education.

20 Thank you.

21 I also brought a student that did
22 participate in the summer program and I believe he
23 would like to say a few things.

24 MR. DUNCAN: Gabriel Duncan.

10-001
(continued)

11-001

RESPONSES

Comment: 11-001, Issue Code: A1
Comment noted.

Commenter 11 – Gabriel Duncan

1 G-A-B-R-I-E-L D-U-N-C-A-N.
2 I am a senior at Meadow Bridge High School
3 and I participated in the first two of the six weeks
4 of the summer work program.

5 Our main focus was testing and monitoring
6 the watershed that was affected by the mine
7 drainage.

8 Conclusions that we have reached have not
9 yet been completed, but we feel that the power plant
10 will be very beneficial in cleaning up the gob and
11 will eventually improve the quality of the watershed
12 in Wolf Creek.

13 This program has made me more aware of
14 environmental issues in our area and as a student, I
15 can take back to the classroom information and it
16 has been very beneficial to my science classes.

17 My future plans for furthering my
18 education are to attend Concord University and
19 obtain an elementary education degree. However, if
20 this did not work out, I would need to find another
21 job.

22 This area is and has been struggling for
23 jobs for quite some time now. At least five or six
24 business establishments have closed down in the past

11-001
(continued)

RESPONSES

Commenter 11 – Gabriel Duncan

1 few years in the town of Rainelle and that makes it
2 an even worse condition for businesses.

3 Now let's suppose that I do become a
4 teacher and I will then be relying on other job
5 opportunities so families will want to move here
6 originally to secure my job.

7 This year in biology, we learned things
8 through interactive systems. In simpler terms, this
9 affects everything that affects everything else.

10 If more jobs were brought to our
11 community, it would help secure more jobs. My job
12 as a schoolteacher will rely totally on how many
13 families move to the area.

14 It is just like dominos, if you hit one,
15 it determines the direction of all the others.

16 Road cleanup and hundreds of job
17 opportunities are just two of the major points of
18 this project.

19 Sure, there are going to be negative
20 aspects of this, but isn't this the case in
21 everything we do? You travel in vehicles every day
22 of your life, we could not do our jobs or provide
23 for our families without doing so.

24 Those vehicles harm the environment, along

**11-001
(continued)**

RESPONSES

Commenter 11 – Gabriel Duncan; Commenter 12 – Dale McCutcheon

11-001 (continued)	1	with many other things that we do. There are just
	2	some things that we have to do.
	3	Thank you.
	4	MR. SPEARS: Thank you.
	5	Dale Enron?
	6	MR. MCCUTCHEON: Enron? Dale McCutcheon.
	7	MR. SPEARS: Okay.
	8	MR. MCCUTCHEON: My name is Dale, D-A-L-E
	9	M-C-C-U-T-C-H-E-O-N.
12-001	10	I am a resident of Lewisburg, moved from
	11	White Sulphur Springs.
	12	My background is environmental health. I
	13	have a masters degree in environmental science and
	14	have spent about 30 years working in the
	15	environmental health field and this is the basis for
	16	all of the concern that I have about this plant.
	17	As Mr. Turner mentioned, there appears to
	18	be some problems as far as the air pollution extent
	19	and in my field I work with people who have suffered
	20	the effects of air pollution.
	21	I am primarily concerned with ozone and
	22	particulate matter, they are usually the area of air
	23	pollution that are concerned with human health.
	24	I published a series of articles, in

RESPONSES

Comment: 12-001, Issue Code: F3

See responses provided under General Response 4.3. Based on the health risk assessment conducted for the EIS (see Section 4.14, Volume 1), the predicted concentrations of the criteria air pollutants would not exceed the National Ambient Air Quality Standards (NAAQS) and would not significantly contribute to existing background levels. Therefore, increased asthma-related health effects are considered minor. Potential human health impacts from air pollution are described in Section 4.14 of Volume 1.

Commenter 12 – Dale McCutcheon

1 "Mountain Messenger" at the present time called
2 "Environmental Prospective" which I think would be
3 very informative for the public as far as some of
4 the effects of air pollution and what you need to be
5 concerned about.
6 As far as the air pollution from this
7 plant, we, in Greenbrier County, we have a large
8 number of elderly people. We also have a large
9 number of youth, as well, and these are the two
10 particular parts of the public, or two particular
11 areas wherein most health effects from air pollution
12 occurs.
13 Right now asthma is the fastest growing
14 disease in this country among our youth. Our
15 elderly suffer from chronic bronchitis and from a
16 variety of other illnesses that are caused or made
17 worse by air pollution.
18 I think this plant needs to take another
19 look at the air pollution controls and in order to
20 make this a cleaner burning plant, which I think
21 would at least -- my doubts about it would be
22 absolved if this were to take place.
23 I am also concerned about the effects as
24 far as global warming is concerned.

12-001
(continued)

12-002

12-003

RESPONSES

Comment: 12-002, Issue Code: F4
See General Response 4.3.1.
Comment: 12-003, Issue Code: F1
See General Response 4.3.2.

Commenter 12 – Dale McCutcheon

1

When I am not working with the

2

environmental health field, I work as a carpenter.

3

Today I worked on a roof with my shirt off.

4

I guess, the George Bush administration,

5

are the only people, or George Bush is the only

6

person in this country at this point in time, that

7

does not accept the fact that global warming is an

8

ongoing situation and my concern is that this plant

9

is going to contribute to that. I am basically

10

concerned about any coal-fired power plant in that

11

regard.

12

What really bothers me is the fact if

13

there was conservation in this country, we would not

14

even need to build anymore coal-fired power plants

15

if people would just be more aware. If we could

16

stop driving these large vehicles and building these

17

huge houses that use immense amounts of heat and air

18

conditioning.

19

So that is another problem I have with

20

this coal-fired power plant.

21

Also, I drive Route 20 to work. I usually

22

do it three days a week and the thought of having

23

more coal trucks being on that road at the same

24

time, gives me great concern.

RESPONSES

Comment: 12-004, Issue Code: I
See General Response 4.7.

12-003
(continued)

12-004

Commenter 12 – Dale McCutcheon; Commenter 13 – Steve Malcomb

12-004
(continued)

1 I am sure there are going to be a number
2 of deaths that occur related to that. I don't know
3 if it is worth the jobs that are going to be
4 created, with the deaths that are going to occur.

12-005

5 As Mr. Turner already mentioned, the
6 government is putting \$107 million into this
7 project, that money could better be spent in a lot
8 of other different ways as far as creating jobs for
9 the western end of Greenbrier County.

10 So for all of these reasons here, I do
11 have a problem with this coal-fired power plant and
12 I urge you to educate yourself a little bit as far
13 as the potential impact of air pollutants upon you,
14 your family, and especially your children,
15 grandchildren and great grandchildren if we continue
16 to build these types of coal-fired power plants.

17 Thank you.

18 MR. SPEARS: Thank you. Again, I
19 apologize for mispronouncing your name.

20 Steve Malcomb.

21 MR. MALCOMB: Thank you. Steve, S-T-E-V-E
22 Malcomb, M-A-L-C-O-M-B.

23 I more or less just made a few notes this
24 evening. I worked all night.

13-001

RESPONSES

Comment: 12-005, Issue Code: D4
See General Response 4.1.4.
Comment: 13-001, Issue Code: A1
Comment noted.

Commenter 13 – Steve Malcomb

1 A little bit about my background. I was
2 had a banking career, I wanted to pursue a career in
3 law enforcement so I went to Washington, D.C.

4 I was one of the lucky ones, I got out of
5 this state and got a job and got a fair retirement.
6 I ran that "Hillbilly Highway". If you want to talk
7 about how many people may be killed by these trucks,
8 see how many West Virginians got killed between here
9 and Washington, D.C. or Ohio. It is probably pretty
10 much a wash.

11 My wife worked her way up through the
12 system in the IRS and worked with the higher ups in
13 Washington D.C. and I was a former U.S. Marshal
14 before I came back here and went into politics.

15 I did a term as a county commissioner, six
16 years on the county commission in Greenbrier County.

17 I ran for sheriff when I first came back
18 here and I went door to door all over this county.
19 And when you pass, Alfa, they called it a freezeline
20 where you see a difference between the schools and
21 the students and the type of schools, and then we
22 get Cabin Creek, so that has improved.

23 As the county commissioner, Wayne Brown
24 came to me and he knows how I like to help people,

13-001
(continued)

RESPONSES

Commenter 13 – Steve Malcomb

RESPONSES

1 he came to be about this project. I was pretty -- I
2 scrutinized it at first and I got to know Wayne and
3 I found out where his heart was and I wanted to be
4 able to tell people of Western Greenbrier County,
5 they need jobs.

6 One of problems or statements from the
7 Greenbrier is about traffic that are in these rural
8 areas. Well, these areas were not rural areas 50
9 years ago. We had Anjean, McGlothlin, Quinwood,
10 Rainelle, Crichton and Rupert. All of these places
11 were bustling when we had traffic. All of the
12 increased traffic can be handled with selective
13 enforcement.

14 I take my hat off to Ms. Hunter and
15 Ms. Neal for what they brought about. I have seen
16 Mr. Brown and his people encourage the students now
17 to take chemistry and science and math classes, so
18 they hopefully can stay here.

19 I have had people around in the area ask
20 about the trucks and the truck traffic that has
21 increased significantly on the county roads and
22 right now we have a project in Western Greenbrier
23 County where we are trying to get some coal mines
24 opened and coal truck traffic has increased.

13-001
(continued)

Commenter 13 – Steve Malcomb

1 I asked or took a poll of people about
2 what they think about the truck traffic. Mainly
3 what I am hearing is positive, some con. The pro is
4 that we are glad to see our neighbors have jobs.

5 We talked about the water pollution and
6 the air pollution and a lot of that is speculation.

7 I went with Mr. Brown, he came to me four
8 years ago and later on Mr. Brown talked to the
9 director of National Energy and Technology Lab and
10 was able to convey to her how we needed this project
11 in Western Greenbrier County.

12 I have sat in with Governor Wise and his
13 finance chairman, Walt Hillman and one of the people
14 asked why the state has to get rid of that gob pile
15 or the refuse pile?

16 The state, or anytime I ever met with any
17 of those people, with Mr. Brown and his delegation,
18 did not mention getting the gob pile, they mentioned
19 employment, the economic impact, a health club for
20 people in Western Greenbrier County.

21 Mr. Turner talks about the \$107 million
22 that can be handed to us at \$12 an hour and that is
23 a pretty good theory. But let's figure out how many
24 people in the Western Greenbrier County are on the

13-001
(continued)

RESPONSES

Commenter 13 – Steve Malcomb; Commenter 14 – Scott Miller

1 system and some of them don't want to take jobs
2 because it is easier to be on the system.

3 We need this in Western Greenbrier County.
4 If there is going to be a plant, I would rather have
5 it in Western Greenbrier County, rather than it
6 going to Montana because air currents go east. If
7 it is in Montana, we will get it.

8 I get nervous. I probably forgot a lot of
9 things that I would like to say. I am glad you all
10 are here to listen to our people.

11 Thank you.

12 MR. SPEARS: Scott Miller.

13 MR. MILLER: My name is Scott Miller.

14 S-C-O-T-T M-I-L-L-E-R.

15 I live in Lewisburg, I grew up in New York
16 City. I have three children of my own and they are
17 all here in West Virginia, here in Greenbrier County
18 mostly. Three stepchildren who are older and two
19 grandchildren who are living with me currently in
20 Lewisburg and my mother who is 83 and lives in
21 Lewisburg as well and she has Alzheimer's.

22 So basically my whole family, except for
23 my sister, lives in this area. And I really -- you
24 know, I hear folks who live in the area around

RESPONSES

13-001
(continued)

Commenter 14 – Scott Miller

1 Rupert are saying and I think that everything that
2 they are saying is absolutely true.

3 I am not sure that anybody understands the
4 environmental study, I certainly don't. I haven't
5 studied it and I can't say that I know anything
6 about it, but it sure sounds like there is some
7 question that if I were living in Rupert or Rainelle
8 and certainly since I live in Lewisburg, that I
9 would like to know the answer to. Everybody is sort
10 of dancing around here and you know it sounds like
11 nobody can come up with it.

12 There is a lot of speculation and it seems
13 like the people that developed the Draft
14 Environmental Impact Statement, should not be based
15 on speculation. As somebody said earlier, you need
16 to inform the people about what is happening before
17 you make the decision and it sounds like there is a
18 lot of speculation.

19 It does not sound like answers to me, at
20 least in this hearing, and it is about environmental
21 impact. It is compelling, as a lot of folks are
22 saying, that it feels good to know that we could
23 find jobs, or as a couple people have said, or even
24 using the money in other ways, may be a way of

14-001

RESPONSES

Comment: 14-001, Issue Code: C

DOE has taken a hard look in evaluating reasonably foreseeable effects on the human environment in the EIS. Where specific information has been incomplete or unavailable, DOE has proceeded in accordance with 40 CFR 1502.22 to evaluate the reasonably foreseeable impacts of the Proposed Action. See General Response 4.8.

The Draft EIS was made available for public review for 45 days. According to 40 CFR 1506.10(c), "the public review and comment period on a draft EIS shall be no less than 45 days." Officials and citizens were notified of this project as part of the EIS scoping process, as described in Chapter 1 in Volume 1. A DOE decision on the Proposed Action will not be made until completion of the Final EIS.

Commenter 14 – Scott Miller

1 supporting the people in other ways.
2 I work with people with disabilities. I
3 have a master's degree in special education and I
4 was on the State Panel of Support Coordinating for
5 13 years and we worked with families all over the
6 state who had someone in their own home that had
7 developmental disabilities. So I am very aware of
8 some of the consequences of lots of different
9 environmental and physical challenges and what
10 people go through and some of them are certainly
11 involved in air pollution and other forms of
12 pollution, and lots of other things.
13 I would say that not many families would
14 wish that on other folks, I have a son that is 22
15 and he has Down syndrome and he is one of the
16 world's most exciting people in my life as a dad and
17 he lives on his known in Lewisburg, so I know there
18 is lots of positives, but there is a lot of time,
19 cost and energy taken to work with people with
20 disabilities.
21 My concern covers a whole lot around
22 health issues that I know lots of families in this
23 area would voice if they had the time and energy to
24 get them to come out and express that. That having

14-002

RESPONSES

Comment: 14-002, Issue Code: F
Comment noted. The health risk impacts are discussed in Section 4.14 (Volume 1).

Commenter 14 – Scott Miller; Commenter 15 – Pat Vaughn

RESPONSES

1 any kind of a major disability is not worth it for
2 the community and it sounds like there is a lot of
3 questions about that piece and until that question
4 gets answered, I don't know how you can make a
5 decision, an informed decision, based on the public
6 being informed on what they are going to do, or what
7 are the issues around the environmental impact of
8 this.

9 Like I said, I have no idea, but I don't
10 hear anybody saying that they do know.

11 Thank you.

12 MR. SPEARS: Thank you, Mr. Miller.

13 Are there others that would like to give
14 an oral comment?

15 MS. VAUGHN: My name is Pat Vaughn.
16 P-A-T V-A-U-G-H-N.

17 My comment is about the trucking. When I
18 was growing up in Rainelle in the 50's and 60's,
19 there was more traffic, Greyhound busses and all
20 coming through Route 60 than the coal trucks will
21 be.

22 That's all.

23 MR. SPEARS: Are there any others?

24 Yes, sir.

Comment: 15-001, Issue Code: A1
Comment noted.

14-002
(continued)

15-001

Commenter 16 – Michael Rosolina

1 MR. ROSOLINA: My name is Michael
2 Rosolina. That is M-I-C-H-A-E-L R-O-S-O-L-I-N-A.

3 I am a county resident, I am landowner, I
4 am a taxpayer, I am a long suffering taxpayer, I am
5 a Veteran. I also live downwind from this proposed
6 project and I have some concerns.

7 I came here to listen and learn and I saw
8 the posters and the handouts that said that this is
9 a demonstration project and I know everybody has
10 worked very hard on getting it set up. But I also
11 know some other people who have worked pretty hard
12 on examining the impact statement.

13 You know, I am concerned that if this is a
14 demonstration project, then it seems like it should
15 be using the absolute best technology that is
16 available, state-of-the-art technology.

17 We have already had plenty of
18 demonstrations of so-so technology, or very poor
19 technology and what we need is to solve some of the
20 problems that are facing this country with
21 state-of-the-art technology.

22 From my understanding, that might be hard
23 to do with this project because there are problems
24 with water and other problems, a lack of water,

16-001

16-002

RESPONSES

Comment: 16-001, Issue Code: D1
See General Responses 4.1.1 and 4.3.1.

Comment: 16-002, Issue Code: G
See General Response 4.4.1.

Commenter 16 – Michael Rosolina

16-002
(continued)

1 trout.
2 So I urge you all to take that into
3 consideration.

16-003

4 I am also concerned when I read about the
5 gob piles. Theoretically, they are supposed to be
6 cleaned up by the coal companies and now it is the
7 taxpayers that are going to be paying for cleaning
8 them up. I don't quite understand why that is so
9 and I don't understand that equation.

16-004

10 For folks that are concerned about jobs,
11 all of us who live in Greenbrier County are
12 concerned about jobs.
13 I have had to go out of the county to
14 work, a lot of people have had to go out of the
15 county to work. My one son moved out of the county,
16 he does not live in the county. But there has to be
17 better ways of bringing jobs into the county. Maybe
18 they are with energy, or maybe they are someplace
19 else.
20 Maybe this started out being a good idea
21 and folks thought it was going to be
22 state-of-the-art technology, but I would rather see
23 the money put into other types of jobs, rather than
24 contribute to the pollution.

RESPONSES

Comment: 16-003, Issue Code: E1
See General Response 4.1.4.
Comment: 16-004, Issue Code: D1, D4
See General Response 4.1.4.

Commenter 16 – Michael Rosolina; Commenter 17 – Susie Bowyer

RESPONSES

1 In Greenbrier County, folks think that we
2 are way up in the country and we don't have air
3 pollution, but actually we do. Just because being
4 downwind from so many power plants out in the
5 Midwest. So I don't think we want to contribute to
6 that.

7 We want our children to be able to stay
8 here, but we also want to keep the beautiful country
9 that we all treasure here.

10 Whether you live in the western end or the
11 eastern end, we like living in Greenbrier County and
12 there are a lot of reasons why. I hope you all will
13 consider this.

14 Thank you.

15 MR. SPEARS: Thank you, Mr. Rosolina.

16 Are there others that wish to speak?

17 MS. BOWYER: Good evening.

18 My name is Susie Bowyer, B-O-W-Y-E-R.

19 I am a resident of Western Greenbrier

20 County and I appreciate all of our fellow Greenbrier
21 Countians that came over here this evening. Usually
22 that is the only time we get to see you is when
23 there are some type of new industry coming into our
24 end.

Comment: 16-005, Issue Code: F
Comment noted. Air impacts are discussed in Section 4.3 (Volume 1).
Comment: 17-001, Issue Code: A1
Comment noted.

Commenter 17 – Susie Bowyer

1 The windmill issue came up and it was
2 everything from noise pollution to, let's see, a
3 danger to the bats, the ugliness of them. We were
4 supposed to have an Indian burial ground up there
5 and a civil war monument of some sort.

6 I have been across Coal Mountain many of
7 times and I have missed those tourism sites. I
8 haven't found them yet.

9 Now, I am all for the environment. I have
10 two grandchildren that live with me and my mother is
11 here, she is 80 years old. But I also know that the
12 east end of the county depends on tourism. That is
13 their main trade up there is tourism, they make big
14 bucks. The Greenbrier is over there, the colleges,
15 they have things that we don't have.

16 We have no type of employment here. The
17 mill is closed, the sewing plant is closed. Now, a
18 number of coal companies are reopening.

19 We will have problems. No one said we
20 wouldn't, but you have to have problem, there is
21 problems in anything you do.

22 Like Pat said, when Route 60 was the main
23 thoroughfare before the Interstate went through,
24 usually twice a week there was a trailer truck

17-001
(continued)

RESPONSES

Commenter 17 – Susie Bowyer; Commenter 18 – Joe Coughlin

RESPONSES

1 coming off of Route 60 and crashing into Rainelle.
2 I mean, that was a fact of life. And there will be
3 more traffic and all, but let's call a spade a spade
4 to keep it real. Your main concern is how is it
5 going to affect that end as far as tourism is
6 concerned. That is the main issue is tourism.

7 Thank you.

8 MR. SPEARS: Are there any others that
9 would like to speak?

10 MR. COUGHLIN: Good evening.

11 My name is Joe Coughlin, C-O-U-G-H-L-I-N.

12 I was born and raised here in Rupert. I
13 have three brothers, they all three left the state
14 for jobs.

15 I have a job out here in Beckley, but what
16 is interesting, that was the home and the true
17 legacy where I grew up.

18 The lady that just spoke, there are a lot
19 of truthful things and knew a lot of history about
20 the east end and west end, but what it really boils
21 down to is economic development.

22 There is never anything added to the
23 western end of the county, other than the coal
24 mines. When the price of coal went down, the coal

Comment: 18-001, Issue Code: A1
Comment noted.

17-001
(continued)

18-001

Commenter 18 – Joe Coughlin

1 mines shut down. The price of coal is going up,
2 coal mines are opening back up. They will never see
3 the damage that they did before.

4 Anything that we can do to bring jobs to
5 the western end of the county, I think is a good
6 thing.

7 Now, there may be some environmental
8 impact, but that gob pile sitting out there is an
9 environmental impact and they are going to get rid
10 of it. So there are benefits that people are not
11 even talking about.

12 Along with the jobs, some people mentioned
13 earlier about how many jobs. Well, when the plant
14 opens up there is going to be jobs there. They
15 didn't mention the jobs about the truck drivers,
16 that 90 round trips a day, somebody is driving those
17 trucks.

18 Those truck drivers have to eat somewhere
19 and they have to get fuel somewhere, their families
20 have got to eat somewhere.

21 People with jobs spend more money in the
22 community. If you have more money in your pocket,
23 you spend more money.

24 When I was a child, I heard stories about

18-001
(continued)

RESPONSES

Commenter 18 – Joe Coughlin; Commenter 19 – Millie Smith

1 Rupert when we had a movie theater here. That was
2 in the 50's, I think, maybe 40's.

3 When I was growing up, they put a theatre
4 in Rainelle and it is shut down now. There were
5 places to eat in Rupert, now we have one.

6 Gas stations, we used to have more than
7 one gas station. We had car dealerships. There
8 were three car dealerships just in Rupert. Now
9 there is only one, I think, in Rainelle. We have
10 one car dealership in the west end of the county.

11 I would just like to see some economic
12 development in this end and someone that is
13 focussing on that. All of the focus has always been
14 in the east end of the county and all the money is
15 always spent on the east end of the county.

16 Thank you.

17 MR. SPEARS: Are there any others that
18 would like to speak?

19 MS. SMITH: My name is Millie Smith.

20 M-I-L-L-I-E, Smith, S-M-I-T-H.

21 I live on Route 60 and I know about the
22 traffic. If you don't have traffic, you don't have
23 nothing.

24 I know about the water. I have watched

18-001
(continued)

19-001

RESPONSES

Comment: 19-001, Issue Code: A1
Comment noted.

Commenter 19 – Millie Smith; Commenter 20 – Tiff Hilton

1 the water come up and I have watched it destroy lots
2 of homes.

3 With any really big plant, we will have to
4 keep an eye on the water. We do have a problem with
5 it, but any time that you do a plant, there is
6 problems and if we can't work out the problems, then
7 we are in bad trouble.

8 I lived in D.C. for 10 years. If you want
9 to talk about air pollution, it is there. We also
10 think they are doing right and I do not enjoy the
11 big city and I do enjoy living in West Virginia.

12 Thank you.

13 MR. SPEARS: Thank you.

14 Are there any others that wish to speak?

15 MR. HILTON: Good evening, everybody.

16 My name is Tiff Hilton. T-I-F-F

17 H-I-L-T-O-N.

18 I currently work for the state and I work
19 on the gob pile. My father actually worked for the
20 mining company that caused a good bit of that
21 problem. So, sins of the father. I currently take
22 care of his problems.

23 I live on the east end, I work on the west
24 end, I spend my money in both places. You can

19-001
(continued)

RESPONSES

Commenter 20 – Tiff Hilton

1 definitely tell the difference. West end people
2 are, you know, are just as good, I promise.

20-001 {

3 As far as the environmental impact of this
4 is, there is a heavy impact on both rural clear and
5 big clear streams.

6 I have done fish shocking on many of these
7 streams. I have done quality intake studies on
8 these streams. I think I was actually part of the
9 EIS that was done on the river and we did some
10 shocking and so forth for Potomac-Hudson.

11 I can't tell you the benefit, or even know
12 to air pollution compared to water pollution, I
13 don't know if anybody can. We all have been talking
14 in uncertainties tonight, everybody that has come up
15 here.

20-002 {
20-003 {

16 I haven't heard really any kind of set
17 data from anybody as far as, Does the Meadow River
18 go down? Will it impact fishing? If there will be
19 dust on the road or will they help clean up after a
20 bad water problem?

21 The environment is a huge perpetual
22 problem that is going to stay there much longer than
23 the power plant will probably ever be around.

20-004 {

24 Currently, the way everything is being

RESPONSES

Comment: 20-001, Issue Code: E4

It is anticipated that the proposed ash application and reclamation plans would improve water quality at the coal refuse sites. Water quality impacts are discussed in Sections 4.4.3.4 and 4.6.3.5 (Volume 1). See also General Responses 4.2.2, 4.2.3, and 4.2.4.

Comment: 20-002, Issue Code: G1
See General Response 4.4.1.

Comment: 20-003, Issue Code: H3
See General Response 4.7.

Comment: 20-004, Issue Code: E1
See General Response 4.1.4.

Commenter 20 – Tiff Hilton

RESPONSES

20-004
(continued)

20-005

20-004
(continued)

1 paid for is there is a tax on coal that goes to pay
2 for the large chemical treatment on the side of this
3 hill.
4 You basically have a perpetual hidden
5 industry problem that will not be able to be taken
6 care of forever by the employees. It will have to
7 be cleaned up by the taxpayers at some point.
8 Right now, we have an opportunity, I
9 think, to know. I just don't know all the facts as
10 far as how the air pollution goes, are scrubbers
11 being used, or anything like that, and to my great
12 regret I have not looked at the EIS yet, but I will
13 soon.
14 If they are not using the highest
15 technology, I think that is something that needs to
16 be addressed, we should definitely have some sort of
17 headline program.
18 But we have got a perpetual problem and it
19 is not going to go away. It is going to have to be
20 cleaned up and the coal company did get away with
21 something when they sold it to somebody else, they
22 went bankrupt and the state took over the problem.
23 They are still going to have that problem.
24 Do you think they are going to take the top of a

Comment: 20-005, Issue Code: D1, F
See General Responses 4.1.1 and 4.3.1.

Commenter 20 – Tiff Hilton; Commenter 13 – Steve Malcomb

20-004
(continued)

1 maintain, their permit has already gone through for
2 that mountaintop that you were talking about today.

20-001
(continued)

3 It is not going to stop, but this problem
4 can stop, or will hopefully stop in a shorter amount
5 of time that it is going to take to -- I have worked
6 with safety, I have been around the gob pile, I
7 haven't been up there longer than a few years, but I
8 have seen the definite impact that it has on the
9 streams and the amount of chemicals that go into
10 those streams on a yearly basis.

11 It is not an impact, if it is treated and
12 it goes away? It doesn't just impact one little
13 stream, it is going to impact another river forever.

14 So it is something that we need to take
15 care of. It is a perpetual problem that we need to
16 take care of.

17 That is all I have. Good night.

18 MR. SPEARS: Thank you.

19 Any others?

20 MR. MALCOMB: One thing I forgot to touch
21 on a lot about tourism.

22 As a county commissioner, we should have
23 enacted an oxygen tax for the western end.

24 We have a CBB Central Business Bureau of

13-002
(see p.68)

RESPONSES

Comment: 13-002, Issue Code: A1
Comment noted.

Commenter 13 – Steve Malcomb; Commenter 8 – Eugene McKenzie

RESPONSES

1 Greenbrier County.

2 When we started this project, we wanted to
3 enhance tourism in the west end of the county, and
4 reduce the West Virginia tax lending 600- to
5 \$700,000 a year. So the results came through, we
6 found out that people do come here to Greenbrier
7 County. A lot of it was when the CBB was going out
8 worldwide and nationwide bringing people to this
9 county.

10 I don't think this Co-Generation plant is
11 going to affect our tourism one little iota.

12 Thank you.

13 MR. SPEARS: Thank you, sir.

14 MR. MCKENZIE: I hope this project becomes
15 a reality.

16 I want to take this opportunity, on behalf
17 of the citizens of Rainelle as their mayor, to thank
18 all of you who worked so diligently to make this
19 project a success.

20 Thank you.

21 MR. SPEARS: Is there anyone else who
22 wishes to speak?

23 We would extend the invitation to those
24 who have not spoken if you want to speak one more

Comment: 8-002, Issue Code: A1
Comment noted.

13-002
(continued)

8-002
(see p.52)

Commenter 7 – Gene Wright

1 time.
2 MR. WRIGHT: Gene Wright, the mayor of
3 Quinwood again.
4 I would like to touch on a few things. A
5 couple of commenters mentioned that they didn't have
6 any details.
7 The Draft Environmental Impact Statement
8 has a tremendous, tremendous amount of detail.
9 The library has copies, I have a copy at
10 Quinwood. If you do not know the details, go to the
11 library and read the impact statement.
12 Don't make a comment on something if you
13 don't know what it is about. Think about it.
14 Employment. In economy, it is a known fact that if
15 you create one job, you are probably going to get
16 ten more.
17 If we are running 50 in the plant over a
18 period of time of ten years, we can get ten more for
19 each one of those jobs, that is 500 people or more.
20 That is a lot of people and a lot of money.
21 Think about it.
22 The education thing, that is very, very
23 important to get that into our schools and keep
24 these people coming. You have to have a skill.

7-002
(see p.48)

RESPONSES

Comment: 7-002, Issue Code: A1
Comment noted.

Commenter 7 – Gene Wright

1 Labor does not do it anymore.
2 A college education, it is hard to do it
3 with that. You need a skill that is usable
4 everywhere or anywhere.

5 The plant is going to need plumbers, they
6 are going to need electricians, they are going to
7 need carpenters, those things are skills.

8 People think, Can I get a job? It is not
9 going to be pure labor jobs, but think about the
10 future. Give their kids -- maybe they won't work,
11 but in the future where are they going to be, their
12 families, they need a skill.

13 Push the education system and push it
14 hard. But think about that, for every job you
15 create, there is going to be ten or more. That is
16 very, very, very important.

17 Sure, we may have some environmental
18 problems, but read the Environmental Impact
19 Statement yourself. Don't believe what you hear,
20 hearsay. Hearsay doesn't hold up in court. There
21 are facts. And the facts are the only thing.

22 Thank you.

23 MR. SPEARS: I would like to thank each of
24 you for attending this public hearing.

7-002
(continued)

RESPONSES

Commenter 21 – John F. Herholdt, Jr.



December 12, 2006

Mr. Roy G. Spears
National Energy Technology Laboratory
P.O. Box 880
MS NO3
Morgantown WV 26507

RE: U.S. DOE Environmental Impact Statement
Western Greenbrier Co-Production Demonstration Project
DOE/EIS 0361

Dear Mr. Spears,

Thank you for the opportunity to review the U.S. Department of Energy's Draft Environmental Impact Statement for the Western Greenbrier Co-Production Demonstration Project (DOE/EIS-0361).

The report very thoroughly reviews the pertinent issues around the project, which will further the technology necessary for using best practices in the generation of electricity using waste coal.

We support this project, which represents an important step in advancing new clean coal technology. As a nation, we need to work aggressively to bring new energy opportunities on line. This project, with its combined benefits of increased electricity generation and coal waste reclamation, is certainly one of those opportunities.

I have reviewed the EIS and appendices and have no further comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "John F. Herholdt, Jr.".

John F. Herholdt, Jr.
Manager,
Energy Efficiency Program

JH/kbb

RESPONSES

Comment: 21-001, Issue Code: A1
Comment noted.

21-001

Commenter 22 – Randall Reid-Smith



WEST VIRGINIA
DIVISION OF
CULTURE & HISTORY
The Cultural Center
1900 Kanawha Blvd., E.
Charleston, WV
25305-0300

Phone 304.558.0220
Fax 304.558.2779
TDD 304.558.3562
www.wvculture.org
EEO/AA Employer

December 18, 2006

Mr. Roy Spears
NEPA Document Manager
Department of Energy
National Energy Technology Laboratory
PO Box 880
MS NO3
Morgantown, WV 26507

RE: Western Greenbrier County Production Project
FR#: 04-705-GB-4

Dear Mr. Spears:

We have reviewed the *Western Greenbrier Co-Production Demonstration Project Draft Environmental Impact Statement: November 2006* (DEIS) submitted for the above referenced project to determine its effects to cultural resources. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

Architectural Resources:

In our letter dated December 23, 2005, we stated that the transmission line will have no effect to cultural resources. We are still of that opinion. There are no National Register of Historic Places listed resources in the project area and, according to your report, any resources potentially eligible are far enough away to not be impacted by the project.

The DEIS says that the town of Rainelle would be eligible for the National Register of Historic Places. We concur with that determination. Regarding the Western Greenbrier County Production Plant, in our previous letter we emphasized the importance of securing comment from the public including the Greenbrier County Historical Society. It is our understanding that these comments will be solicited in conjunction with the Draft EIS publication and associated public meetings. In addition, we requested that we be given at least 2-weeks prior notice to these meetings. We will complete our review regarding effects once we have received public comments, including comments from the Greenbrier County Historical Society. We look forward to working further with your office on this project.

Archaeological Resources:

In general, the DEIS accurately summarizes archaeological survey work

RESPONSES

Comment: 22-001, Issue Code: N

Due to refinements of the transmission corridor, additional Phase I surveys will be conducted and submitted to WV SHPO as an addendum to the October 2006 Phase 1 report (Appendix G3); therefore, DOE and WGC will continue consultation with WV SHPO as required under the National Historic Preservation Act (NHPA) Section 106 review process with respect to public comments and ongoing refinement of the transmission line location (Segment C).

22-001

Commenter 22 – Randall Reid-Smith

Mr. Roy Spears
FR# 04-705-GB-4
December 18, 2006
Page 2

conducted to date for the proposed co-production demonstration project. However, the discussion of archaeological survey methodology for co-production plant site failed to mention that, because the steam/pipeline corridor plans had not been finalized, a portion of that corridor was not subjected to archaeological survey. As indicated in our July 5, 2005 letter, this portion of the corridor crosses an area with a high potential to contain archaeological deposits. We await the survey results for this portion of the proposed project area. With respect to the transmission line corridor, we look forward to reviewing the results of archaeological survey conducted on the areas identified as PR 1-2, PR 12-13, PR 83-84, PR 92-95, PR 98-99, PR 112-114, and PR 132-134.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Shirley Stewart Burns, Historian, or Carolyn Kender, Archaeologist, at (304) 558-0240.*

Sincerely,


Randall Reid-Smith
RRS/SSB/CMK

CC: Greenbrier County Historical Society
301 West Washington Street
Lewisburg, WV 24901

RESPONSES

Comment: 22-002, Issue Code: N

No steam pipeline is proposed; DOE will clarify with WV SHPO on this matter.

Comment: 22-003, Issue Code: N

See response to Comment 22-001.

22-002

22-003

Commenter 23 – Sara Beth Brody

>>> "Sara Beth Brody" <sbrody@charter.net> 12/19/2006 5:05 PM >>>
To Whom It May Concern:

23-001 Please do not fund this project. It will have a negative environmental impact on our beautiful county and will not have a positive economic impact either. This is a scam and we do not want this.

Sara Brody

RESPONSES

Comment: 23-001, Issue Code: B
Comment noted.

Commenter 24 – Eugene A. McKenzie

TOWN OF RAINELLE

201 KANAWHA AVENUE
P. O. BOX 648
RAINELLE, WEST VIRGINIA 25962
Telephone 304/438-7191
Fax 304/438-7191

December 21, 2006

Mr. Roy G. Spears
NEPA Document Manager
National Energy Technology Laboratory
P. O. Box 880
MS NO3
Morgantown, WV 26507

Dear Mr. Spears:

You may be advised that I have reviewed the Draft Environmental Impact Statement for the Western Greenbrier Co-Production Demonstration Project (DOE/EIS-0361).

It is a difficult task to review the study in its entirety; however, I feel that it is an acceptable Environment Impact Statement and it seems to be as intelligently acceptable to me as possible.

You may also be advised that I do have certain degree of expertise in the construction and management of a fluidized-bed procedure that I understand is to be used in the production of this plant to be located here in Rainelle, West Virginia, for the purpose of producing electricity through a clean coal power initiative and that procedure is acceptable to me.

As I speak for the citizens and the City Council of the Town of Rainelle, I am as excited as I am hopeful that this project becomes a realistic project and continues to maintain a clean coal productivity of electricity for many years to come. Please let me know if I can be of assistance in moving this project forward.

Sincerely,



Eugene A. McKenzie
Mayor

RESPONSES

Comment: 24-001, Issue Code: A1
Comment noted.

24-001

Commenter 25 – Willard E. Wright

Town of Quinwood

P.O. Box 194
Quinwood, WV. 25981
304-438-6658
304-438-3737 Fax

December 21, 2006

Mr. Roy Spears
National Energy Technology Laboratory
P.O. Box 880
MS NO3
Morgantown, WV. 26507

Dear Sir;

25-001 I have read the Draft Environmental Impact Statement concerning the proposed Western Greenbrier Co-Generation Demonstration Project (DOE/EIS-0361). I am pleased with the document. I feel this is the most worthwhile project in this area and wish for it to go forward as soon as possible. My constituents in Quinwood are also hoping for rapid approval of the project.

Yours,


Willard E. Wright
Mayor

RESPONSES

Comment: 25-001, Issue Code: A1
Comment noted.

Commenter 26 – Mark Blumenstein

ATTENTION MICHIGAN! WE NEED MORE BAD AIR IN THE WHOLE! WE NEED MORE BAD AIR IN THE WHOLE! WE NEED MORE BAD AIR IN THE WHOLE!

The Project: *GREENBELT VALLEY! ITS MAGNIFICENT NOW!*

All major federal actions are subject to the National Environmental Policy Act (NEPA). Under NEPA, the United States Department of Energy (DOE) must consider all past, present and future direct and indirect environmental impacts of a proposed action. The action is that DOE is planning to provide \$107 million in matching cost share dollars for the construction of the power plant. **We ask the DOE to deny this funding.**

Main Points:

- 26-001 It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. **There is nothing new or innovative about the plant's pollution control devices.** Indeed, the plant would not even meet minimum Clean Air Act requirements. This plant is purely a "pork barrel" project funded by the federal government that will harm the environment of Greenbrier County.
- 26-002 Many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the projects will never be realized.
- 26-003 One of the claimed project benefits is to clean up gob piles. This claim is nothing more than a diversion as the coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund to clean it up. Current and past landowners are also responsible for cleanup. **Taxpayers should not pay for the cleanup.**
- 26-004 West Virginia already produces more electricity than it needs and citizens of southeastern WV **should not be forced to breathe the pollution** generated from yet another coal-fired power plant. Because coal gob has a relatively low BTU content, many more tons of CO2 and other pollutants are released per unit of electricity generated than from other fuels. **DOE failed to consider the plant's contribution to global warming.**
- 26-005 The plant will need hundreds of gallons of water per minute to operate. WGC plans to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining the river and lowering the water table, which would affect local wells. Consultants admit that **there may not be enough groundwater**. Also WGC didn't count the water withdrawal from the newly proposed prep plant wells. Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the River.
- 26-007 The project will add much noise, dust and traffic to the area. If the Plant is built, **at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.**
- 26-008 The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches – caused by displacement of floodplain.
- 26-009 The project may actually increase AMD from fuel sites like Anjean during extraction of the fuel.
- 26-010 **Thus, we ask the DOE to deny funding for this wasteful and dirty project.**



Mark Blumenstein
Sculpture Studio
HC 73 Box 11
Alderson, WV 24910

RESPONSES

- Comment: 26-001, Issue Code: D1, F4**
See General Responses 4.1.1, 4.1.4, and 4.3.1.
- Comment: 26-002, Issue Code: D4**
See General Responses 4.1.2 and 4.1.4.
- Comment: 26-003, Issue Code: E1**
See General Responses 4.1.4 and 4.2.2.
- Comment: 26-004, Issue Code: D3, F3**
See General Responses 4.1.3 and 4.3.2.
- Comment: 26-005, Issue Code: F1**
See General Response 4.3.2.
- Comment: 26-006, Issue Code: G1, G2, G3**
See responses under General Response 4.4.
- Comment: 26-007, Issue Code: H1**
See General Response 4.5.
- Comment: 26-008, Issue Code: I, J**
See General Response 4.7.
- Comment: 26-009, Issue Code: H2**
See General Response 4.6.
- Comment: 26-010, Issue Code: E3**
See General Responses 4.2.2 and 4.2.3.



Commenter 27 - Ruth Tharp



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA

COMMENT FORM

Ruth Tharp

Name (Please Print): *Ruth Tharp* Representing: _____
Address: *Box 153, Rupert, WV 25984* Email: _____

27-001

Comment: *We desperately need the Co. for
Planting Western Blue Co for an economy boost
for Western Blue Co.
Co back to help bring Western Blue
Co back to help, both economic &
boost more resources to come to this
end by Blue Co.*

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-5330, x5460

RESPONSES

Comment: 27-001, Issue Code: A1
Comment noted.

Commenter 28 – Ivan Leef

5 Jan 2007

28-001

I was present at the public comment meeting regarding the draft EIS for the cogeneration plant in Rainelle, WV. First of all, I'd like to say that I wholeheartedly support this project. The western end of Greenbrier County is in desperate need of such a facility and its associated economic boost, and so does West Virginia in general. I was born and raised in western Greenbrier County and dearly love this area. There is nobody more concerned about preserving our area's natural beauty, resources and environment as I am. I am an avid hunter, fisherman and outdoor enthusiast and I fully believe that we can embrace a certain amount of industry and development and not destroy what we have come to love about our county and state. I often cringe when I see the negative impacts of some of our current industries, such as coal mining and timbering. I don't necessarily agree with all the practices of these industries as pertaining to the negative impacts to our environment. But I acknowledge that these industries are needed by our state, both in terms of the jobs they create and the products that stem from them. I believe that we should embrace these industries as long as they conduct their business in a smart and responsible manner, emphasizing the preservation of our environment over profits. The same hold true for this cogeneration plant. I believe that potential environmental impacts have been closely considered and taken well into account in the design of the plant. As with any project of this nature, there are some unknowns regarding the exact impacts to our environment. There are few areas in the real world that are "black and white" and exactly predictable. There are some inherent risks with this project, but I believe they are small and manageable. Once the plant is built and operational, only then can some of the unknowns actually be quantified. Once known and quantified, these issues can most likely be dealt with in a responsible and effective manner. I certainly feel that the economic advantages far outweigh the possible negatives.

As I sat in the audience and listened to the comments from our county residents, I couldn't help but notice that the vast majority of the negative comments came from the eastern end of the county, from those who would most certainly be the least impacted by this project. Most of their concerns and arguments were theoretical and devoid of any actual fact or data. In truth, these people generally oppose any type of industry that attempts to locate in our area. Their arguments are generally quite hollow and meritless and are motivated by the mindset of no change. Evidence supporting this statement is not hard to come by. A recent example is the proposed wind farms in Greenbrier County, which has been most opposed from people in the eastern end of the county. Many other examples exist. It's certainly true that the overwhelming majority of the county's economic wealth is located in the eastern end. I imagine that those opposing these projects have made their fortunes, are comfortable and secure in their economic situations, and see no need to advocate the same for others.

RESPONSES

Comment: 28-001, Issue Code: A1
Comment noted.

Commenter 28 – Ivan Leef

In closing, I love West Virginia and Greenbrier County and fully appreciate its beauty and natural resources. But I believe that we desperately need some economic development, especially in the western end of our county and I believe that this project would go a long way in accomplishing this without sacrificing our environment which we cherish. We just have to be smart in the way we go about it. After all, what good is our area's beauty to many of us if we have to leave it in order to make a living?

Ivan Leef
36 Hundley Road
Clintonville WV 24931
ileef@frontiernet.net

RESPONSES

Commenter 29 – David R. Essig-Beatty

From: "David Beatty" <drbeattytoo@yahoo.com>
To: <roy.spears@netl.doe.gov>
Date: 1/6/2007 9:25 AM
Subject: Western Greenbrier Co-Production Demonstration Project

Dear Mr. Spears:

I am concerned about the potential air pollution generated by the proposed Western Greenbrier co-generation plant. The downwind watersheds which supply drinking water and food resources (fish) for many Greenbrier and Pocahontas County communities could be adversely affected for generations by mercury, sulfur, and acid rain from this plant.

29-001

I would be supportive of the plant if Western Greenbrier Co-Generation, LLC could assure county residents that the best possible anti-pollution technology would be intalled now and updated in the future. Lacking such assurances, I am opposed to this plant and recommend shifting federal and state resources away from coal and toward cleaner alternatives for electricity generation, i.e. wind and solar power where suitable (including Beech Ridge), net-metering and tax deductions for private electricity generation, and enhanced local utilization of current hydroelectric facilities.

29-002

Please bring these concerns to the DOE's discussions for the upcoming environmental impact statement.

Sincerely yours,

David

David R. Essig-Beatty, DO
509 Judyville Rd.
Lewisburg, WV 24901
drbeattytoo@yahoo.com

RESPONSES

Comment: 29-001, Issue Code: F2, F3

Air quality and health effect impacts are discussed in Sections 4.3 and 4.14 (Volume 1). For additional information, see General Responses 4.3.2 and 4.3.3.

Comment: 29-002, Issue Code: D1, D2

See General Responses 4.1.1 and 4.1.4.

Commenter 30 - Alfred Ayers



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Alfred Ayers Representing: None Myself
222-6th St
Address: Rainelle, WV 25962 Email: None

To Whom it may concern
Comment: I was born and raised in the Meadow Bridge Area. When I came of age I went to Florida and Illinois to work. I came back here I worked at Meadow River Lumber awhile they closed down in 1969 and George Pacific Lumber came in till 2000 they closed and left the area. We don't have any other type of industrial. We need the generation plant for Rainelle and surrounding areas for our young people to work. Some people talk about the traffic it might bring, I can remember the neighborhood houses that came through here and I rode them. The tractor on trailer in the 50's & 60's. We would have accidents to once in awhile no more then anywhere else but we over came it. I'm 65 years old, this plant would be the greatest thing in my lifetime for this area. One job would bring ten more. I hope we will get the plant here.
Thanks so much

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5400
Fax: (304) 285-4003
Toll-free: (800) 432-4330, x5460

RESPONSES

Comment: 30-001, Issue Code: A1
Comment noted.



Commenter 31 – Daisy A. Ayers

U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Daisy A. Ayers
Representing:
Address: 222-6th St
Email:
Rainelle, WV 25962

Comment: To Whom it May Concern,
I attended the meeting. I see the need for jobs in
our area. To the best of my knowledge this project will
provide such. I left the state to work because
I the job opportunity wasn't here. I believe with this
plant, there will be jobs. Education for our kids is a
much needed asset. I good job breeds other kinds of
jobs. Our younger generation needs a incentive for to work
as they learn. May God Bless You as you form your
decision on this matter.

31-001

RESPONSES

Comment: 31-001, Issue Code: A1
Comment noted.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x5460

Commenter 32 - Imojean Gilbert



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Imojean Gilbert Representing: myself + Jackie Gilbert
Address: 426 9th St. Rainelle, WV 25962 Email: _____

Comment: To whom it may concern,
Our town is new of jobs I think the
plant will boost our economy.
It will multiply the jobs of our town
and our neighborhood surrounding
areas and cleaning up the job piles and
help our water. Every job will bring
in ten jobs.

Thank you
Imojean Gilbert

DOE will consider all comments received by close of business, January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0860
Morgantown, WV 26507
Email: roy.spears@nrel.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-4330, x5460

RESPONSES

Comment: 32-001, Issue Code: A1
Comment noted.

Commenter 33 – Travis L. Miller

To Mr. Roy Spears
Travis L. Miller Local #667
I support The Green brier Co. Generation 2
Project. I think it will be good for cleaning up the
environment, And the economy in West Virginia.

33-001

RESPONSES

Comment: 33-001, Issue Code: A1
Comment noted.

Thank you
Travis L. Miller
Member of Boilermakers
Local 667

Commenter 34 – Walter Slayton, Jr.

To Mr. Roy Spears

34-001 Walter Slayton Jr Local #667

I support The Greenbrier Co Generation LLC Project
This will give will a cleaner Environment and Jobs,
local Business Economy for ~~the~~ cleanup of other
leftover fuels.

Walter Slayton

RESPONSES

Comment: 34-001, Issue Code: A1
Comment noted.

Commenter 35 – James Watkins

TO: Mr. Ray Spears

From: James Watkins Local607

Mr. Spears,

I support the new project in Grant/Reel County Generation LLC project. I feel the project is a great way to improve on the environment in WVA. It will also help the economy in many ways that WV needs at present day. The project will produce great jobs needed in WV. The project will help with cleaning up coal that was left all over WV and keep certain jobs secure for years to come.

Thank you
James Watkins

35-001

RESPONSES

Comment: 35-001, Issue Code: A1
Comment noted.

Commenter 36 – David Fetty

To Mr. Roy Spears

36-001

I wish to express my support of the Greenbrier Co. Generation LLC project. I think it will provide numerous benefits to the state of West Virginia, including tax revenue, clean air, many jobs for construction and plant people. The economy for the state needs this project.

Thank you,

David Fetty

*Member of Boilermakers
Local 667*

RESPONSES

Comment: 36-001, Issue Code: A1
Comment noted.

Commenter 37 – Craig Phillips

To: Mr. Roy Spears
From: Craig Phillips Bailermakers Local 667
in support of the Greenbrier Coal
Generation project LLC
#772

Dear Mr. Spears

My name is Craig Phillips and I am a bailermaker out of Bailermakers Local 667 of Winfield West Virginia. The Greenbrier Coal Generation project is a project that will have a huge positive environmental and economic impact on the state of West Virginia. This project will weasel the coal slag-piles that are not only an eyesore but are also having a negative impact on the wildlife and beauty of our great State. This would be a State of the art facility that will supply many construction and full time jobs for many years to come. I would greatly appreciate your support for this project.

Sincerely
Craig A. Phillips
Bailermakers Local Union 667

37-001

RESPONSES

Comment: 37-001, Issue Code: A1
Comment noted.

Commenter 38 – Zachary J. Belcher

RESPONSES

38-001

To: Mr. Roy Spears

My Name is Zachary J Belcher I am a Boilemaker from local 667. I support the Greenbrier Co Generation LLC Project. I believe this would Be a great step for W.V. to build this plant. This plant would help the environment by cleaning up all the slag ponds and eventually reduce the risk of another Buffalo Creek disaster. This would also creat some good jobs for the State. We would really like to see this plant get built.

Zachary J Belcher
Boilemaker local 667
Thanks!

Comment: 38-001, Issue Code: A1
Comment noted.

Commenter 39 –Christopher A. Carpenter

To Mr. Roy Spears

39-001

Christopher A Carpenter Boilermaker Local # 667

I'am writing in support of the Greenbrier Co Generation LLC project. I think it will be good for the environment and the economy in West Virginia.

Thank you.

Christopher A. Carpenter

Member of Boilermakers Local #667

RESPONSES

Comment: 39-001, Issue Code: A1
Comment noted.

Commenter 40 – Todd Miller

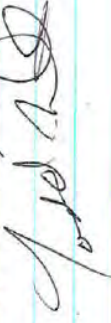
Mr Roy Spears,

40-001

My name is Todd Miller, a Boilermaker out of Local 667, Winfield WV. I'm writing this letter to express my support of The Greenbrier County Generation LLC project. I feel that this project will be numerous improvements to the state of WV. Not only will it better the environment, but will improve the Work Force and increase Tax Income for the State of West Virginia. I think it will be in best interest for the economy and the State of WV. Please do all you can to get this project underway as soon as possible. Thank You.

Todd Miller

Boilermaker, Local 667



RESPONSES

Comment: 40-001, Issue Code: A1
Comment noted.

Commenter 41 – Matt Kennedy

RESPONSES

Comment: 41-001, Issue Code: A1
Comment noted.

41-001

To Mr. Roy Spears
I Matt Kennedy from Baileymakers Local 66.
Support the Greenbrier Co. Generation LLC
project. It would be great for the economy
of the state. Also it would clean up the
Environment by being one of the cleanest
burning plants around from all the new
technology. It would also bring great revenue
to the state and several new jobs.
Sincerely
Matt Kennedy

Commenter 42 – Christopher Chapman

To Mr. Roy Spears

Christopher Chapman Local #667

I support the Greenbrier Co Generation LLC project. This power plant will not only provide several hundred jobs in this state, but also help clean up the environment around coal mines state wide. You should take advantage of this new technology, not only to clean up the state, but to also raise the economy and tax revenue.

42-001

RESPONSES

Comment: 42-001, Issue Code: A1
Comment noted.

Commenter 43 – Bryan Pennington

To: Mr. Roy Spears
From: Bryan Pennington (Boilermakers local 667)

43-001

Mr. Spears;

I am writing this letter in reference to the Greenbrier Co. Generation LLC project.

This project would definitely be beneficial towards our economy and our environment.

Your support for this project would be greatly appreciated, not only by Boilermakers local 667, but by the working men & women of west Virginia.

Your positive support would be greatly appreciated. Thank you.

Sincerely,
Bryan Pennington

RESPONSES

Comment: 43-001, Issue Code: A1
Comment noted.

Commenter 44 – Alan Schrack

ALAN SCHRACK
BOYCERMAKERS
LOCAL GOVT
WILFICA, W.Va.

Mr. Speers,

AND TO WHO IT MAY CONCERN, WHICH
IS ALL OF W.Va. AND SURROUNDING STATES.
I SUPPORT THE GREENBRIER CO GENERATION
PROJECT. THATS' GOOD FOR THE SITES
IN W.Va. Good for the people, ECONOMY,
ENVIRONMENT, JUST GOOD! I AM SURE
THE PEOPLE THAT DON'T. LIKE IT AS
WELL. THANK YOU.

Alan D. Schrack

RESPONSES

Comment: 44-001, Issue Code: A1
Comment noted.

44-001

Commenter 45 – Robert E. Moody

To Mr. Spears

45-001

Hello, my name is Robert E. Moody. I

Am a Union boilermaker from local 667, I would

like to show my support for The Greenbrier Co. Generation
LLC. Project.

It would be a great thing for the surrounding
communities. It would also help clean up the surrounding
environment.

Please consider this. Thank you!

Robert E. Moody
local 667

RESPONSES

Comment: 45-001, Issue Code: A1
Comment noted.

Commenter 46 – Randy Cuevront

To MR. Roy Speaks

46-001

I'm A Union Boilermaker From local 667
Winfield WV. My self and my Family Support The
Greenbaier Co Generation hie Project. This project
will help keep The environment and the area Clean.
West Virginia Needs Project Like This To help
Keep our State wild and wonderful. Thanks for
you support

Randy Cuevront



RESPONSES

Comment: 46-001, Issue Code: A1
Comment noted.

Commenter 47 – Larry Murray

2602 LINCOLN AVE
PARKERSBURG WV 26104

TO MR. ROY SPEARS

47-001

MY NAME IS LARRY MURRAY AND I
AM A BOILERMAKER OUT OF LOCAL
#667 HERE IN WINFIELD W.V.

I'M WRITING YOU TO VOICE
MY SUPPORT FOR THE GREENBRIER
CO GENERATION LLC PROJECT.
I BELIEVE THAT THIS PROJECT WILL
BE BENEFICIAL TO THE ENVIRONMENT
AND THE STATE OF WEST VIRGINIA.

Larry Murray

RESPONSES

Comment: 47-001, Issue Code: A1
Comment noted.

Commenter 48 – David Morris

TO: MR. ROY SPEARS
FROM: David Morris local667

48-001

I'm writing in regard of the Greenbrier Co. Generation LLC Project, I'm a boilermaker out of local 667 and I strongly support this project, I feel this will be good for the WV economy and the environment. Thank you for your time,

David Morris

RESPONSES

Comment: 48-001, Issue Code: A1
Comment noted.

Commenter 49 – Corey Cumpston

To MR. Roy Spear;

My name is Corey Cumpston I am a member
of Boilermakers L.U.#669 I would like for
you to know I am in great support of
The Greenbrier CO. Generation LLC Project.
This Project will help clean the environment
in our state and will also boost the economy in
this state.

49-001

RESPONSES

Comment: 49-001, Issue Code: A1
Comment noted.

Commenter 50 – Chad Pinkerman

To Mr. Roy Spears

Chad Pinkerman Loca/# 667

50-001

*I support the Green brier Co. Generation LLC Project.
This Project will help the economy in West Virginia.
It will also help the Environment, would make West Virginia a better place to live.*

Thank You,

Chad Pink

RESPONSES

Comment: 50-001, Issue Code: A1
Comment noted.

Commenter 51 – Josh Moore

To Mr. Roy Spears

My Name is Josh Moore I'm a Boilermaker
out of local #667 Winfield, WV.
I Support the Greenbrier Co Generation LLC
Project, I feel it would clean the environment
in the state of West Virginia and also
help the Economy.

Thankz"
Josh Moore

51-001

RESPONSES

Comment: 51-001, Issue Code: A1
Comment noted.

Commenter 52 – Robert N. Prin

Mr. Spears,

52-001

*I am a boilermaker with local 667 -
I wish to tell you how much I
support the Greenbrier project - How
much it would mean to the economy -
And the environment - It would
bring jobs - to the great state of
West Virginia.*

*I thank
Robert N Prin
Charleston OH.*

RESPONSES

Comment: 52-001, Issue Code: A1
Comment noted.

Commenter 53 – David L. White

To Mr Roy Speers

53-001

I am a member of Baitlenmaker Local #

667 in Winfield Wv.

*I support The Greenbrier Co. Generation
LLC project*

*The project will bring much need money
into The Wv economy, IT will help
Clean Wv ENVIRONMENT*

Thanks For your Support

David L. White

Reg # 1990049

RESPONSES

Comment: 53-001, Issue Code: A1
Comment noted.

Commenter 54 – Terry Staats

To: Mr. Roy Spears

54-001

*I Terry Staats, member of the Boilermaker
Local #667 Support the Greenbrier Co
Generation LLC Project. I'll Clean
West Virginia Environment and Bring Money
into West Virginia's Economy.*

Thank You


RESPONSES

Comment: 54-001, Issue Code: A1
Comment noted.

Commenter 55 – Roger D. Lott

To Mr Ray Spears
My name is Roger Lott. I am Railroader
out of local 667. I would like to
show my support for the Quabbin
LLC project -
I live in west Virginia and have my
entire life. And I believe that this
would be very Beneficial for all people
of west Virginia, Both economical
and environmental as well.

Thank you
for your time
and support
Roger D Lott

RESPONSES

Comment: 55-001, Issue Code: A1
Comment noted.

56-001

Commenter 56 – Jesse McNeely

TC Mr. Roy Speers

My name is Jesse McNeely I am a boilermaker out of local 6067 in Winfield W.V. I am writing this letter in support of the Greenbrier Co Generation LLC Project, not only will this project create jobs and bring more tax revenue to the state. It is a great idea to efficiently use sources of energy because most energy producing powerhouses now do not care about producing power in a efficient way and the last thing they think about is the environment. This is a great idea and more states should look into this to save this beautiful planet.

Thank you for your time.

Jesse McNeely

RESPONSES

Comment: 56-001, Issue Code: A1
Comment noted.

Commenter 57 – Dewey M. Greear

Dear Mr. Roy Spears,

57-001

My name is Dewey M. Greear and I am a bricklayer apprentice out of Local #667 in Winfield, West Virginia. I am writing you this letter to let you know I support the Greenbrier Co. Expansion L-C project. My understanding is that this plant will be state of the art after it is built. I have read that this plant would be very environment friendly, and most of the waste will be recycled. The building of this plant will boost the economy and open up hundreds of new jobs for this state. In closing, I would like to thank you for your time in reading this letter, and I look forward to seeing the construction starting for this state of the art, environment friendly power station.

Sincerely,

Dewey M. Greear

RESPONSES

Comment: 57-001, Issue Code: A1
Comment noted.

Commenter 58 – Jerry Fulk

To Mr. Roy Spears

My name is Jerry Fulk, I am a boilermaker out of Local #667 in Charleston WV. I am in support of the Greenbrier CO. Generation LLC Project. I feel that this project will be good for the environment, bring much need jobs to the area and boost the economy in general. This new technology could spread to other parts of our state. Please consider this project.

Thank You

Jerry Fulk

58-001

RESPONSES

Comment: 58-001, Issue Code: A1
Comment noted.

Commenter 59 – Thomas W. Abbott, Jr.

Mr Roy Speers

THOMAS W ABBOTT JR Bodenmakers 667

of support the Greenbrier Co.
Generation LLC project.

This would help the West Virginia
economy. Especially Greenbrier count
economy during the project, also with
long term job later on.

This would also help the environment
of WV.

This new technology will help
bring WV a better reputation, that
we are moving forward with new
technology.

Thank you!

Thomas William Abbott Jr.

RESPONSES

Comment: 59-001, Issue Code: A1
Comment noted.

59-001

Commenter 60 – Robert Mosteller

MR. ROY SPEARS,

60-001

MY NAME IS ROBERT MOSTELLER, AND I AM A BUTLERMAKER, LOCAL 667
I AM WAITING TO VOICE MY SUPPORT FOR THE
GREENBRIER CO. GENERATION LLC PROJECT. THE PROJECT
WILL NOT ONLY IMPROVE OUR ENVIRONMENT, BUT WILL ALSO
CREATE GOOD PAYING JOBS FOR LOCAL WORKERS IN
A TIME WHEN SUCH JOBS ARE ~~VERY~~ LIMITED. I URGE
YOU TO MAKE EVERY EFFORT TO START THIS PROJECT AS
QUICKLY AS POSSIBLE, SO WE CAN BEGIN TO REAP
THE BENEFITS OF THIS PROJECT IN THE NEAR FUTURE.
THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER

Robert Mosteller

RESPONSES

Comment: 60-001, Issue Code: A1
Comment noted.

Commenter 61 – James A. Suter

Mr. Roy Spears,

61-001

My name is James Suter, and

I am a boilermaker in local 667.

*I am writing to show my support for
the Greenbrier Co Generation LLC
project. This project will not only be
beneficial to West Virginia's economy,
but will also be beneficial to the
environment, as it brings about clean-
up of existing slag piles.*

*Sincerely,
James A. Suter*

RESPONSES

Comment: 61-001, Issue Code: A1
Comment noted.

Commenter 62 – Norman Meenach

To Mr Roy Spears

I'm writing this letter to cast my support
to the Greenbrier Co Generation LLC project
I am a Boilermaker out of Local 667
Winfield Wv. I believe this project will
Help clean up the environment and
also help out the economy.

Thanks for your time
Norman O Meenach

62-001

RESPONSES

Comment: 62-001, Issue Code: A1
Comment noted.

Commenter 63 – William Casey Jones

Mr. Roy Spears,
My name is William Casey Jones, I am a Boilermaker out of Local 667. I support the Greenbrier Co Generation LLC Project. It would generate a lot of money into the state of West Virginia, Create a lot of jobs for West Virginia, and keep a lot of West Virginia clean from burning the slag piles.

63-001

RESPONSES

Comment: 63-001, Issue Code: A1
Comment noted.

Commenter 64 – Mickey Childers

Dr. Ma. Ray Spasard,

64-001

*Hi, My name is Mickey Childers, I am a Bulwerbank
off of Local 667. This letter I am writing to you
today is to show my support for the Greenview Co. Generation
LCC Project. This project will not only benefit our state,
as it will the rest of the Country. This will also help out
our economy; as opposed to want to hurt us. Our environment
is already going downhill, it is in big trouble and every little
bit helps. So I appreciate your time you took to read
All of our letters about supporting this & our environment.*

*Thanks,
Mickey*

RESPONSES

Comment: 64-001, Issue Code: A1
Comment noted.

Commenter 65 – Chris Womack



PLASTERERS & CEMENT MASONS LOCAL 887
3130 7TH AVENUE
Charleston, WV 25312
304 744 8389

January 8, 2007

Mr. Roy Spears
National Energy Technology Laboratory
U.S. Department of Energy
P O Box 880
3610 Collins Ferry Road
Morgantown, WV 26507-0880

Dear Mr. Spears:

65-001 I am writing on behalf of the members of Plasterers and Cement Masons Local 887.

We would like to request that you move forward with the W Greenbrier Co-Generation, LLC Project.

Our local has several members who live in Southern West Virginia who are waiting for the project to start.

Thank you for your attention to this matter.

Sincerely,

Chris Womack,
Business Manager Local 887

RESPONSES

Comment: 65-001, Issue Code: A1
Comment noted.

Commenter 66 – Mary Nutter

From: "Mary Nutter" <nuttermarylaura@hotmail.com>
To: <roy.spears@ned.doe.gov>
Date: 1/8/2007 4:40 PM
Subject: POWER PLANT PROJECT

Mr. Spears,

January 8,2006

66-001

I am writing in response to the last meeting of the power plant project.I heard several people speak the was against the project.I don't think they were very well informed.
I have been to all the meetings in our area about the power plant.I have listened to the speakers,seen the drafts and heard the results from the EIS.I have a copy of the draft.Had these people seen all of this,they would not question the EIS.We were told that this will be a state of the art plant.With emissions far below any government regulations.From what I have seen,I believe this will better then any power plant now in use.The test that was performed by the school kids were far more then I expected.They worked long hours during the summer to put together a program that was meticulously detailed.
I hope the power plant project will go through to clean up the gob pites in our area that has threatened the environment for so long.

Thank You,

Mary Nutter
HC 63 Box 125
Quinwood,W.Virginia 25981

RESPONSES

Comment: 66-001, Issue Code: A1
Comment noted.

Commenter 67 – Chris Atwell

From: "Christine Atwell" <peace@utrakit.com>
To: <roy.spears@netl.doe.gov>
Date: 1/9/2007 4:53 PM
Subject: opposed to Coal Plant in Rainelle, WV

To: Roy G. Spears, NEPA Document Manager

From: Chris Atwell (304) 445-2404
PO Box 572, Alderson, WV 24910

67-001

I am opposed to the proposed coal plant in Rainelle, WV. Burning coal will put many pollutants in the air, including mercury. These air pollutants will effect both wildlife and humans. These toxic chemicals and elements will enter everyone's bodies through their lungs, eyes and skin. In addition, these pollutants will not stay in the air. What goes up must come down. These toxic chemicals and elements will go into the rivers, streams, lakes, ponds, etc. My town and many other towns get our water from a river, so it is extremely important that the rivers be kept as clean as possible. Wildlife either live in the water or drink the water - what about them?

67-002

I read that the proposed plant will use up to 40% of the water in the nearby river and that because Rainelle uses the river for its water supply it will be adversely effected by this big consumption.

67-001

These pollutants will have adverse effects on people's lungs, eyes, and their whole bodies causing them to become disabled or more disabled. Also, these pollutants will cause people to die. This is not an overstatement. More people die on days when air pollution is higher, and this plant will make air pollution higher every day.

(continued)

In some parts of the country, they get their water from aquifers, which are far below the land surface. This is NOT the case here in WV. We get our water from rivers or relatively shallow wells, which are easily polluted.

Even if we drink bottled water, then our bodies will still be exposed to the pollutants when we wash clothes, wash dishes, or shower/bathe. Our bodies will still come in contact with the pollutants from breathing and otherwise being exposed to the air.

The water and air are things that everyone is exposed to, so they should not be needlessly polluted.

It doesn't make sense to do something that will give some people jobs, but take jobs away from others. What I am referring to is that when a working person becomes disabled from pollution, that person loses his or her job. When that person applies for disability, he or she is refused even though he or she qualifies. This makes it even more important that the government and private industry look out for our health.

Every action has a reaction. The reaction is a bad one, so prevent the action.

Chris Atwell

RESPONSES

Comment: 67-001, Issue Code: F, F2, G2
See General Response 4.3.3.

Comment: 67-002, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Commenter 68 – Thomas R. Chapman



United States Department of the Interior

FISH AND WILDLIFE SERVICE

West Virginia Field Office
694 Beverly Pike
Elkins, West Virginia 26241



January 10, 2007

Mr. Roy G. Spears
U.S. Department of Energy
National Energy Technology Laboratory
Post Office Box 880
MS NO3
Morgantown, West Virginia 26507

Re: Draft Environmental Impact Statement for the Western Greenbrier Co-Production
Demonstration Project (DOE/EIS-0361), Greenbrier County, West Virginia

Dear Mr. Spears:

68-001

The U.S. Fish and Wildlife Service (Service) has reviewed the draft Environmental Impact Statement (DEIS), dated November 2006, regarding the proposed cost-shared funding to Western Greenbrier Co-Generation, LLC, through a cooperative agreement under the Clean Coal Power Initiative to design, construct, and operate a new plant to demonstrate the first commercial application of a new design in the United States that incorporates a novel approach to converting waste ash into cement and integrating power generation with remediation of coal refuse piles. The demonstration project is located in Greenbrier County, West Virginia.

The Service has no comment on the proposed cost-shared funding or the demonstration plant design. The Service appreciates the opportunity to review the DEIS.

If you have any questions regarding this letter, please contact Ms. Christy Johnson-Hughes of my staff, at (304) 636-6586 ex 17, or at the letterhead address.

Sincerely,


Thomas R. Chapman
Field Supervisor

RESPONSES

Comment: 68-001, Issue Code: A2
Comment noted.

Commenter 69 – J. Xavier Montoya
United States Department of Agriculture



Natural Resources Conservation Service
75 High Street, Room 301
Morgantown, WV 26505
(304) 284-7545 (Phone)
(304) 284-4839 (Fax)

January 11, 2007

Roy G. Spears
NEPA Document Manager
National Energy Technology Laboratory
P. O. Box 880, MS N03
Morgantown, WV 26507

SUBJECT: ECS – Review of Draft Environmental Impact Statement – Western Greenbrier
Co-production Demonstration Project.

Dear Mr. Spears:

The Draft Environmental Impact Statement (DEIS) for the proposed Western Greenbrier Co-production Demonstration Project has been received. The USDA Natural Resources Conservation Service offers the following comment.

The DEIS identifies and describes soils found within the study area that was delineated for the Co-production Facility near Rainelle, West Virginia. This information was obtained from the Soil Survey of Greenbrier County, WV (1972). While these soils were adequately described, no reference appears to have been made with regard to these soils being classified as prime or important farmland in this county. It was stated in the report that no agricultural activities were present within this study area. However, agricultural land uses are not prerequisite for soils to be classified as prime or unique farmland. Similarly, no reference to the existence of prime or unique farmland, and potential impacts to them, was observed for the transmission line corridors or other facilities associated with this Co-production Project Proposal.

Thank you for the opportunity to review this document. We have no additional comments at this time. If you have any questions, or need further information, please contact Louis Aspey, Assistant State Conservationist for Water Resources, at 304-284-7544.

Sincerely,

J. Xavier Montoya
J. XAVIER MONTOYA
Acting State Conservationist

cc: Tom Vance, NRCS, DC, Lewisburg, WV
Ron Wigal, NRCS, Acting Environmental Specialist, Morgantown, WV
Helping People Help the Land
An Equal Opportunity Provider and Employer

RESPONSES

Comment: 69-001, Issue Code: M

No prime or other important farmlands exist within the footprint of the Co-Generation Facility or the EcoPark area.

Although the majority of the land within the proposed new transmission corridor is not considered prime or other important farmlands, the corridor does include twelve soil series that are classified as either "Prime Farmland" or "Farmland of Statewide Importance." Construction and/or routine vegetative maintenance of the new transmission corridor could impact up to 2.5 acres of soils classified as prime farmland soils or farmland.

New text has been added to Sections 3.6.3 and 4.6.3.1 (Volume 1) that discusses prime and important farmland.

69-001

Commenter 70 – Curtis I. Taylor



DIVISION OF NATURAL RESOURCES

Wildlife Resources Section
Capitol Complex, Building 3, Room 812
1900 Kanawha Boulevard, East
Charleston WV 25305-0664
Telephone (304) 558-2771
Fax (304) 558-3147
TDD (304) 1-800-354-5087

Joe Manchin III
Governor

Frank Jezioro
Director

January 12, 2007

Mr. Roy G. Spears
NEPA Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
M/S NO-3
P.O. Box 880
Morgantown, WV 26507

Re: Draft Environmental Impact Statement (DEIS), Western Greenbrier Co.,
Production Demonstration Project, DOE/EIS-0361.

Dear Mr. Spears:

Thank you for the opportunity to review and comment on the referenced DEIS. The Wildlife Resources Section (WRS) of the Division of Natural Resources is responsible for protection and management of wildlife resources in West Virginia (WV Code §20-2-1). Greenbrier and Nicholas Counties, as well as the Meadow River in the vicinity of Rainelle have valuable wildlife and fishery resources that could potentially be impacted by the proposed action and we, therefore, submit the following comments for your consideration and request that these issues be addressed before the publication of the final draft of the Environmental Impact Statement (EIS).

The DEIS assesses essentially two alternatives, a no-build alternative and the Western Greenbrier Co-Generation, LLC (WGC) proposal to design, construct and operate a 98-MW/e (net) power plant utilizing 3,000 to 4,000 tons of coal refuse per day as fuel. The proposed power plant would be the first commercial application within the United States to use an atmospheric circulating fluidized-bed combustor featuring a compact inverted cyclone design. Fuel for the power plant would be obtained from several coal refuse sites in the area. The proposed site for the WGC would include approximately 23 acres of land directly south of Sewell Creek. A proposed "Ecopark" included with the referenced assessment would be sited on approximately 26 acres between Sewell Creek and Wolfpen Creek.

RESPONSES

Commenter 70 – Curtis I. Taylor

Mr. Roy G. Spears
Page 2
January 12, 2007

The proposed power plant reportedly would require 900 to 1,200 gpm (≈ 2.0 to ≈ 2.7 CFS) (§2.4.6) for cooling water. No water used for cooling is anticipated to be returned directly to a receiving stream; therefore withdrawal will be considered as a loss to the stream system. The proposed sources for the cooling water are the Rainelle Sewage Treatment Plant, supplemented by water from local groundwater wells, and the Meadow River. The DEIS does not state the source of the public water supply but obviously it is from a local surface or groundwater source. In section 2.4.6, page 2-38 the statement is made that "supplemental water withdrawals from the Meadow River would be sustainable provided that the river flow would not be reduced below 60 percent of the seasonally or annually adjusted average base flow rate..." This wording or something similar to it, is used several times throughout the DEIS. According to the Tennant Method, to provide outstanding habitat protection, no water should be taken from the Meadow River when flow is less than 60 percent of the mean annual flow.

70-001

This information can be obtained from the US Geological Survey and is based on information gained from their network of gages. Calculation of mean annual flow should be based on hydrologic records of at least 10 years. Obviously, longer-term records will provide more information. The three year record taken from the temporary gage that was located upstream of the proposed withdrawal site and presented in the DEIS (§4.4.3.3) is inadequate to establish a mean annual flow for the proposed withdrawal site. Based on the Watershed Characterization and Modeling System (WCMS) and a 30-year record, the mean annual flow for the proposed withdrawal site is approximately 296 CFS. Using the Tennant Method and assuming you wish to maintain outstanding aquatic habitat, no water withdrawal should take place from the Meadow River between April and September, when flow is less than 178 CFS. Estimates of flow provided in the DEIS in §4.4.3.3 are significantly low and reflect the problem of trying to predict flow using inadequate data.

70-002

The DEIS states that the proposed action would require coal preparation plants to be situated at or near the coal refuse areas. The DEIS does not state whether the proposed preparation plants will need a freshwater source. If freshwater sources will be required for the preparation plants they should be identified. If perpetual treatment is anticipated as a result of mining the coal refuse and/or coal preparation, the WRS recommends that these activities be discussed in the EIS. If the preparation plants generate any toxic coal waste in the process of preparing the coal refuse for fuel or if toxic wastes result from the burning, a discussion of how that material will be handled should also be included in the EIS.

70-003

The DEIS presents as a preferred alternative for a transmission line "Option C" (§2.4.8). This option would require the clearing of an approximate 100-foot wide right-of-way extending through approximately 18 miles of predominately forest land. The proposed transmission line would cross 32 intermittent and perennial streams and at least

RESPONSES**Comment: 70-001, Issue Code: G1**

Guidelines on the use of Meadow River have been provided by WVDNR. See General Responses 4.4.1 and 4.4.2. New text has been added regarding impacts to the river (Section 4.4.3.3 of Volume 1) and the local aquifer (Section 4.6.3.4 of Volume 1).

Comment: 70-002, Issue Code: G3

See General Response 4.4.3.

Comment: 70-003, Issue Code: E3, E4, E5

As is outlined in the Memorandum of Understanding (MOU) for the Anjean site, an agreement between WVDEP and WGC, once WGC finishes its operations at Anjean and reclaims the permitted area: *"WVDEP will be responsible for reclaiming the parts of the permit not disturbed by WGC. In addition, WVDEP will be responsible for treating pollutional discharges associated with acid mine drainage emanating from all parts of the permit, including those parts of the disturbed by WGC."* This MOU can be found in Appendix N (Volume 2).

It is not expected that WGC would be responsible for perpetual treatment at the coal refuse site once the area permitted to WGC has been reclaimed by WGC in accordance with the initial or modified revoked surface coal mining permit. It is anticipated that by using the ash and other methods identified in the reclamation contract, WGC would decrease the potential for acid mine drainage (AMD). Thus, this may enable WVDEP to carry out its reclamation obligations at the Anjean site on a more cost-effective basis, thereby reducing future financial impact on the state's Special Reclamation Fund. Furthermore, it is anticipated that the remediation of the coal refuse site would help minimize present and future adverse environmental effects that the coal refuse pile, which if left in place, might otherwise produce. DOE anticipates that similar reclamation contracts and agreements, and therefore, similar consequences, would occur at other coal refuse sites used.

Impacts from the proposed power plant and activities at the coal refuse sites have been included in Sections 4.4.3.4 and 4.6.3.5 of Volume 1. New text on potential impacts from leachate has been added to Section 4.6.3.5 (Volume 1). See also General Responses 4.2.2, 4.2.3, 4.2.4, and 4.2.5 regarding prep plant activities and ash application and potential impacts to water resources.

Commenter 70 – Curtis I. Taylor

Mr. Roy G. Spears
Page 3
January 12, 2007

25 wetlands. The "Option C" transmission line would cross four major streams, Meadow Creek, listed as a High Quality Stream (HQS), Burdette Creek, Anglins Creek, a HQS that is classified as a native Brook Trout stream, and Hominy Creek, a HQS that is classified as a wild Brown Trout stream.

The DEIS points out that utilizing and upgrading existing lines and right-of-ways would somehow "affect more landowners," and clearing a new right of way and installing a completely new transmission line "would be more cost effective." The DEIS does not assess the impact associated with the proposed transmission line on wetlands and/or fisheries and other aquatic life associated with crossing streams, clearing the riparian vegetation, increasing water temperature, or the possible use of herbicides and their introduction into streams. The DEIS does not assess impacts to wildlife resources associated with habitat fragmentation and the possible impact on neo-tropical migratory bird migration or nesting of migrant and native birds. The DEIS does not assess the impact of right-of-way clearing on the introduction of nuisance or non-native plant species.

70-004

The DEIS, §2.5, Table 2.5-1, has omitted the requirement of coordination with the West Virginia Public Land Corporation. The Public Land Corporation (PLC) is administered by the Real Estate Section of the Division of Natural Resources.

70-005

The wetland delineation study area did not include the proposed withdrawal site along the Meadow River. Based on a field review of the proposed pump station site, wetlands may be impacted by this phase of the project.

70-006

The WRS appreciates the opportunity to review the referenced DEIS and assumes the deficiencies listed in our comments will be addressed prior to final project development. If you need information or clarification regarding the topics presented, please feel free to contact me or Kerry Bledsoe of my staff at (304) 825-6787, email: kerrybledsoe@wvdmr.gov.

Sincerely,



Curtis I. Taylor, Chief
Wildlife Resources Section

RESPONSES

Comment: 70-004, Issue Code: L1, L2, O

New text has been added to Section 4.7.3.4 (Volume 1) that addresses these issues within a discussion of potential biological impacts from the new transmission corridor.

Comment: 70-005, Issue Code: G1

Because of the proposed withdrawal of water from the Meadow River via an intake structure, WGC would be required to submit the Public Land Corporation (PLC) Stream Activity Application. This requirement has been added to Table 2.5-1 (Volume 1).

Comment: 70-006, Issue Code: L2

To date, WGC has prepared and submitted state and federal wetland encroachment permit applications (401 and 404) associated with unavoidable wetland impacts. New text has been added to Sections 4.7.3 and 4.7.4 (Volume 1), which discusses wetlands impacts and mitigation plans and includes the associated project components (e.g., proposed intake structure).

Commenter 71 – Michael Rosolina

>>> "Michael Rosolina" <mrosolina@wildblue.net> 1/14/2007 4:27 PM >>>

U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project
Public Hearing
Public Hearing Notice
PUBLIC HEARING, THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA

COMMENT FORM

Name (Please Print): Michael Rosolina Representing:
Myself as a county resident
Address: HC 68 Box 74 Friars Hill, WV 24938
Email: mrosolina@wildblue.net
DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:
Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS N0-3
P.O. Box 0860
Morgantown, WV 26507
Email: roy.spears@nrel.doe.gov
Voice: (304) 285-5400
Fax: (304) 285-4403
Toll-free: (800) 432-6330, x5460

Comment: I ask the DOE to deny funding by the use of taxpayer dollars to the Western Greenbrier Co-Gen Project.

- 71-001
- 71-002
- 71-003
- 71-004
- 71-005
- 71-006
- The "demonstration" project will not use innovative pollution control technology.
- The project will contribute to air pollution in the county.
- The project will contribute to global warming by burning coal gob which will release more tons of CO2 per unit of electricity generated than other fuels.
- The coal industry and the landowners are obligated to clean up the gob piles—not the taxpayer.
- It is unclear that sufficient water is available to operate the plant.
- Heated water discharged from the plant may have a significant impact on life in the Meadow River.

At the least, this project needs further study to determine its viability, an accurate determination of the amount of water available, and the true impact on the local environment and on the global situation. In addition, a demonstration project funded in large part by the taxpayers should be using state of the art pollution technology.

RESPONSES

- Comment: 71-001, Issue Code: D1
- See General Response 4.1.1.
- Comment: 71-002, Issue Code: F
- See responses under General Response 4.3.
- Comment: 71-003, Issue Code: F1
- See General Response 4.3.2.
- Comment: 71-004, Issue Code: E1
- See General Responses 4.1.4 and 4.2.2.
- Comment: 71-005, Issue Code: G1, G2
- See General Responses 4.4.1 and 4.4.2.
- Comment: 71-006, Issue Code: H1
- See General Response 4.5.

72-001

Commenter 72 – Robert Must

>>> "Robert Must" <bobmust@mail.com> 1/14/2007 10:45 PM >>>
Dear Mr. Spears, Thirty years ago one could hear theories predicting global warming from the fringes of science and politics. In 2007 examples of global warming are a daily occurrence in mainstream news and weather reports. I am a believer in the knack of the American people to fix big problems when it is clear what must be done. It is now clear that our country must reduce greenhouse gas emissions. It is well known that burning waste coal produces more carbon dioxide per megawatt than burning coal itself. Therefore it would be a step backwards for the United States Department of Energy to subsidize the Western Greenbrier Co-Gen Plant proposed for Rainelle. Please make a stand for the future health of all Americans by saying "no" to WGC. There are other exciting alternatives which could thrive with DOE subsidies. America is ready for this difficult shift. Respectfully, Robert Must, DO / Hillsboro, WV



Complete POS System
We offer a Complete POS System for All Retail Stores. Manage and take control of your ...
eschiama.com

RESPONSES

Comment: 72-001, Issue Code: F1
See General Response 4.3.2.

Commenter 73 – Caroline Sharp

>>> "caroline sharp" <csharpflat@yahoo.com> 1/15/2007 12:58 PM >>>
January 13, 2007

Roy Spears, Document Manager
U.S. Department of Energy
P.O. Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears,

I would like to comment on the Environmental Impact Statement for the Western Greenbrier Co-Generation (WGC) power plant, and as a taxpayer, respectfully ask that the Department of Energy reject any funding for this project based on two major concerns:

1. "Clean Coal" funding is intended to be used only for projects that will use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices, it doesn't even meet minimum Clean Air Act requirements. This plant is purely a "pork barrel" project funded by the federal government that will harm the environment of Greenbrier County and it's neighbors. Therefore, it is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money.

2. WATER: The plant will need hundreds of gallons of water per minute to operate. According to the EIS, the first source of water would come from treated effluent from the Rainelle Sewage Treatment Plant. If this source fails to provide the amount needed, WGC plans to withdraw water from nearby wells and the Meadow River. As someone who grew up in this area, I can see that our rivers and streams have changed over the years, mainly due to flooding; the water levels are much lower as well. The data used in the EIS for the Meadow River is over 25 years old. Under the National Environmental Policy Act, the United States Department of Energy must consider all past, present and future direct and indirect environmental impacts

73-001

73-002

RESPONSES

Comment: 73-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4 and 4.3.1.
Comment: 73-002, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Commenter 73 – Caroline Sharp

73-002
(continued)

{ of a proposal action. If using only data that is 25 years old, how can this proposal represent "present and future?" Consultants admit that there may not be enough groundwater. This admission alone should be reason enough to reject this project.

Sincerely,
Caroline Sharp
HC 64 Box 281
Hillsboro, WV 24946
304-653-4277
csharpflat@yahoo.com

RESPONSES

Commenter 74 – Ginger Weiss

>>> "Ginger Weiss" <gingerweiss@hotmail.com> 1/15/2007 9:39 PM >>>
January 15, 2007
Dear Mr. Spears:
Regarding the proposed Western Greenbrier Co-Generation power plant:
I obtained the following information from www.cleanbrier.org. I agree with
many of the points made on the website and am deeply concerned about the
future of our beautiful state. As a new mother I feel I have a
responsibility to make my concerns known in an attempt to preserve what's
left of the earth for my child.

74-001 { Funding the WGC power plant with "clean coal" money is an inappropriate use of federal tax dollars. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices. Indeed, the plant would not even meet minimum Clean Air Act requirements. Citizens of southeastern WV should not be forced to breathe the pollution generated from yet another coal-fired power plant. It is already nearly impossible to find affordable healthcare in West Virginia and this project would increase pollution and make our populace even less healthy and less insurable. The taxpayers would assume a bigger burden due to increased Medicaid spending (more children and adults diagnosed with asthma and other pollution-related illnesses).
74-002 {

74-003 { Because coal gob has a relatively low BTU content, many more tons of CO2 and other pollutants are released per unit of electricity generated than from other fuels. In addition, the ash generated from burning gob is highly toxic. From the Energy Justice Network: "Waste coal ash is dumped in communities not far from the waste coal burners, threatening the groundwater with leaching lead, mercury and other poisons. Power plant waste is allowed to be dumped without the basic protections (landfill liners) that are required for dumping household trash. When burning any solid fuel, the resulting ash has a higher surface area than the raw, unburned material. The dangers of toxic leaching from ash can be expected to be greater than from the unburned waste coal."
74-004 {

74-005 { Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the River.
We must begin to think about long term effects of destroying eco-systems.

74-006 { The project will add much noise, dust and traffic to the area. If the Plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week. Property values will decrease and taxpayers will

RESPONSES

Comment: 74-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4 and 4.3.1.
Comment: 74-002, Issue Code: F3
See General Response 4.3.2. Health risk assessments are provided in Section 4.14 (Volume 1).
Comment: 74-003, Issue Code: F1
See General Response 4.3.2.
Comment: 74-004, Issue Code: E4
See General Responses 4.2.2, 4.2.3 and 4.2.4.
Comment: 74-005, Issue Code: G1, H1
See General Responses 4.4.1 and 4.5.
Comment: 74-006, Issue Code: I, J, and K
See General Response 4.7. Impacts to property values are discussed in Section 4.9 of Volume 1.

74-006 {
(continued)

Commenter 74 – Ginger Weiss

be left paying for the maintenance of these roads as they are destroyed by heavy truck traffic.

We implore DOE to deny funding for this wasteful and dirty project.

Sincerely,

Ginger and Jonathan Danz
Fayetteville, West Virginia

RESPONSES



Commenter 75 – Michael T. Chezik
United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-5904



January 16, 2007

ER 06/1147

Mr. Roy G. Spears
NEPA Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
M/S NO-3, P.O. Box 0880
Morgantown, WV 26507

Dear Mr. Spears:

The U. S. Department of the Interior (Department) has no comment on the Draft Environmental Impact Statement for the Western Greenbrier Co-Production Demonstration Project in Rainelle, West Virginia.

Thank you for the opportunity for comment.

Sincerely,

Michael T. Chezik

RESPONSES

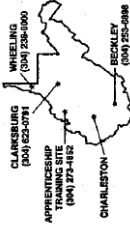
Comment: 75-001, Issue Code: A2
Comment noted.

75-001



Commenter 76 – Ronald L. Burdette
International Union of Operating Engineers

AFL-CIO
LOCAL UNION No. 132
608 TENNESSEE AVENUE
P.O. BOX 6770
CHARLESTON, WV 25362-0770
OFFICE (304) 343-7731



RONALD L. BURDETTE
Business Manager

January 16, 2007

Mr. Roy Spears
National Energy Technology Laboratory
US Dept. of Energy
PO Box 380
3610 Collins Ferry Rd.
Morgantown, WV 26507

Mr. Spears,

76-001

At this writing, I thought it might be appropriate to introduce our organization to you. Since the mid 1930's, Operating Engineers Local 132 has provided employers with a highly skilled and mobile workforce to the construction industry.

Mr. Spears, I'm speaking on behalf of approximately 3000 Operating Engineers who work and reside in the state of West Virginia.

The Operating Engineers are in support of the W. Greenbrier Co-Generation Project. The Co-Generation Project will provide work for many local union construction workers. Not to mention that clean power is the way to the future.

Please feel free to call the Operating Engineers if you have any questions or need assistance with anything. We welcome the opportunity to assist you in any way possible.

Best Regards,

Ronald L. Burdette

Ronald L. Burdette
Business Manager

RESPONSES

Comment: 76-001, Issue Code: A1
Comment noted.

Commenter 77 – Bradley M. Karbowsky



Bradley M. Karbowsky
Business Manager

Robert W. Kushele
Financial Secretary-Treasurer

John D. Bodine
President-Organizer

January 16, 2007

Mr. Roy Spears
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 880
3610 Collins Ferry Road
Morgantown, WV 26507-0880

SENT VIA FAX

Re: W. Greenbrier Co-Generation
Project, L.L.C.

Dear Mr. Spears:

77-001

Road Sprinkler Fitters Local Union 669 is writing you in support of the above-referenced project. In addition to providing job opportunities for our members in that area, energy problems facing this country today should be a concern for every American citizen.

Sincerely,

Bradley M. Karbowsky
Business Manager
Local Union 669

BMK:dsv

cc: David Ford, Business Agent, Local Union 669
Charleston Building & Construction Trades Council, AFL-CIO

Road Sprinkler Fitters Local Union No. 669
7030 Oakland Mills Road • Suite 200 • Columbia, Maryland 21046
(410) 381-4300 • fax (301) 621-5045 • www.sprinklerfitters669.org

RESPONSES

Comment: 77-001, Issue Code: A1
Comment noted.

Commenter 78 – William Sheppell Jr.

>>> "Brad and Katie Buddenberg" <buddford@verizon.net> 1/16/2007 11:57 PM >>>

----- Original Message -----
From: Sheppell@verizon.net
To: buddford@verizon.net
Sent: Tuesday, January 16, 2007 6:43 PM
Subject: (no subject)

I am writing regarding the Western Greenbrier Co-Generation plant (WGC). I believe that the DOE should deny funding for this project.
One of the main reasons that this funding should be denied is because the funding is supposed to be for clean coal projects. The is nothing clean or now or innovative about this project. The plant would not even meet current clean air standards.
One claim about this project is that it would clean up old gob piles. The coal industry is presently required to pay into the reclamation fund for this. By using taxpayer money that should go to clean coal projects, the citizens are paying for the cleanup that is the coal companies responsibility.
Coal gob has a low but content, so many more tons of CO2 will be released than if other fuel sources were used. In an era when we have realized the consequences of global warming, this seems like an extremely stupid plan, as CO2 emissions are the main cause of global warming.
I, as a West Virginia citizen do not believe that my fellow citizens and I need to be subjected to the pollution from this plant, as we produce enough energy here for our state already. Most of the energy from WGC will be sent to other states, and we will be breathing in the pollution for them. Let them have the plant in their backyard.
The so called "eco" industrial park that was mentioned has received no funding and there is no market in the area for such a plan. This was put forth to add attractiveness to the WGC project, but will never come to fruition.
I have talked to friends that live in the Rainelle area about the plant, and none there seem too excited about it. They do not believe that it would produce many jobs for the local economy. The plant itself would not employ that many people and most of the construction would most likely be done by outside contractors. They also do not want to deal with the additional pollution and the danger of more overloaded coal trucks on the curvy 2 lane highway that would be access to the plant.
Another huge issue I have with this project is the diversion of water from the Meadow river. Consultants admit that there may not be enough groundwater for this. The Meadow drops to very low levels for much of the year. The diversion could also affect water levels in the wells of local citizens. Diverting water from the river could seriously affect aquatic life in the river, as would the release of heated water back into the riverbed. The lower water levels in the Meadow river could also affect levels in the Gauley river too. It could have an adverse affect on the rafting industry, which is a large part of the state's tourist economy.
Another problem with this project is that acid mine drainage could increase at Anjean when the gob fuel is extracted.
There are many other options to provide power that would be cleaner for the environment. Gob fuel is an extremely dirty, wasteful option. This plant would produce annually 1.75 billion pound of CO2, 17 pounds of mercury, 1.3 million pounds of sulfur dioxide and huge amounts of other pollutants. This plant will not meet the West Virginia Air Pollution Control Act. It should not have even been issued a permit.
After considering all the negative effects that the WGC would cause, I ask that you deny funding for this project.

Sincerely,
William Sheppell Jr.
100 Sarah St.
Fayetteville, WV 25840

RESPONSES

Comment: 78-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4 and 4.3.1.
Comment: 78-002, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 78-003, Issue Code: F1
See General Response 4.3.2.
Comment: 78-004, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.
Comment: 78-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 78-006, Issue Code: I
Safety impacts associated with transportation are discussed in Section 4.14.3.1 (Volume 1). See also General Response 4.7.
Comment: 78-007, Issue Code: G1, G2, H1
See General Responses 4.4.1, 4.4.2, and 4.5.
Comment: 78-008, Issue Code: E3
See General Responses 4.2.2 and 4.2.3.
Comment: 78-009, Issue Code: D5, F1, F2, F4
See General Responses 4.1.5, 4.3.1 and 4.3.3.

Commenter 79 – Elizabeth Little

HC 64 Box 281
Hillsboro, WV 24946

January 16, 2007

Roy Spears, Document Manager
US DOE NETL
PO Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears:

These comments are in addition to and expand upon those I made at the January 4, 2007 public hearing.

This Draft EIS is not sufficient in providing for public comment a detailed statement on the environmental impact of the proposed action and any adverse environmental effects which cannot be avoided should the proposal be implemented. Studies regarding environmental impacts are still in process, and the choices among several alternatives have not been determined.

Because of the scheduling of the comment period over the Christmas and New Year's holidays, there was insufficient time for thorough analysis of all aspects of the Draft EIS, so the comments below pertain mostly to the water supply. This does not mean I would have no comments on other aspects of the project given a more reasonable schedule.

One wonders at the incompleteness of the Draft EIS and the unreasonable schedule of the comment period. Two possible reasons come to mind:

- (1) The Draft EIS was rushed to publication in a deliberate attempt to deny the public full knowledge of, and opportunity to comment on, the environmental impacts of the WGC project;
- (2) The project is so financially precarious that the federal funding is needed before the NEPA requirements have been satisfied, and they are therefore being circumvented.

The incompleteness of the Draft EIS regarding sufficient water supply is admitted on page 2 – 39, where it is stated, "Additional and ongoing groundwater studies are planned to better characterize the local aquifer and the effects of long-term pumping. These studies were not completed in time to be incorporated into the Draft EIS, but they are expected to be available for incorporation into the Final EIS." Conversations with Mark McKoy, geologist with DOE, at the January 4, 2007 public hearing confirmed that studies are ongoing and a sufficient water supply has not been confirmed. Mr. McKoy attempted to characterize this as an insignificant factor by saying that they did not feel they needed to be 100% certain of the water supply, but I submit that the following information demonstrates that they are a long way from 100%.

- Page 2 – 37, 2.4.6 Water Supply, states that water supply requirements range from 900 to 1200 gallons per minute depending on seasonal fluctuations (*with peak demand in the summer months*). (Emphasis added)
- Then on page 2 – 38, Figure 2.4-5 illustrates that it is during the summer months of peak demand that the primary water source, the RSTP, is lowest.
- Page 2 – 39 goes on to admit, "Because there is some uncertainty regarding whether sufficient water would be available from either the Meadow River or groundwater

RESPONSES

Comment: 79-001, Issue Code: C

The Draft EIS was made available for public review for 45 days. According to 40 CFR 1506.10(c), "the public review and comment period on a draft EIS shall be no less than 45 days." Officials and citizens were notified of this project as part of the EIS scoping process, as described in Chapter 1 in Volume 1. See General Response 4.1.2.

Comment: 79-002, Issue Code: G1, G2

Since the Draft EIS was published, river withdrawal guidelines have been developed by the West Virginia Division of Natural Resources (WVDNR), including flow thresholds to be maintained in Meadow River. In addition, an ongoing groundwater study referenced in the Draft EIS has now been completed and has been reviewed by DOE (Appendix D2). This information on both of these water resources provided more insight to facilitate WGC's water use decisions and confirmed assumptions and impacts as originally evaluated in the Draft EIS. See General Responses 4.4.1, 4.4.2, and 4.8.

79-001

79-002

Commenter 79 – Elizabeth Little

sources under extended low recharge conditions, WGC has considered two options for supplemental process water supply for the power plant." These options are to use both the Meadow River and the groundwater aquifer; the options differ in which is to be the secondary and which the tertiary source.

The problem is that both the Meadow River and the aquifer are at their lowest levels at the same time of the year.

- In fact, on page 4.4-12, Figure 4.4-5 illustrates that for over two months in August, September and October the Meadow River flow is below both 60% of the annual average flow and 60% of the average seasonal flow, yielding the sole conclusion that no water at all could be drawn from the river during this time.
- In addition, in Appendix D, Groundwater Pump Test, the last statement on page 6, Model Predictions, is that 12 feet could be considered the additional drawdown to reflect short-term drought conditions.

Since short-term drought conditions occur during August, September and October, it is when no water can be drawn from the Meadow River, and the aquifer may already be down 12 feet from the summer drought, that the most water (at least 800 gallons per minute in addition to the RSTP) will be required to operate the plant.

The first paragraph on page 4.4-14 says it all, "Because of limited hydrologic data on the relationship between the aquifer and the Meadow River, there is an ongoing study on the local aquifer that would provide more insight on the aquifer's characteristics and to a better judge its availability and impacts during use. Also, a gage would be located on Meadow River near the intake structure (under either water supply option) as part of a daily check to monitor and record stream levels. Ongoing collection of river data would allow for a better understanding of the Meadow River's characteristics and along with the ongoing aquifer study, provide WGC more data for better water use decisions. Furthermore, the state would review the issues and provide recommendations to WGC. The forthcoming results from the aquifer tests, continuous monitoring of the river's behavior and correspondence with state agencies would help WGC decide on the best approach to supplying water for the project and minimize adverse impacts to water sources." The actions listed in this paragraph should be completed before a Draft EIS is published for comment.

Several other factors further enforce my conclusion that the Draft EIS is incomplete and inadequate:

- All these figures are averages and/or estimates, so the reality at a given time could be even worse.
- The data regarding Meadow River flow is from 25 years ago.
- The choice is left open as to whether the Meadow River will be maintained at 60% of its annual average or 60% of its seasonal average flow.
- In most instances where the 60% threshold for reducing the Meadow River flow is mentioned there is an added clause, "or another comparable withdrawal limitation measure determined in consultation with the state." This is an open-ended factor meaning the actual drawdown of the Meadow River may be an unidentified amount.
- There is no resolution of the WGC alternatives identifying which source of water supply is to be secondary and which tertiary.

The absurdity of the water supply situation is illustrated on page 2 – 39, where it is stated that, "WGC is also investigating alternate groundwater sources outside the drawdown area for the WGC production wells for use as a potential third source of water." Here we have another

RESPONSES

Commenter 79 – Elizabeth Little

79-002 { potential area of environmental impacts that is not identified, not studied, and for which the public will have no opportunity to comment. Incidentally, since the Meadow River is one of three sources of water, the statement should have read "a potential fourth source of water."
(continued) }

Additional questions that should be answered by a Draft EIS follow.

Why were the following issues raised on page 1 – 7, Table 1 – 1 Issues Identified for Consideration in the EIS, not addressed?

- 79-003** ~~[-]~~ Impacts from elevated stream temperatures from disposal of waste heat.
- 79-004** ~~[-]~~ Impacts from acid rain and mercury deposition in streams.
- 79-005** ~~[-]~~ Impacts from disturbance of the Anjean gob pile (at that time, the only gob pile identified as part of the project).

Appendix F, Stream Studies, contains Aquatic Biota Habitat Surveys of Two Streams in Rainelle, WV. Why was no such study conducted on the Meadow River?

How is the 60% threshold of the Meadow River flow justified? The Draft EIS refers to the Tennant Method, but this is a technique, not a study. The pertinent statement in the Draft EIS is, "A general rule of thumb is that serious degradation of habitat occurs beyond 30 percent of the annual average." Figure 4.4-4 on page 4.4-11 demonstrates that the monthly variability of flow in the Meadow River makes a "general rule of thumb" invalid in determining how much can be withdrawn from the river without affecting river health; and as noted above regarding Appendix F, no study was conducted of aquatic biota in the Meadow River.

79-006 { Since the unsubstantiated 60% drawdown of the Meadow River is further qualified by the open-ended statement, "or another comparable withdrawal limitation measure determined in consultation with the state," how is the public to make substantive comments on the environmental impacts of an unknown amount? }

There was scant mention of the monitoring needed to ascertain that the flow of the Meadow River is sufficient (supposing a sufficient flow is determined). Who will perform this monitoring? Who will have access to the monitoring data? What will be the procedure for alerting WGC plant operators when the Meadow River is below the required level of flow?

79-007 { In conclusion, this Draft EIS should be withdrawn and redone, or a supplemental EIS should be issued when the above studies have been completed and the alternatives selected. Barring this, the no action alternative should be selected on the basis that no additional negative environmental impacts will occur. }

79-008 { Regarding the existing drainage from the Anjean and other gob piles, there are other alternatives for dealing with those impacts that, by its own admission, are beyond the scope of this document. Besides, the gob piles are currently being treated; and the environmental impacts of disturbing the gob piles and then having the project halted because it becomes financially unfeasible, lacks a sufficient water supply, or other result of the incomplete planning that characterizes the project so far, would be much worse than the no action alternative. }

Sincerely,

Elizabeth Little

RESPONSES

Comment: 79-003, Issue Code: H1
See General Response 4.5.

Comment: 79-004, Issue Code: F2
See General Response 4.3.3.

Comment: 79-005, Issue Code: E3
See General Response 4.2.2.

Comment: 79-006, Issue Code: G1, C
See General Response 4.4.1.

Comment: 79-007, Issue Code: C

DOE provided analysis and information on anticipated surface water and groundwater impacts in the Draft EIS. DOE also discussed uncertainties related to the Draft EIS and the range of potential impacts given such uncertainties.

DOE does not believe a supplemental EIS or a re-issuance of the Draft EIS is warranted because DOE has conducted additional studies to reduce uncertainties and verify that impacts to water resources as originally presented in the Draft EIS are bounded. See General Response 4.8.

Comment: 79-008, Issue Code: E1, E2, E3, G3

DOE recognizes that the successful use of CFB ash in mitigating AMD and improving water quality at the coal refuse sites depends on a number of site-specific factors; however, a primary goal of this project is to address the persistent deteriorating water quality issues at the coal refuse sites. Information on other successful coal refuse reprocessing and CFB ash co-disposal projects, in conjunction with a framework for WVDEP oversight, has provided DOE with sufficient information to assess whether reasonably foreseeable impacts are likely to occur in accordance with 40 CFR 1502.22.

See General Responses 4.2.2 and 4.2.3.

Commenter 80 – Peter Iscaro

>>> "peter iscaro" <petehair25@hotmail.com> 1/16/2007 3:31 PM >>>

80-001 { I am writing this last minute letter to express my concern about the proposal of a WGC power plant with clean coal money. West Virginia produces more electricity than is needed to power our state. I am the manager of Back Country Ski and Sports in Fayetteville W.V. I thought our new mission statement for the state is we are open for business. That can be reached through tourism and our abundant natural resources we have. The Meadow River being 1 of them. If the plant is built it will remove more water than is in the watershed. And what is left the project will discharge the heated effluent into the river, which may significantly harm aquatic life in the River. Not making the Meadow River down stream were it flows in to Gauley in the National Recreational Area not very appealing.

80-002 { Along with the impact on the river it will also affect the towns and communities with much noise, dust and traffic to the area. If the Plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.

80-003 { The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches – caused by displacement of floodplain.

Thus, we ask the DOE to deny funding for this wasteful and dirty project. Thank you for your time.

Peter Iscaro
Back Country Ski and Sports
223 1/2 N. Court Street
Fayetteville, WV 25840

RESPONSES

Comment: 80-001, Issue Code: D3

See General Response 4.1.3.

Comment: 80-002, Issue Code: G1, H1

See General Responses 4.4.1 and 4.5.

Comment: 80-003, Issue Code: I, J

See General Response 4.7.

Comment: 80-004, Issue Code: H2

See General Response 4.6.

Commenter 81 – William D. Turner

>>> "William Turner" <wturner@phtslaw.com> 1/16/2007 5:52 PM >>>
To: Roy Spears, USDOE, NETL, P.O. Box 880, Morgantown, WV 26507-0880

From: William D. Turner, 203 Church St., Lewisburg, WV 24901

Re: Western Greenbrier Co-Generation Demonstration Project Comment

Date: January 16, 2007

Dear Mr. Spears:

Thank you for the opportunity to comment on the Western Greenbrier Co-Generation Demonstration Project ("WGC"). I am opposed to the project being funded for the following reasons:

* It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" funds. "Clean coal" funding is intended to be used only for truly cutting-edge projects that use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices (it uses a dry scrubber, whereas a wet scrubber would be much cleaner). The only thing "new" about this plant is its smaller footprint than similar plants and this technology already has been demonstrated in China. In terms of SO₂, PM₁₀, and NO_x, WGC is not as clean a plant as at least two others in the area, Longview in Morgantown, WV, and the Greene County, PA plant. In my view, WGC would not even meet minimum Clean Air Act requirements.

81-001

* Many of the originally touted auxiliary benefits of the plant (i.e. a related eco-industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the ancillary projects never will be realized. Federal funding of \$107+ million could better be used hiring 321 workers for 10 years at \$12/hour, which would allow payment of fringe benefits (health benefits, retirement, etc.) at 33% of the workers' pay. This would put more people to work than WGC proposes to employ.

81-002

* One of the claimed project benefits is to "clean up gob piles." However, this claim by WGC ignores the fact that the coal industry, as well as current and previous landowners, already are obligated to clean up such sites. The coal industry currently is obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into

81-003

RESPONSES

Comment: 81-001, Issue Code: D1, F4
See General Response 4.1.1, 4.1.4, and 4.3.1.
Comment: 81-002, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 81-003, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Commenter 81 – William D. Turner

RESPONSES

- 81-003** { the fund to clean it up. Current and past landowners are also responsible for cleanup.
(continued) { Taxpayers should not pay for this cleanup.
- 81-004** { * West Virginia already produces more electricity than it needs and citizens of
{ southeastern WV should not be forced to cope with the air and water pollution generated by
yet another coal-fired power plant.
- 81-005** { * Because coal gob has a relatively low BTU content, many more tons of CO2 and
{ other pollutants are released per unit of electricity generated than from other fuels. DOE has
failed to consider the plant's contribution to global warming
- 81-006** { * The plant will need hundreds of gallons of water per minute to operate. WGC plans
{ to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from
the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining
the Meadow River (up to 40% of flow is to be diverted to WGC) and lowering the water table,
which would affect local wells. Consultants admit that there may not be enough groundwater.
Also WGC didn't count the water withdrawal from the newly proposed prep plant wells.
- 81-007** { * Besides removing significant quantities of water, WGC will discharge heated effluent
{ into the river, which may significantly harm aquatic life in the Meadow River.
- 81-008** { * The project will add much noise, dust and traffic to the area. If the Plant is built, at
{ least one additional coal truck will pass through the area (including the town of Rainelle) every
five minutes.
- 81-009** { * The proposed plant would impact flooding upstream in Sewell Creek by increasing
{ water elevation for a 100 year flood by about 6 inches – caused by displacement of
floodplain.
- 81-010** { * The project may actually increase AMD from fuel sites like Anjean during extraction
{ of the fuel.
- For all of these reasons, I ask that DOE deny funding for this wasteful and dirty project. Thank you for your consideration.

Sincerely,
/s/ William D. Turner

Comment: 81-004, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

Comment: 81-005, Issue Code: F1
See General Response 4.3.2.

Comment: 81-006, Issue Code: G1, G2, G3
See responses in General Response 4.4.

Comment: 81-007, Issue Code: H1
See General Response 4.5.

Comment: 81-008, Issue Code: I, J
See General Response 4.7.

Comment: 81-009, Issue Code: H2
See General Response 4.6.

Comment: 81-010, Issue Code: E3
See General Responses 4.2.2 and 4.2.3.

Commenter 82 – Mary Wildfire

January 16, 2007

DOE and NETL people:

I'm writing to register comments about the proposed gob-burning plant in Greenbrier County.

I'm not going to go into technicalities; Jim Kotcon has already ably done that, and I endorse his remarks. Instead I will explain why this proposal is STUPID, REGRESSIVE DISHONEST and UNJUST.

It's STUPID to find a way to add yet more to the health and environmental burdens carried by the air in a highly polluted part of the country. I work in a mental health facility, and each day I walk through the MR/DD section downstairs to get to my office in the mental health section upstairs, and I shudder. I wonder how many of these unfortunates are victims of mercury poisoning? Most likely the effects are generally slight. Perhaps many WV children are just a bit less bright than they might otherwise be. To deliberately add to this burden is stupid. And that's just the mercury; it's equally stupid to add to the acid rain's assault on our eastern forests, and our beautiful streams. And to the fine particulates' and sulfur's assault on lungs. And carbon dioxide's assault on the world's climate. Not to mention the emissions from the increased truck traffic.

At a time when all these problems are well-understood, many industrialized countries are ramping up their renewable energy supplies, from wind especially. To insist on continuing to focus on dirty coal instead is REGRESSIVE.

I don't live near Greenbrier and have not been in on the discussion in the local papers, etc, but I did live in Morgantown when the proponents for the GERRP plant in nearby PA were duking it out with opponents in the local media...so I can guess that people are being told that this proposal is environmentally benign because 1—it would clean up those nasty old gob piles that cause water pollution and sometimes catch fire, and 2—it's nowhere near as dirty as the old plants nearby, so its air pollution is negligible. This is DISHONEST because people are not told that over three-quarters of the gob pile will come right back in the form of ash and spent lime—possibly it will be less acidic but this is still not what people picture when they're told the plant will "clean up gob piles." And as for the air pollution, the fact that most of the coal plants in this country are incredibly filthy dinosaurs, grandfathered by the Clean Air Act more than thirty years ago and criminally allowed to keep polluting at these levels, hardly means that new sources are negligible. ANY new plant is much cleaner—they *have* to be by law. But people are given the impression that the new plant is some kind of shining, state-of-the-art model that will practically sweep old smog out of the air.

RESPONSES

Comment: 82-001, Issue Code: F1, F2, F3, I
See General Responses 4.1.1, 4.3.3, and 4.7.

Comment: 82-002, Issue Code: D2
See General Response 4.1.5.

Comment: 82-003, Issue Code: F1, E4
See General Responses in 4.2 and 4.3.2.

Comment: 82-004, Issue Code: D1, F1
See General Response 4.3.1.

82-001

82-002

82-003

82-004

Commenter 82 – Mary Wildfire

RESPONSES

Comment: 82-005, Issue Code: D4, F3
See General Responses 4.1.2 and 4.1.4.

82-005 { The proposal in UNJUST because the only reason to go ahead with such a destructive scheme is that a few people, probably mostly people far away, will benefit financially—people who already are well-off with few exceptions—and a small number of local people will get jobs. Some might weigh the environmental and health costs more lightly than I do; some might weigh the local jobs, in particular, more heavily. But the issue of JUSTICE comes in because those who reap the benefits and those who pay the costs are not the same.

Finally, a personal note—I at first refused to write this letter, because after a dozen years of involvement in environmental activism I have grown cynical. I said, “Those people view the Public Comment process as a mere ritual, an annoying waste of time—they only do it because it’s legally required. They don’t give a rat’s ass what people say—they could get a dozen misspelled letters from ignorant NIMBY’s, or thousands of well informed, articulate letters—it all weighs the same. If the Governor’s office told them to grant the permit, as it no doubt did, then they will do so.” The reality I allude to in this paragraph is also UNJUST, REGRESSIVE and STUPID.

Mary Wildfire
mwildfire@hotmail.com
215 Church St
Spencer, WV 25276

Commenter 83 – Morgan Jones

>>> "morgan.jones" <jones.morgan@lycos.com> 1/16/2007 9:37 PM >>>
Dear Mr. Spears,

I am OPPOSED to the Rainelle plant for the following reasons:

83-001 { *It does not meet even minimum clean air act requirements and so it is not appropriate to use "clean coal" dollars.

83-002 { *The coal companies should clean up the gob piles not the taxpayer.

83-003 { *Coal gob will release more co2 than "cleaner coal".

83-004 { *The Meadow river will be adversely affected by the removal of hundreds of gal/min of water and replacement of some of that water at significantly higher temp.

83-005 { *Running coal trucks up and down route 60 will contribute significant air pollution from diesel engines and will hamper the flow of traffic on the only road through this area.

83-006 { *West Virginia should not be expected to take the brunt of this pollution when the power is not even being used here.

Morgan Jones
Caldwell, WV

RESPONSES

Comment: 83-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4 and 4.3.1.
Comment: 83-002, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 83-003, Issue Code: F1
See General Response 4.3.2.
Comment: 83-004, Issue Code: G1, H1
See General Responses 4.4.1 and 4.5.
Comment: 83-005, Issue Code: I
See General Response 4.7.
Comment: 83-006, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

Commenter 84– Sharon Kearns

>>> <skwalks@frontiernet.net> 1/16/2007 10:47 PM >>>

Dear Sir:

Please let my comments go on record concerning the cogeneration plant for western Greenbrier County, WV.

I am concerned about the potential for creating even more pollution to the air. I am also concerned about the need for the amount of water to be used for the plant in order to make it work. Now there shall be two insults to the environment.

Wait, make that three because there will be trucks that do not adhere to standards of emission controls that cars do to take the gob and then when that is not enough, the coal to the plant.

In short, I would like to have the coal companies be responsible for cleaning up the gob piles instead of using the guise of more jobs and a clean burning coal plant. I would

like the towns to realize that there is a growing federal government mandate to turn towards other cleaner forms of energy. Research and find those and then you will have jobs and prosperity and the support of those around you.

Sharon Kearns
Pocahontas County Hillsboro, WV

RESPONSES

Comment: 84-001, Issue Code: F1
See General Response 4.3.1.

Comment: 84-002, Issue Code: G
See General Response 4.4.1.

Comment: 84-003, Issue Code: I
See General Response 4.7.

Comment: 84-004, Issue Code: E1
See General Response 4.1.4.

Comment: 84-005, Issue Code: D2
See General Response 4.1.1.

Commenter 85 – Jeff Brennan

>>> "Jeff Brennan" <jeff@ElmwoodVillageRemodeling.com> 1/16/2007 11:08 PM >>>
Dear Mr. Spears,

I get down the Meadow river occasionally and the required water draws for cooling the proposed plant are absolutely unacceptable. The amount withdrawn and temperature of discharge are huge issues for recreation and wildlife. I can't see a way of mitigating those problems in this circumstance. Combine this with the other human and ecological impacts and this proposal is shortsighted at best and possibly criminally negligent at worst. Please deny this application as presented.

85-001

RESPONSES

Comment: 85-001, Issue Code: G1, H1
See General Responses 4.4.1 and 4.5.

Commenter 86 – Matt Horton

>>> <hortowm0@sewanee.edu> 1/16/2007 11:30 PM >>>
Mr. Spears,

I am writing to voice my concerns over the prospect of the new Greenbrier county coal power plant. I understand that this plant will require an enormous volume of water for cooling operations which will be drawn from the surrounding groundwater as well as the Meadow river. I am also aware that consultants suggest the possibility that these combined resources cannot accommodate the cooling needs of this plant.

This plant seems unnecessary, seeing that West Virginia already produces more energy than it consumes. Moreover, we live in an age whose conceptions and biases for energy are gravitating towards the possibility of alternate sources. This plant seems to exacerbate old problems, namely mountaintop removal and increased air pollution, while posing new ones, namely the degradation of groundwater availability.

Moreover, Meadow is a world-class kayaking river, admirable both for the quality of its rapids and beauty of its scenery. One of West Virginia's qualities is its relatively pristine wilderness, and any project like this should consider the drawbacks of a new coal-fired power plant might have on West Virginia's tourist economy.

Sincerely,
Matt Horton

RESPONSES

Comment: 86-001, Issue Code: G1, G2, K
See General Responses 4.4.1 and 4.4.2. Aesthetic impacts are discussed in Section 4.2 of Volume 1.

Comment: 86-002, Issue Code: D2, D3
See General Responses 4.1.1 and 4.1.3.

Comment: 86-003, Issue Code: E3, E4, F1, G2
See General Responses in 4.2, 4.3, and 4.4.

86-001

86-002

86-003

86-001

(continued)

Commenter 87 – Katie Buddenberg

>>> "Brad and Katie Buddenberg" <buddford@verizon.net> 1/16/2007 11:33 PM >>>
217 East Maple Ave.
Fayetteville, WV 25840
(304)574-3722

Dear Mr. Spears,
I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

I see absolutely no reason for the federal government to provide funding for this project. It

RESPONSES

Comment: 87-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2, and 4.5.
Comment: 87-002, Issue Code: I
See General Response 4.7.
Comment: 87-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.
Comment: 87-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.
Comment: 87-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 87-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3, and 4.2.4.

87-001

87-002

87-003

87-004

87-005

87-006

RESPONSES	Commenter 87 – Katie Buddenberg
Comment: 87-007, Issue Code: D1, F4, G1 See General Responses 4.1.4, 4.3.1, and 4.4.1.	87-007 { certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project. Sincerely yours, Katie Buddenberg

Commenter 88 – Bradford Buddenberg

>>> "Brad and Katie Buddenberg" <buddford@verizon.net> 1/16/2007 11:36 PM >>>
217 East Maple Ave.
Fayetteville, WV 25840
(304)574-3722

Dear Mr. Spears,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

I see absolutely no reason for the federal government to provide funding for this project. It

RESPONSES

Comment: 88-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2, and 4.5.
Comment: 88-002, Issue Code: I
See General Response 4.7.
Comment: 88-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.
Comment: 88-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.
Comment: 88-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 88-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3, and 4.2.4.

Commenter 88 – Bradford C. Buddenberg

88-007 { certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project.

Sincerely yours,

Bradford C Buddenberg

RESPONSES

Comment: 88-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.



Commenter 89 – William Arguto

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

January 17, 2007

Mr. Roy Spears, Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-4403

**RE: Draft Environmental Impact Statement (DEIS) for the Western Greenbrier Co-
Production Demonstration Project (CEQ No 20060494)**

Dear Mr. Spears:

In accordance with the National Policy Act (NEPA) and Section 309 of the Clean Air Act, the Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (DEIS) for the above referenced project. The DEIS was prepared to meet the requirements of NEPA and assesses the potential environmental impacts that would result from a proposed Department of Energy (DOE) action. The proposed project would include the construction and demonstration of a 98 megawatt power plant and ash byproduct facility to be located in the municipality of Rainelle, West Virginia.

The EPA has rated this alternative as Environmental Concerns and Insufficient Information (EC-2). A description of our rating system can be found at: <http://www.epa.gov/compliance/nea/comments/ratings.html>. EPA has concerns over the proposed demand on the water resource as well as the limited descriptions into coal refuse pile restoration and ash management. EPA has detailed these concerns and others in the attached comments. Thank you for the opportunity to comment on this DEIS. Please contact Kevin Magerr at (215) 814-5724 if you have any questions regarding our comments.

Sincerely,


William Arguto
NEPA Team Leader

RESPONSES

Commenter 89 – William Arguto**EPA Comments
DEIS Western Greenbrier Co-Production Demonstration Project
(CEQ No 20060494)**

- 89-001** { 1. The Draft Environmental Impact Statement (DEIS) includes an extensive analysis of the potential supplemental water demand of the Meadow River. However, it is unclear whether the river level of 60% of the seasonally adjusted average base flow would be protective considering the potential low flow impacts from industrial and municipal dischargers to the Meadow River.
- 89-002** { 2. It appears that all the potential refuse coal supply sites (Anjean, Donegan, Green Valley, and Joe Knob) have already been reclaimed and revegetated. Further, it appears that portions of each of the sites are being treated for acid mine drainage (AMD). The proposed action would result in the removal of all existing vegetation in order to access the refuse coal piles underneath. The DEIS should contain details of this operation including: the total area of each site, the potential amount of refuse coal, the size of the disturbance at any given time, the type of interim control measures for erosion and controls as well as AMD. The DEIS should also quantify all jurisdictional wetlands and streams impacts and include a compensatory mitigation plan.
- 89-003** { 3. The Western Greenbrier Co-Generation, LLC (WGC) proposes to use alkaline ash generated by the power plant as a mean of AMD neutralization at the refuse coal sites. The DEIS should include studies documenting the success of this application. The DEIS should also include the potential amount ash (Fly and Bottom) generated at the power plant, its chemical make up and the environmental consequences of the ultimate disposal or application.
- 89-004** { 4. References are made on a number of assessments within the DEIS (Traffic, Air Quality, Noise) identifying specific locations in the Rainelle area. It would be helpful in reviewing these assessments if the DEIS included a more detailed map of the Rainelle area identifying streets and sensitive receptors like schools, daycare, senior centers and hospitals.
- 89-005** { 5. As an air quality mitigation measure, it is suggested that diesel vehicles used in the construction and operation of the power plant and the related operations use ultra low sulfur fuels and to investigate appropriate anti-idling control measures.
- 89-006** { 6. The DEIS should be more definitive on the noise abatement measures proposed to be implemented.
- 89-007** { 7. It is unclear what was considered in the Particulate Matter analysis (page 4.14-14). The analysis should consider all potential sources including stack emissions from the power plant, emissions from haul trucks, fugitive emissions and emission from the rotary kiln.
- 89-008** { 8. It is unclear what chemicals/pollutant was evaluated in the Chemicals of Potential Concern section (page 4.14-13-14)
- 89-009** { 9. Under the Transmission Line Corridor preferred option, WGC is proposing the construction of a new 18-mile transmission line corridor from the power plant to Grassy Fall Substation. The DEIS should evaluate the impacts of the construction and operation of this transmission line. This evaluation should include the temporary and permanent quantitative impacts to wetland and streams and the compensatory mitigation.

RESPONSES**Comment: 89-001, Issue Code: G1**

According to WVDEP's water survey report there are no significant water users within the Meadow River watersheds, and withdrawals by WGC would be limited by WVDNR guidelines to avoid impacts during low flow conditions. See General Responses 4.4.1 and 4.4.2 for discussions on impacts to the river and aquifer, respectively. General Response 4.4.1 also addresses the impacts from the elimination of the Rainelle Sewage Treatment System's (RSTP's) discharge from the river during low flow conditions. New text has been added to Sections 4.4.3.3 and 4.6.3.4 (Volume 1) that discusses impacts to surface and groundwater resources, respectively.

Comment: 89-002, Issue Code: E4, E5, L2

See General Response 4.2 regarding proposed activities at the coal refuse sites and prep plant. The coal refuse pile at Anjean has not yet been reclaimed and AMD problems persist at all of the coal refuse sites. The EIS has been revised to state in Section 2.4.4.1 (Volume 1) that each prep plant site would be subject to a remediation plan to be prepared by WGC and approved by WVDEP, which would be comparable in intent to the remediation plan that would be prepared for the Anjean site in accordance with the MOU between WGC, WGBDC, and WVDEP as described in Section 2.4.3.1 (Volume 1). The MOU has been added as Appendix N.

Comment: 89-003, Issue Code: E4

See General Response 4.2.3.

Comment: 89-004, Issue Code: Q

Detailed maps that identify potential receptors in Rainelle are depicted in Figures 3.11-1 (adjacent land uses), 3.13-4 and 4.13-2 (traffic intersections), 3.15-1 (monitoring points for noise and public health), and 4.2-1 (closest residential properties) in Volume 1. Respective figures are referenced for particular assessments in the EIS.

Comment: 89-005, Issue Code: F4, I

Ultra-low sulfur fuel is currently readily available in many parts of the country, including West Virginia, and can be used for on-site construction equipment and operating equipment. Use of ultra-low sulfur fuel for equipment and trucking is included as a mitigation measure and has been added to Table 4.19-1 in Volume 1. This measure includes a recommendation for WGC to consider adopting anti-idling control measures.

Comment: 89-006, Issue Code: J

Noise sources at the proposed WGC plant and potential mitigation are described in Section 4.15.3.3 (Volume 1). For a project of this type, more specific mitigation measures are typically considered in the final design phase. The available mitigation methods needed to reduce the noise levels from

Commenter 89 – William Arguto

(see previous page for comment)

RESPONSES

(response to Comment 89-006 continued)

specific equipment to the desirable design criteria would depend on final design and the selection of specific equipment. Therefore, WGC has not committed to any specific noise mitigation methods at this stage of the project. However, in accordance with noise requirements as regulated by the WV Public Service Commission (PSC), WGC would evaluate and select the best suite of noise reduction alternatives to be incorporated as part of the design basis to ensure that operational noise levels at identified sensitive noise receptors (see Table 4.15-8, Volume 1) would not exceed 60 dBA L_{dn} as discussed in Section 4.15.3.3 (Volume 1). Manufacturers would be informed of the noise level criteria that must be met by their equipment and would incorporate mitigation measures as appropriate. The noise level mitigation measures presented in the EIS are intended to show the types of measures that are generally available and whether the noise level criteria can be achieved (see Table 4.15-10, Volume 1).

Comment: 89-007, Issue Code: F4

Information about the particulate matter analysis was presented in earlier Section 4.3.3.1 (Volume 1). Notwithstanding, the commenter is correct that some information should be included here. Therefore, for clarity, the following additional text has been added to lead the discussion of particulate matter health risks in regard to particulate matter:

"During construction of the Co-Production Facility and the prep plant system, the potential sources of air emissions would be from material handling and storage, soil excavation, diesel-fueled construction equipment, and construction worker vehicles. During the Co-Production Facility operation and the prep plant system operation, the potential sources of air emissions would be from process equipment, material handling and storage, and vehicles. Full details of particulate matter analysis are found in section 4.3.3.1."

Comment: 89-008, Issue Code: F3

Table 4.14-1 (Volume 1) lists all Chemicals of Potential Concern (COPC) that were analyzed for the WGC Project and which are further described in the paragraph preceding Table 4.14-2. New text that references Table 4.14-2 has been added in the text preceding the table.

Comment: 89-009, Issue Code: L1, L2, O

To date, WGC has prepared and submitted state and federal wetland encroachment permit applications (401 and 404) associated with unavoidable wetland impacts. New text has been added to Sections 4.7.3 and 4.7.4 (Volume 1) that discusses wetlands impacts and mitigation plans and includes the associated project components (e.g., proposed intake structure).

Commenter 89 – William Arguto

EPA Comments

**DEIS Western Greenbrier Co-Production Demonstration Project
(CEQ No 20060494)**

- 89-010** { 10. The DEIS indicated that refuse coal would be the primary fuel supply. The DEIS should include a discussion on what situations where other fuel sources would be used.
- 89-011** { 11. The DEIS should determine the Prep plant spoils potential volume and chemical makeup. The DEIS should also include disposal plan appropriate for the chemical makeup of the waste.
- 89-012** { 12. The ash generated by the power plant operations should be evaluated for toxicity in its raw state and for toxicity leaching in it wood brick product form.
- 89-013** { 13. Due to the increase truck traffic related to construction and plant operations, certain roads and bridges may experience a decrease in the level of service and may increase the rates of damage to roadways and increase traffic hazards. It is unclear whether WGC has had discussions with West Virginia Department of Transportation to minimize these impacts.
- 89-014** { 14. It appears that water use for the power plant as well as use for any ancillary commercial and industrial tenants of the eco-park could have significant adverse impact on existing water demand. The DEIS should clearly define the water budget; limitations on the co-generation project, the eco-park and any future anticipated demand.
- 89-015** { 15. The DEIS should include the potential temporary and permanent impacts to wetlands and streams due to the construction of the water supply pipeline to the power plant.
- 89-016** { 16. The preferred alternative for supplemental water supply would be a permanent intake structure on Meadow River and a tertiary ground water source. The DEIS should include the potential wetland and stream impacts and mitigation measures for these structures.
- 89-017** { 17. The ash byproduct manufacturing facility is privately financed and independent of the Co-Production Facility. It appears the success of the kiln operation of the Co-Production Facility would be dependent on the ash byproduct manufacturing facility being built. The DEIS should investigate other uses of the ash byproduct in order to improve kiln operation success.
- 89-018** { 18. The DEIS identifies Anjean, Green Valley, Donegan and Joe Knob as the initial fuel sources over a 20-year operating period. The DEIS should investigate other fuel sources that go beyond 20 years.
- 89-019** { 19. The environmental consequences of prep plants should detail impacts on sensitive receptors including homes and businesses.
- 89-020** { 20. The DEIS should include further detail into the land exchange and mitigation measures for the proposed transmission corridor.
- 89-021** { 21. The Anjean mining facilities are not identified on Figure 3.4-5.

RESPONSES

Comment: 89-010, Issue Code: E2

Instead of coal refuse, the CFB combustor would use fuel oil (i.e., diesel) during startup. WGC's air permit requires that only waste coal be combusted in the CFB during normal operations and, therefore, it is expected that WGC would be limited to using coal refuse during the operational phase as required under the permit. As discussed in Section 2.2.2 of Volume 1, there is a large number of waste sites within a 25-mile radius of the proposed facility and WGC intends to have a 15-20 year reserve of coal refuse under contract before financial closing.

Comment: 89-011, Issue Code: E5

See General Response 4.2.5.

Comment: 89-012, Issue Code: E4

Regarding the ash, see General Responses 4.2.3 and 4.2.4. Regarding WoodBrik, data from the vendors showed that no isotopes associated with generating radon were detected in the ash cement sample; the detection limit from these isotopes was approximately 1.1 pCi/g. Five pCi/g is generally considered to be the level of concern in soils. Therefore, there is no likelihood that radon would be present in the SAB cement or in WoodBrik produced from SAB cement. Additionally, potential leaching of toxic materials from WoodBrik is not expected to occur because: 1) none of the feedstock materials is considered hazardous; 2) to produce the cement, the ash and other constituents would be calcined at high temperatures, and therefore, it is not expected that any trace volatile metal components (e.g., mercury, arsenic, cadmium) would be present in the cement; and 3) the cement has extremely low porosity when cured and is expected to further minimize any potential toxic leaching. At this time no leachate tests were performed for the WoodBrik because a representative product would depend on the final feeds for producing the WoodBrik, and hence, any such tests would not reflect the true characteristics of the end product. WoodBrik is only one of many potential products; other ash byproducts are just as likely and would, therefore, need to be individually analyzed with its respective feedstock.

Comment: 89-013, Issue Code: I

See General Response 4.7. To date, WGC discussions with WV DOT have been focused primarily on the construction of a proposed bridge at the plant site. However, it is anticipated that WGC would implement mitigation measures, as listed in Table 4.19-1 (Volume 1), to minimize potential adverse traffic impacts.

Comment: 89-014, Issue Code: G, P

The Co-Production Facility's water uses and sources are discussed in General Response 4.4.1. As discussed in Section 4.12.1.2 (Volume 1), should the EcoPark succeed in attracting commercial and industrial tenants,

Commenter 89 – William Arguto

(see previous page for comment)

RESPONSES

(response to Comment 89-014 continued)

the water demands of these tenants in addition to the Co-Production Facility would likely require the evaluation of alternative water sources or plant processes that minimize the demand on Rainelle's water supply aquifer.

Accordingly and as discussed in section 2.4.6 (Volume 1), WGC prefers "Option B" for supplemental process water supply and would manage withdrawals from the Meadow River and groundwater sources. In addition WGC intends to provide steam or heated water (for thermal transfer) to park tenants as an inducement to locate in Rainelle and enhance economic activity.

Comment: 89-015, Issue Code: L2

See response to Comment 89-009.

Comment: 89-016, Issue Code: L2

See response to Comment 89-009.

Comment: 89-017, Issue Code: D4

See General Response 4.1.2.

Comment: 89-018, Issue Code: E2

See General Response 4.2.1.

Comment: 89-019, Issue Code: E5

Impacts to sensitive receptors near potential prep plant locations are discussed for each resource area throughout Chapter 4 of Volume 1 (under subsections entitled "Fuel Supply"). As it is expected that the prep plant would be sited at or near the coal refuse piles, where there are very few residential areas and almost no businesses, potential impacts to sensitive receptors in these areas are considered minimal.

Comment: 89-020, Issue Code: L2, O

The land exchange ensures that appropriate replacement property would be provided to compensate the use of existing local recreational property for the development of a transmission corridor. Although, there is no development currently planned for the replacement property, the exchange ensures that the site would be protected for public recreational use in perpetuity. Section 2.2.8 (Volume 1) provides details pertaining to the land exchange property that are available at this time. However, other than the clearing of a corridor for the transmission line on the existing property, public use of that property may continue.

Comment: 89-021, Issue Code: Q

Figure 3.4-5 (Volume 1) presents the key features and conditions at the Anjean coal refuse site. The text introducing this figure in the EIS has been revised to clarify this point. Abandoned prep plant and load out facilities associated with previous mining activities are indicated on the figure.

Commenter 89 – William Arguto

EPA Comments
DEIS Western Greenbrier Co-Production Demonstration Project
(CEQ No 20060494)

- 89-022 { 22. On page 3.7-5 of the DEIS reference was made to jurisdictional wetlands in the project area. It is unclear whether the US Army Corp of Engineers made the jurisdictional wetland determination.
- 89-023 { 23. The temporary wetland impacts associated with the second temporary bridge (page 4.7-6) should be specified.
- 89-024 { 24. The construction of the Cooling Water Intake Structure should take into consideration any time of year restriction that may be imposed to protect wildlife. Also revegetative practices should be restrictive to non-invasive vegetation.
- 89-025 { 25. The WGC intends to use the 60% threshold as the basis for determining Meadow River availability for water use. The DEIS should include the basis of this threshold.

RESPONSES

Comment: 89-022, Issue Code: L2

To date, the USACE has not issued a jurisdictional determination. See new text in Section 4.7.4 (Volume 1) for a discussion of WGC's current permit status and proposed mitigation measures.

Comment: 89-023, Issue Code: L2

The following text has been added to Section 4.7.3.1 (Volume 1):

"Out of a total of 0.258 acres of wetlands, 0.068 acres would be temporary emergent wetland impacts, which would be restored to its pre-disturbance condition once land disturbing activities cease."

Other additional text on wetland area impacts has also been added to this section in Volume 1.

Comment: 89-024, Issue Code: L1, L2

Construction of the water intake structure would be coordinated with USACE as part of the Sections 404 and 401 permitting processes. WGC would abide by agency recommendation with respect to construction of the intake structure and methods that should be employed to minimize impacts, including time of year restrictions. Generally, water withdrawal would be limited to avoid impacts during low flow conditions (see General Response 4.4.1). See new text in Section 4.7.3 (Volume 1) on revegetation practices after construction.

Comment: 89-025, Issue Code: G1

See General Response 4.4.1.



REPLY REFER TO:

Commenter 90 – Calvin F. Hite

United States Department of the Interior

NATIONAL PARK SERVICE
New River Gorge National River
Gauley National Recreation Area
Bluestone National Scenic River
104 Main Street
P.O. Box 246
Glen Jean, West Virginia 25846

January 17, 2007

L7619

Roy Spears, Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears,

The National Park Service appreciates the opportunity to review and comment on the Western Greenbrier Co-Production Demonstration Project, Draft Environmental Impact Statement (DOE/EIS-0361). We have several major concerns about the Draft EIS. These include the presentation of alternatives, the inclusion of potential project derivatives that are not analyzed, and the relatively shallow depth of analysis for several key areas of concern as they affect resources and values of concern to the National Park Service. Examples of these concerns are presented below.

90-001

Section 2.6 presents alternatives for both Department of Energy (DOE) and the Western Greenbrier Co-Generation LLC (WGC). The alternatives for DOE are to either fund or not fund the project. The alternatives for WGC are not set forth as a set of discrete alternatives, but a list of options for several components of the overall project. Each of these components has an option that is identified as the preferred option (except fuel supply, which notes that all four potential coal refuse piles are acceptable), but there is no summary of the overall proposed action that includes all of the preferred options for each component. Thus there is no real presentation of a single preferred alternative.

90-002

The Draft EIS notes a potential third party ash byproduct facility. The potential impacts of such a facility are not analyzed in section 4.16 (Potential Secondary and Cumulative Impacts). Since such a facility would be directly related to the proposed project, it is imperative that it be analyzed.

RESPONSES

Comment: 90-001, Issue Code: D5

40 CFR 1502.14(e), states that agencies shall, "Identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement..." Based on DOE's decision-making as supported by the Draft EIS, Section 2.6 has been updated in the Final EIS to identify the preferred alternatives of DOE and WGC. WGC's preferred alternative is to implement the proposed project employing the preferred alternatives for the plant site, limestone supply, water supply, material handling and transportation, and power transmission, and to use all identified sources for fuel supply. DOE's preferred alternative is to provide co-funding for the WGC Project, which is defined by DOE as the Proposed Action.

Comment: 90-002, Issue Code: P

The third-party ash byproduct facility (also referred to as a facility for the production of building products using cement from the kiln) would be a principal tenant of the EcoPark, which was evaluated in Section 4.16.2, Cumulative Impacts in Volume 1. The ash byproduct facility is considered as a connected action and respective impacts were also described elsewhere in Chapter 4 of Volume 1, including Sections 4.5, 4.7, 4.8, 4.9, 4.10, 4.11, and 4.13.

Commenter 90 – Calvin F. Hite

Water draining from the proposed project area eventually drains into the Meadow River, the lower reaches of which are in Gauley River National Recreation Area (GRNRA). The National Park Service is especially concerned about the paucity of data on water and aquatic biological resources for the proposed project area, the minimal analysis of these data, and the lack of analysis regarding the potential impacts of the proposed project to these resources in GRNRA.

For example, water quality and aquatic biological information presented in the Draft EIS is based on only one sample from each of three or four sites. Such sampling is inadequate to describe the extent and range of water quality and aquatic ecological conditions and dynamics for these streams.

The Draft EIS also notes that the preferred option for primary water supply is treated effluent from the Rainelle Sewage Treatment Plant (RTSP). There is no evaluation of the performance of the RTSP in terms of the number, frequency and magnitude of bypasses during high runoff events, the density of fecal coliform bacteria in effluent, and how such events might affect operation of the proposed project, and whether operation of the proposed project will affect the later discharge of this water into the Meadow River.

The Draft EIS further notes that the preferred option for secondary water supply is the Meadow River. The Draft EIS presents flow data from the Meadow River based only on the three years of record (1979-1982) for a U. S. Geological Survey (USGS) stream gage that is no longer in service (Meadow River at McRoss, 03189890). This information is not substantial enough on which to base water supply availability for the proposed project. Comparison of the McRoss gage data with that of the still active USGS Meadow River near Mount Lookout gage (03190400, period of record September 1966 – September 1983, October 1985 to present) indicates that 1979 was a very high water year. Further, during 24 months since 1985 the average monthly flow at the Mount Lookout gage has been lower than the lowest flow ever recorded at the McRoss gage. The National Park Service is extremely concerned that removal of a significant portion of the flow from the Meadow River during the critical low-flow months may have significant impacts to water quality, aquatic biological resources, and recreational opportunities downstream in Gauley River National Recreation Area.

The Draft EIS seems to indicate that water discharged from the proposed project will be discharged into Sewell Creek, although this is ambiguous. Increased discharge of Sewell Creek has the potential to increase bank and channel erosion and increase silt delivery and sedimentation in the Meadow and Gauley Rivers. Increased sedimentation is well known to have significant negative impacts on stream ecosystems, and the National Park Service is concerned about the potential adverse impacts of such sedimentation on the Meadow and Gauley Rivers within our jurisdiction. Such potential impacts are not analyzed in the Draft EIS.

Another issue of concern to the National Park Service is inadequate citation of information from outside sources. For example, the Draft EIS uses the computer program HEC-RAS for floodplain evaluation, but while the citation for this (Haestad Methods 2003) is provided, it is not provided in a location that associates it with use of the method. These oversights make it difficult for the reader to understand, evaluate, and adequately comment on the Draft EIS.

RESPONSES**Comment: 90-003, Issue Code: G1**

No process water or other discharges to surface waters would occur during plant operations (see Section 4.12.3.3, Volume 1). As discussed in Section 4.4.3.2 (Volume 1), WGC intends to retain the majority of onsite surface runoff in collection ponds during operations, which would be treated and used to satisfy some of the power plant's water demand. As described in Section 4.4.3.1 (Volume 1), WGC intends to minimize the impacts of surface runoff during construction in accordance with a NPDES General Construction Permit. Also see Section 4.4.3.1 (Volume 1) for storm water peak discharge analysis. WGC conducted a mussel survey, as recommended by WVDNR and as discussed in Section 4.7.3.3 (Volume 1) (see Appendix F3 for mussel survey). Furthermore, WVDNR has reviewed existing aquatic data from their database and has provided guidelines on the use of the Meadow River. Impacts from the withdrawal of the Meadow River are expected to be minor at/near the intake structure location and insignificant in the GRNRA. See General Response 4.4.1.

Comment: 90-004, Issue Code: G1

WGC would divert the RSTP effluent from the point of discharge. Therefore, RSTP's operations would not be impacted. This discharge would be eliminated from the Meadow River and is addressed in General Response 4.4.1.

Comment: 90-005, Issue Code: G1

According to methods prescribed by WVDNR, WGC would not withdraw water during critical low flow periods in the Meadow River. See General Response 4.4.1 for details on the use of the Meadow River and potential impacts, including the impact from eliminating the RSTP's discharge from the river. See General Response 4.4.2 on the use of a 40-year dataset from the Mount Lookout gage station, approximately 30 miles downstream of Rainelle.

Comment: 90-006, Issue Code: H3

Because WGC intends to capture and use storm water runoff to the extent possible, it was estimated that the storm peak discharges would be less during post-development compared to pre-development conditions. The small amounts of excess surface water runoff to Sewell Creek and the unnamed tributary would not be expected to adversely affect these water resources. See response to Comment 90-003.

Comment: 90-007, Issue Code: Q

DOE has reviewed and added new reference citations to the Final EIS (see Chapter 5 in Volume 1 for new citations). Specifically, citations for the HEC-RAS program have been added to Section 4.5 (Volume 1) where appropriate.

90-008

Commenter 90 – Calvin F. Hite

In summary, it is our opinion that the Draft EIS is inadequate. We request that DOE address the concerns noted above in a revised Draft EIS. Only upon review of a Revised Draft EIS can we accurately evaluate the proposed action, and the potential impacts that it might have on resources and values of concern to the National Park Service. If you have any questions concerning our comments, please contact Jesse Purvis of my staff at (304) 465-6513 or jesse_purvis@nps.gov.

Sincerely,



Calvin F. Hite
Superintendent

RESPONSES

Comment: 90-008, Issue Code: C

DOE provided analysis and information on anticipated impacts to water resources in the Draft EIS. DOE also discussed uncertainties related to the Draft EIS's water resources analysis and the range of potential impacts given such uncertainties. Since the Draft EIS was published, river withdrawal guidelines have been developed by WVDNR, including flow thresholds to be maintained in Meadow River. In addition, an ongoing groundwater study referenced in the Draft EIS has now been completed and has been reviewed by DOE (Appendix D2). This information on both of these water resources provided more insight to facilitate WGC's water use decisions and confirmed assumptions and impacts as originally evaluated in the Draft EIS. DOE does not believe a supplemental EIS or a re-issuance of the Draft EIS is warranted. See also General Response 4.8 regarding uncertainties in the EIS.

DOE met with National Park Service (NPS) representatives on March 19, 2007 to address the areas of concern as stated in their comment letter, including the potential impacts to the Meadow River, air quality, prep plant information, and ash byproduct usage. It is DOE's understanding that all areas of concern were satisfactorily discussed as a result of the meeting and that the request for a revised Draft EIS was withdrawn. Additionally, the NPS's initial request to participate as a cooperating agency for preparation of the EIS was withdrawn. See Appendix B for DOE's letter to the NPS that summarizes the main points of the meeting. It is expected that if the NPS has any further issues upon reviewing the Final EIS, DOE would continue consultation and respond to the NPS's concerns. Any additional consultation letters will be included in the administrative record for this EIS.

Page 1

Commenter 91 – James Kotcon

Sierra Club
Western Greenbrier DEIS

SIERRA CLUB
WEST VIRGINIA CHAPTER
P. O. Box 4142
Morgantown, WV 26504

January 17, 2007

Roy Spears, Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-0880

Via e-mail to:
Roy.Spears@NETL.DOE.GOV

RE: Western Greenbrier Co-Production Demonstration Project, Draft Environmental Impact Statement (DOE/EIS – 0361)

Dear Mr. Spears:

Please accept these comments on behalf of the West Virginia Chapter of the Sierra Club.

Because of the numerous redundancies and inconsistencies among the various sections of the EIS, general comments are followed by a page-by-page listing of comments.

- 91-001

1. The technology is not innovative and does not warrant DOE funding under the Clean Coal Power Initiative (CCPI). It is our understanding that the "Inverted Cyclone" Technology is already widely used in other applications. The application of the Inverted Cyclone to Circulating Fluidized Bed (CFB) boilers, although useful, is neither innovative, nor original. The application is not prohibitively expensive, thus DOE funding is not essential to its commercial development.
- 91-002

2. In order to meet the terms of the Repayment Agreement, WGC must demonstrate financial viability. Clearly, this means they need to assure that adequate fuel supplies are on hand, that sufficient cooling water is available, and that they are able to demonstrate financial viability while accounting for the inevitable shut-downs that will occur due to market conditions, lack of fuel, or seasonal lack of cooling water.

RESPONSES

Comment: 91-001, Issue Code: D1
See General Response 4.1.1.
Comment: 91-002, Issue Code: D4, E2, G
See General Response 4.1.2.

Commenter 91 – James Kotcon

Page 2

Sierra Club
Western Greenbrier DEIS

3. Fuel reprocessing on site implies that the gob piles would not be removed or remediated. The full extent of waste disposal must be described. One of the major issues identified during scoping was “Materials and waste management impacts associated with Anjean site reclamation, storage areas for coal refuse at the plant, ash disposal and other waste products, potential radiation exposure associated with ash byproducts.” The Draft EIS has not fully addressed this issue, instead, it largely defers this to the province of agreements worked out with the West Virginia Department of Environmental Protection (WV-DEP). The EIS must fully analyze the volume of waste to be generated, explain how it will be disposed of, and consider the adverse impacts of that disposal on the local environment.

4. The proposed Eco-Park is identified as a contributor of significant benefits, and forms a significant portion of the “Need” for the project as well as a significant part of the justification for CCPI program funding as an innovative clean coal technology. If this is not built, most of the justification for the Action alternative disappears. Hence, no funding should be authorized without firm assurances that these ancillary benefits will in fact be installed.

5. The proposed trucking assumes 80,000 pound trailers, but the associated roads are not designed or built to carry these weights. Thus, funding the plant would have the effect of tearing up existing roads, and creating general havoc. Although the West Virginia Legislature authorized coal trucks to carry these excessive loads, funding to upgrade the roads has never been provided. The EIS should identify road destruction as a significant adverse impact of a decision to fund the facility.

6. The adverse impacts from the proposed new 18-mile transmission line is also not considered fully. The EIS must recognize that funding the facility results inevitably in the adverse impacts from the new power line, and must therefore consider alternatives that mitigate the adverse impacts.

7. The decision to limit the analysis to two alternatives directly violates NEPA rules. These regulations (40CFR1502.14(a)) require that all reasonable alternatives be evaluated. Furthermore, 40CFR1502.14 (c) requires that the agency consider alternatives not within the jurisdiction of the lead agency. The failure to consider any alternatives other than to fund the proposed project or No Action is directly contrary to the plain language and intent of these regulations. While the analysis of alternatives being considered by the applicant is useful, it does not meet the clear intent of NEPA for the lead agency to analyze all reasonable alternatives and to identify the least-impacting alternative. Additional alternatives that would significantly reduce the adverse impacts of the project must be considered as a condition of funding. Specifically, DOE should evaluate the use of improved air pollution control technologies, including carbon sequestration, wet scrubbers, and improved NOx controls as an alternative that would significantly reduce the adverse impacts of this facility. Requirements for additional mitigation, such as shutdowns during periods when cooling water is limited, further restrictions on truck traffic and noise, prohibitions on use of fuels other than waste coal, and the many other measures proposed below should be considered. In addition, an alternative that evaluates the impacts of reasonable alternative energy technologies (wind or solar) and energy conservation technologies should be included, as these would almost certainly demonstrate lower environmental impacts than those anticipated in the project as proposed.

RESPONSES

Comment: 91-003, Issue Code: E4, E5

Approximately 3,000 to 4,000 tons coal refuse would be beneficiated per day, of which approximately 40 percent or 2,400 tons per day would be used for fuel in the CFB. The remaining materials would be returned to the coal refuse site where it would be mixed with alkaline ash and placed at the site in accordance with reclamation plans that would be developed. See responses provided under General Response 4.2 for additional discussion.

Comment: 91-004, Issue Code: D

DOE selected the WGC Project as a candidate for cost-shared funding under the CCPI Program primarily because it would be the first commercial application within the United States of an ACFB combustor featuring a compact inverted cyclone design (see new text in Section 1.2 of Volume 1). As stated in Section 2.1.2 (Volume 1), the EcoPark and other potential future commercial and industrial development that are intended by WGC to occur as a result of the plant “...are not integral to the DOE decision on whether to provide cost-shared funding to demonstrate the clean coal technologies of interest.”

Comment: 91-005, Issue Code: I

The EIS discusses impacts related to trucking in Section 4.13 of Volume 1. Section 3.13.2.3 (Volume 1), also describes that the fuel sources are located within the Coal Resources Transportation System (CRTS). A CRTS-designated road is a road that WVDOT has determined to be safe and sufficient – one that allows for a Gross Vehicle Weight (GVW) of up to 120,000 pounds depending on their truck configuration – specifically for hauling coal. WGC plans to use trucks which are configured especially for hauling heavy loads such as coal (i.e., trucks with 2-axes or greater). Therefore, 40-ton trucks would be within the GVW allowed on the truck routes (see Table 3.13-1 and Figure 3.13-2 in Volume 1). Additionally, Senate Bill 583 (passed and signed into law in 2003) states that the WV PSC will enforce permits for CRTS routes – these permits are required for annual renewal, with permitting fees funding the maintenance of CRTS roads (see Section 4.14.1.3 in Volume 1). This region has historically been an important transportation route for various industries (coal, lumber, quarries) and, as such, the additional truck traffic would represent a small incremental increase in comparable truck traffic. See response to Comment 89-013 and General Response 4.7 for more on this topic.

Comment: 91-006, Issue Code: O

DOE conducted several environmental surveys (e.g., cultural resources) on the transmission corridor and discussed associated impacts in the EIS. Additional discussion on biological impacts resulting from the new transmission corridor have been added in Section 4.7.3.4 (Volume 1). Mitigation is discussed in Section 4.7.4 (Volume 1).

Commenter 91 – James Kotcon

Page 3

Sierra Club
Western Greenbrier DEIS

8. The anticipated operating life of 20 years must be based on documentation of the availability of sufficient quality and quantity of fuel in the gob piles. We have previously commented (during scoping) on the history of overly optimistic assumptions about available fuel supplies. If the fuel supply is inadequate, many of the benefits from clean-up of these gob piles or the financial ability to repay the needed funding will not materialize.

91-008**Specific EIS Comments**

Page 1-1, section 1.2 Please provide details of the 5-year cooperative agreement between DOE and WGC. Does this cooperative agreement predispose DOE to an Action alternative, in violation of the intent of NEPA to require an unbiased “hard look” at project impacts? Also, please provide details of the Repayment Agreement between DOE and WGC.

91-009

Page 1-3, section 1.3.1. We concur with the statement that the DOE has a mandate to promote “innovative technologies for more efficient and environmentally sustainable uses of coal...” As such, DOE has an obligation to demonstrate that funding will only be provided to those projects that are truly “innovative” and “environmentally sustainable”. It appears that DOE has failed to demonstrate either of these claims, and as such, the No action alternative should be selected. Alternatively, DOE should evaluate other alternatives that would reduce the adverse environmental impacts of the proposed project, thereby enhancing the environmental sustainability of the project.

91-010

Page 1-3, section 1.3.2.1. The integration of power generation with remediation of coal refuse piles is not “novel”. Similar projects have been in operation around West Virginia for almost 20 years. These include the MEA plant in Morgantown, Monongalia County and the Grant Town plant in Marion County. Numerous similar projects are proposed throughout Appalachia, in most cases without the need for federal funding. Thus, this justification for CCPI funding is not valid and should be deleted. Restate the final sentence of this section to indicate that numerous similar projects have been in operation or proposed without the need for federal CCPI funding.

91-011

Page 1-5-1.6. Section 1.4 on NEPA Scoping Process appears to be encyclopedic “filler” and does not contribute to analysis of environmental issues. This section should be deleted, or moved to an Appendix.

91-012

Page 1.8, section 1.5.2. We disagree with the conclusion that DOE need not evaluate alternative fuel sources in order to determine whether this project is appropriate for funding under the CCPI program. The mandate of the CCPI is to fund projects that promote “environmentally sustainable uses of coal by the power industry” (section 1.3.1). If the project does not meet this test of “environmentally sustainable” it should not be funded by DOE under the CCPI. Since sustainability is a relative term, the appropriate way to test this is to compare the environmental impact of the project with other environmentally sustainable energy projects, i.e., energy conservation, renewable energy, or cleaner fossil fuels. By failing to evaluate alternative fuels, the EIS fails to make the case that this project is environmentally sustainable, and therefore eligible for funding. At a minimum, the EIS must demonstrate that the use of waste coal in this project is more environmentally sustainable than the No Action alternative. If DOE does not compare the environmental impacts of this project with other more sustainable energy sources in this EIS, it should not authorize funding under the CCPI.

91-013**RESPONSES****Comment: 91-007 (see previous page for comment), Issue Code: D5**

The CEQ regulations implementing NEPA [40 CFR 1502.14] require agencies to consider reasonable alternatives. In the case of the WGC Project, DOE’s Proposed Action pertains to the provision of cost-shared funding for a project selected competitively under the CCPI Program (see new text in Section 1.2 of Volume 1), and the context for the consideration of reasonable alternatives is described in Section 1.7 (Volume 1). Within this defined context, the EIS evaluated the applicant’s alternatives to identify the least-impacting reasonable alternative. See General Response 4.1.5. See also General Responses 4.3.1 and 4.3.2 regarding air pollution control technologies.

Comment: 91-008, Issue Code: E2

See General Response 4.2.1.

Comment: 91-009, Issue Code: D5

DOE’s cooperative agreement with WGC addresses incremental stages of project activity. A portion of the total cost-shared funding has been provided for activities in the first budget period associated with project definition, preliminary design, environmental permitting and preparation of environmental information, all of which is necessary to complete the NEPA process. Cost-sharing for these project activities prior to completion of the EIS is consistent with applicable federal regulations. Until the process is complete, no funds will be provided for project activities that could either have an adverse impact on the environment or limit the choice of reasonable alternatives, including the No Action Alternative. Thus, the cooperative agreement does not predispose DOE to an action alternative. With respect to the repayment agreement, the legislation which funds the CCPI Program includes a repayment obligation associated with the cooperative agreement. The source of repayment is subject to negotiation between DOE and the recipient. In the case of the WGC Project, WGC has agreed to repay the full DOE contribution over a 20-year period from revenue derived from operation of the proposed facility.

Comment: 91-010, Issue Code: D1, D5

See General Response 4.1.1.

Comment: 91-011, Issue Code: D1

See General Response 4.1.1. Under the CCPI Program candidate innovative clean coal technologies are demonstrated at commercial scale to ensure proof of operation and facilitate potential widespread adoption (see new text in Section 1.2 of Volume 1). CCPI funding would be provided to the WGC Project to demonstrate the first commercial application of an ACFB combustor featuring a compact inverted cyclone design in the United States. In addition to this core goal, the project offers a novel approach to converting waste ash and remediation of coal refuse piles.

Commenter 91 – James Kotcon

Page 4

Sierra Club
Western Greenbrier DEIS**RESPONSES**

Comment: 91-012 (see previous page for comment), Issue Code: Q
Comment noted.

Comment: 91-013, Issue Code: D2

See General Response 4.1.5.

Comment: 91-014, Issue Code: D5, D1

See response to Comment 91-007 and General Response 4.1.5. Also, as stated in Section 1.3.2.1 (Volume 1), DOE selected the WGC Project as one of eight candidates for co-shared funding under the CCPI Program. The fact that the project was selected based on attributes to be demonstrated for commercial feasibility necessarily restricts the alternatives available to DOE as described in Section 1.7 (Volume 1). Therefore, within the context of DOE's decision, either to co-fund the WGC Project (the Proposed Action) or not (the No Action Alternative); DOE has not pre-judged the outcome of the EIS. Furthermore, to support its decision-making process either to co-fund the project or not, DOE has evaluated the reasonable alternatives (see Section 2.6 in Volume 1) available to the project proponent within the context of the project as selected under the CCPI Program for the demonstration of particular technologies and attributes (see new text in Section 1.2 of Volume 1). That context specifically includes the use of an ACFB combustor featuring a compact inverted cyclone design, the conversion of waste ash into cement material, and the use of coal refuse as a fuel source.

Comment: 91-015, Issue Code: D5

The "conditions" (i.e., mitigation measures) indicated in Section 1.7 (Volume 1) could not all be reasonably known until the evaluations in the EIS were completed. Now that these evaluations have been completed, the Final EIS includes additional potential measures to mitigate adverse impacts as appropriate in Section 4.19 (Volume 1), which could become conditions for selection of the Proposed Action and committed to in the Record of Decision.

Comment: 91-016, Issue Code: E4, E5

The context of the statement "elimination of multiple coal refuse piles" is in the section describing WGC's objectives for the project. The word "elimination" has been replaced with "reclamation." See General Responses 4.2.2 and 4.2.3.

Comment: 91-017, Issue Code: E2

See General Response 4.2.1.

Page 1-9, section 1.5.3. DOE's refusal to consider alternative fuels, including high quality coal, "because the proposed use of coal refuse as a fuel source was a principle factor in the DOE's selection of the proposed project for financial assistance" implies that DOE has pre-judged the outcome of the EIS, and has arbitrarily restricted the analysis based on a pre-determined outcome. DOE appears to have committed to a particular alternative before the EIS process has been completed. This has produced the effect that less-impacting alternatives were not considered, that DOE has committed resources to the project that bias their analysis of the impacts, and that DOE's preliminary decisions have violated both the intent and the letter of NEPA regulations. This error is compounded by the refusal of WV-DEP and WGC to consider alternative fuel sources in their BACT analysis for the air permit. WGC stated in their application that, because the project was selected for funding by DOE, "other coal combustion technologies are not feasible for this Project and cannot be considered for this Project." WV-DEP in their Preliminary Determination, and again in their Response to Comments, concluded that consideration of alternative combustion technologies amounted to a redefinition of the project and was therefore not required as part of the BACT analysis of the air permit. Thus, it appears that no agency has ever considered less impacting alternatives, contrary to the intent of NEPA. DOE must revisit these analyses and prepare a revised EIS in an impartial and unbiased manner.

Page 1-12, Section 1.7. This section suggests that an alternative of funding the project "subject to conditions" would be reasonable, yet DOE has failed to consider such conditions, nor has it explained why this could not be done.

Page 2-1, section 2.1.2. The EIS states that the objectives for the project include "remediating a significant environmental hazard" and "elimination of multiple coal refuse piles". However, the specific environmental hazard is not specified, nor are criteria provided to define the standard to which remediation is to be achieved. In fact, sections 3.2.5, 3.2.6, and 3.2.7 describe three of the proposed sites as largely reclaimed, with trees and grasses already growing on them. The existing owners for two of the sites are already responsible for their remediation, hence no public benefit from remediating these sites would occur. Likewise, the claims for elimination of refuse piles are incorrect, as the project will, at best, replace the existing refuse piles with ash and CFB waste piles as well as wastes from the coal beneficiation plants. More likely, significant portions of the waste piles will remain as not all of the waste coal will have sufficient Btu content to be useful as fuel. By describing the project as "eliminating" these piles, the EIS misleads the public and DOE decision makers by promising benefits that will not be achieved. The EIS should correctly describe the environmental hazards that will be "removed", the environmental hazards that will replace these, and the nature and volume of the piles that will remain.

Page 2-4 – 2-8, section 2.2.2. Fuel sources. The information provided in this section is woefully inadequate to assure that the proposed waste coal sources will provide adequate quality and quantity of fuel to operate the plant for the required 20-year life of the project. If core drilling at two of the sites is still on-going, it is clear that the EIS is simply hoping that everything will work out. Given the history at other waste coal facilities, it is dangerously reckless to assume that adequate fuel is available. At the Grant Town facility in Marion County, developers expected a 30-year supply of fuel, but the usable waste coal was exhausted within 10 years. Some gob piles have been "picked over" for higher quality coal. In other cases, oxidation of waste coal and gob pile fires have consumed much of the fuel. DOE must not assume that

91-014

91-015

91-016

91-017

Commenter 91 – James Kotcon

Page 5

Sierra Club
Western Greenbrier DEIS

adequate fuel is available until statistically reliable sampling has been done on each pile to demonstrate that adequate fuel reserves are present.

Page 2-8 – 2-9, section 2.2.3. The description of the prep plant should identify the inputs, by-products and potential environmental impacts of the facility. In particular, the need for a prep plant clearly implies that a significant portion of the material in the waste coal piles is NOT suitable as fuel, and would be left on site. Furthermore, the BACT analysis by WGC and the Preliminary Determination by WV-DEP claimed that coal washing was not economically feasible. WGC is clearly trying to have it both ways. The justification for the prep plant in the EIS must explain why the Determination by WV-DEP (that coal washing was not economically feasible) is incorrect, as well as justify the conclusion that the prep plant would not contribute to significant adverse environmental impacts.

Page 2-19, section 2.3.3. The description of the Flash Dryer Absorber is extremely biased and appears to be derived from promotional materials, rather than an objective evaluation of the systems. The presentation creates the impression that this technology is the ideal sulfur dioxide removal system available. However, wet scrubber technologies in use at numerous coal-fired power plants achieve much higher sulfur dioxide removal. The section should be re-written to correctly communicate that this is a “second best” technology for sulfur dioxide removal.

Page 2-20, section 2.3.4. The description of Selective Non-Catalytic Reduction also fails to identify better NOx control technologies that are available, i.e., Selective Catalytic Reduction. This section should be re-written to identify SNCR as another “second best” pollution control technology.

Page 2-21, Section 2.3.5. This section implies that a larger kiln (100 tons per day) may be involved than is currently permitted by the air pollution control permit (75 tons per day) issued for the facility. If the EIS assumes benefits from a larger kiln, it must also consider the increased air and other emissions from a larger kiln. As such, the EIS should not rely on emissions limits from the current air permit in evaluating the potential air pollution impacts of the facility. The EIS must use a consistent description of the alternative when describing both the benefits and the adverse impacts of the facility. We recommend that the EIS analyze a worst-case scenario which assumes the larger kiln and which identifies the maximum pollutant impacts that could potentially occur, and therefore not rely on the current air permit to estimate air emissions and their impacts.

Page 2-30, section 2.4.3. Table 2.4-1 appears to represent the only data available on coal quality. Unfortunately, presentation of data as “weighted” means makes interpretation difficult. A more useful approach would be to identify a threshold value for BTU content of the fuel (i.e., the minimum heating value that is usable for operation of the CFB boiler) and present the proportion of samples above that value. At a minimum, the range and standard deviation about the mean would be useful. The mean heat content for the Green Valley site is 3,743 Btu/lb., well below the “performance coal” requirement of 4,170 Btu/lb. The “performance coal” is defined as the annual average or long-term Btu content of fuel to be burned, according to the air permit. The mean of the Anjean site is 4,184 Btu/lb., just barely above the performance coal requirement of 4,170 Btu/lb. Since the Anjean pile is smaller than the Green Valley pile (page 2-4), and since the margin at Anjean is so small, it does not appear that blending the two fuel sources would result in enough improvement in fuel quality to achieve the performance coal standard

RESPONSES

Comment: 91-018, Issue Code: E5

The proposed prep plant operations are discussed in Sections 2.3.6 and 2.4.4 (Volume 1); also, see General Responses 4.2.2 and 4.2.5 and response to Comment 91-024. The commenter appears to be referencing the revised PSD Permit Application submitted by WGC to the West Virginia Department of Environmental Protection (WVDEP) on May 13, 2005 which in part 5.3.7, BACT Demonstration, under the section heading “Coal Cleaning” concludes:

“It is concluded, therefore, that coal cleaning to further reduce sulfur or ash of the reclaimed waste fuel is not technically or economically justified for the WGC project and will not provide a net overall environmental benefit, therefore coal cleaning will not be considered further in the BACT analysis.”

However, WGC had described earlier in the same section that in order to obtain the necessary coal waste size range to achieve optimal fuel combustion, a “wet sizing” method will be used. The purpose of this wet processing method is to segregate the waste coal by size, not to wash it. Thus, coal washing is not part of the Proposed Action, whereas coal waste size screening is.

Comment: 91-019, Issue Code: D1

The description of the Flash Dryer Absorber (Section 2.3.3 of Volume 1) is intended to explain the basic components and functions of the system proposed by the project proponent, which is one of the technologies available for sulfur dioxide removal. The description makes no claim to represent the system as the ideal technology; however, it was chosen for this project for multiple reasons, including reduced water consumption, flexibility with respect to sulfur content in the coal, and lower cost. Also see General Response 4.3.1.

Comment: 91-020, Issue Code: D1

The description of the Selective Non-Catalytic Reduction (SNCR) process (Section 2.3.4 of Volume 1) is intended to explain the basic components and functions of the system proposed by the project proponent, which is one of the technologies available for the removal of nitrogen oxides. The description makes no claim to represent the system as the ideal technology; however, it was chosen for this project because of the reduced water consumption, lower cost, and ability to operate in a higher temperature range. See also General Response 4.3.1.

Comment: 91-021, Issue Code: F4

The completed WGC kiln preliminary design provides a capacity in the range of 50 to 75 tons per day. WGC originally planned on using a larger kiln; however, the current design would require a maximum of 75 tons per day. Therefore, the analysis provided in the EIS provides conservative estimates as the 75 tons per day limit would not be exceeded.

Commenter 91 – James Kotcon

Page 6

Sierra Club
Western Greenbrier DEIS

specified in the air permit. The processing plant on page 2-40 is assumed to result in a 40 % average yield of beneficiated fuel from the coal refuse, suggesting a more realistic estimate of the available fuel in these piles. Based on these data, the projections of a 3-year supply from Anjean and a 5-year supply from Green Valley (page 2-4) are clearly erroneous and can not be achieved. The EIS must be revised to state that sufficient fuel for the 20-year payback period of the project has not been demonstrated. If the majority of the fuel at these two sites is of insufficient quality to meet the performance coal standard of the air permit, it seems unreasonable to assume that other gob piles in the area will be any better. The performance of the Grant Town plant in Marion County indicates that poor fuel quality is not unique to the Green Valley pile, but rather, should be assumed to be the more common condition. This clearly leads to the conclusion that this project should NOT be funded.

91-022
(continued)

Page 2-31. Please provide details of the March 2, 2004 MOU with WVDEP and WGDABC and WGC; and the Aug. 12, 2004 Prospective Purchaser and Waste Coal Access Agreement; and the June 2005 mine permit application from Oxford Mining Company (to remove high quality coal on the site) and Special Reclamation agreement with DEP. Is Oxford being allowed to “cherry pick” the site while avoiding responsibility for the gob piles? The EIS should identify more precisely which fuels would be available for the WGC project.

91-023

Page 2-32-34, section 2.4.4. In their air permit application, WGC concluded that coal cleaning was technically infeasible and would only reduce sulfur dioxide emissions to a small degree, a determination confirmed by WV-DEP in their Preliminary Determination. The statements on page 2-34 that “WGC determined that the prep plant design would provide a significant reduction in capital cost with only a minor increase in operations and maintenance costs” and that “environmental impacts would be reduced by this alternative” are in direct contradiction to the statements WGC made, and WV-DEP accepted, in their air permit application. WGC is clearly trying to have it both ways. The justification for the prep plant in the EIS must explain why the Determination by WV-DEP (that coal washing was not economically feasible) is incorrect, as well as justify the conclusion that the prep plant would not contribute to significant adverse environmental impacts. The EIS must resolve and explain this conflict before it can serve to inform the public and DOE decision-makers.

91-024

Page 2-33. Releases of compounds used in coal cleaning have resulted in massive ground water contamination throughout West Virginia. Recent regulatory changes by WV-DEP have restricted the use of materials such as diesel fuel and kerosene in coal cleaning, hence, at a minimum, the estimated cost-effectiveness of the process may no longer be valid. If the EIS assumes the use of the prep plant as a means to reduce the volume of truck traffic required to transport fuel and ash, it must also account for the true costs and for any adverse impacts to the environment from this process.

91-025

Page 2-34 Table 2.4-2. This table identifies the Prep Plant chemicals only by product names and CAS numbers, which fails to fully explain their risk. For example, CAS 79-06-1 is acrylamide, identified by NIEHS as “reasonably certain to be a human carcinogen” and known to cause a range of nervous system disorders. This highly toxic compound would create significant human health and environmental impacts if unprotected exposures or releases occurred. The EIS should fully describe each of the compounds to be used, the volume of each needed, disposal requirements, and their direct and indirect environmental risks. The EIS should not identify

91-026**RESPONSES**

Comment: 91-022, Issue Code: E2, F1
See General Response 4.2.1.

Comment: 91-023, Issue Code: E1
See General Response 4.1.4. Mining activities are covered by a special reclamation agreement between the Oxford Mining Company and WVDEP would not conflict and would result in reclamation of mining-impact areas that are not associated with coal refuse areas. Additionally, the use agreement and MOU for the Anjean site have been added as Appendix N. Fuel piles that would be used by WGC are indicated in Figure 2.2-16 (Volume 1).

Comment: 91-024, Issue Code: E5
Benefits of using the prep plant are discussed in Section 2.4.4.1 (Volume 1). Many factors were included in WGC’s decision to incorporate beneficiation as part of the process, including the use of wet screening for fuel particle size control, the significant reduction in truck trips to and from the coal refuse sites, the reduction of material handling at the power plant site, and the ability to ensure a higher BTU value fuel supply. The economic feasibility of beneficiation was realized by WGC with the approach of using a semi-mobile system that would allow the plant to be moved from site to site and thus reduce the fixed capital costs for each coal refuse location. In addition, because of boiler specifications, WGC would be forced to either accept a blended fuel with substantial amounts of dry, quality coal or adopt a wet cleaning and classification system for coal refuse. Dry screening of the relatively moist coal refuse was judged to be technically infeasible. Thus, WGC chose the wet screening approach to avoid a requirement for quality coal. See also response for Comment 91-018.

Comment: 91-025, Issue Code: E5

Potential impacts to surface water and groundwater are discussed in Sections 4.4.3.4 and 4.6.3.5 (Volume 1). See also General Responses 4.2.2 and 4.2.5.

Comment: 91-026, Issue Code: E5

The exact type and quantity of chemicals that would be used at the prep plant is not known at this phase of the project; however, it is expected that industry-standard chemicals (as discussed in Section 2.4.4.1 of Volume 1) would be used and would not pose any unusual risks to workers, so long as OSHA guidelines and Material Data Safety Sheets are enforced. See General Response 4.2.5.

Commenter 91 – James Kotcon

Page 7

Sierra Club
Western Greenbrier DEIS91-026 {
(continued)

remediation of coal refuse piles as an environmental benefit, or assume that the process is environmentally benign, if it involves the use of large volumes of these hazardous chemicals.

Page 2-38 – 2-39, section 2.4.6. The basis for the statement that “water withdrawals from the Meadow River would be sustainable provided that the river flow would not be reduced below 60 percent of the seasonally or annually adjusted average base flow rate...” is not clear. No evidence is provided that the “60 % of seasonal base flow” standard assures sustainability of aquatic resources. Low river flows result in increased water temperature, reduced pollutant degradation, and loss of other aquatic services. If flows are already limiting during dry years, ANY further reduction in base flow will inevitably result in adverse environmental effects. The description of the Tennant Method on page 4.4-10 makes it clear that it is completely arbitrary and includes no basis for verifying that the selected base flow regime can be applied sustainably to the Meadow River. The EIS needs to clearly describe the basis for assigning a minimum base flow rate allowable to establish a limit on water withdrawals from the Meadow River.

Page 2-39. The statement that “Both options provide measures to ensure that the power plant maintains an adequate water supply without compromising the local aquifer in Rainelle or reducing the flow in the Meadow River below a state recommended threshold.” is also an unsupported assumption. It directly contradicts the statement in Appendix D that “...additional testing may well indicate that long-term pumping at a rate of 760 gpm is not sustainable...”. The EIS must eliminate the unsupported assumption that the water supply is adequate from Chapter 2 and include provisions to restrict operations when water supplies are threatened.

Page 2-40 and Table 2.4-4. Also Page 2-50, 3.13-2, 3.13-3, and elsewhere. The assumption that coal and ash hauling trailers would carry 40 tons each assumes that the designated roads are able to carry such loads. Most state highways are designed to carry maximum loads of 65,000 pounds, and the design limit is actually considerably lower on some of the poorly surfaced, narrow mountain roads in the area. The reliance on the state’s legal limit means that the EIS has failed to analyze the actual impact that these monster trucks have on the designated roads.

Furthermore, the estimate of 12,600 tons per week for fuel is significantly below the fuel usage rate for the “performance coal specified in the air permit. The air permit assumes 122 tons per hour, or 20,496 tons per week for the “performance coal”. Periods during which the “worst case” or “design coal” would be used would require 157 tons per hour or 26,376 tons per week. The use of low tons/week values, combined with the use of overweight trucks means that the EIS underestimates the number of truck trips that would be required and ignores the damage to roads that will actually occur from these overweight trucks. The EIS should be amended to accurately estimate the number of truck trips, and should not assume overweight loads would be appropriate on these narrow mountain roads.

Page 2-42, section 2.4.8. The construction of a new transmission corridor will adversely impact migratory and resident bird and bat populations. The EIS should evaluate the potential for bird and bat kills due to collisions and mitigation measures to protect bird and bat populations must be included.

91-030 {

91-031 {

Page 2-59 – 2-72, Table 2.7-1. This Table summarizes the impacts of the alternatives and would be more appropriate in Chapter 4. The placement of conclusory statements about the impacts of alternatives in Chapter 2, prior to their analysis in Chapter 4, contributes to the impression of bias and pre-judging the outcome of the EIS.

RESPONSES

Comment: 91-027, Issue Code: G1

DOE assessed the impacts to water resources in Sections 4.4.3.3 and 4.6.3.4 (Volume 1). See General Responses 4.4.1 and 4.4.2 for additional data and discussions that support the impacts analysis conducted for the EIS.

Comment: 91-028, Issue Code: G1, G2

See General Responses 4.4.1 and 4.4.2 for additional data and discussions that support the original impacts analysis conducted for the Draft EIS in Sections 4.4.3.3 and 4.6.3.4 (Volume 1).

Comment: 91-029, Issue Code: I

See General Response 4.7. Also, the estimate of “12,600 tons” refers to the amount of beneficiated (i.e., processed) coal refuse that would be transported to the power plant. WGC’s original intent was to process the fuel supply at the proposed power plant site. However, to significantly reduce the number of trucks that would be required to haul the fuel supply into the City of Rainelle, WGC would beneficiate the coal refuse using a semi-mobile prep plant (see Sections 2.3.6 and 2.4.4 in Volume 1) that would be located at or near the fuel source. The process of beneficiating the coal material would reduce its content of non-combustible materials thereby increasing its heating value. Therefore, the required number of trucks would be significantly reduced from original plans for processing the coal refuse at the power plant site and is accurately reflected in the EIS.

Comment: 91-030, Issue Code: L1, O

New text has been added to Section 4.7.3.4 of Volume 1 that expands on the impacts to biological resources.

Comment: 91-031, Issue Code: Q

The inclusion of this comparative table in Chapter 2, Proposed Action and Alternatives, is consistent with guidance in 40 CFR 1502.14: “Based on the analysis presented in the sections on the Affected Environment (Sec. 1502.15) and the Environmental Consequences (Sec. 1502.16), [this section] should present the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decision-maker and the public.”

Commenter 91 – James Kotcon

Page 8

Sierra Club
Western Greenbrier DEIS

Page 3.3-2, Table 3.3-1. The footnote incorrectly states that the PM 2.5 and 8-hour ozone standards have not yet been implemented. In fact, these standards have been implemented for several years and more stringent revisions of these standards are now being considered by EPA that would lower the standards to levels near the monitored levels reported in the area (Table 3.3-2). Thus, additional emissions from the WGC facility may push the area into nonattainment, and many of the proposed economic benefits of the WGC facility to the area would be undone if it contributes to nonattainment of air quality standards. The EIS should identify the potential adverse impact that could occur if the WGC facility contributes to nonattainment of these more stringent NAAQS.

Page 3.4-16 – 3.4-19. It is not clear that adverse effects of the current discharges from the four waste coal sites will see significant improvement as a result of the project. The data presented suggest that treatment of effluent from the Anjean site is currently achieving significant improvement in water quality. Disturbance of the Green Valley site, Donnegan, and Joe Knob sites is likely to aggravate water quality issues. The EIS needs to present clear and convincing evidence that the project will result in improved water quality, as this is a primary justification of the project.

Page 3.6-10. If the deeper aquifer from which WGC would draw water is hydrologically connected to the Meadow River, and if use of these wells during dry periods results in a drawdown of the local water table, it is likely that groundwater recharge from the Meadow River may occur. As such, use of groundwater would result in further declines in flow of the Meadow River beyond the 60 % base flow level that the EIS identifies as needed to prevent adverse impacts to the Meadow River ecosystem. Unless the EIS can demonstrate unequivocally that the Meadow River is not hydrologically connected to this aquifer, use of the aquifer during periods of low base flow should not be permitted. The 30-day test recommended in Appendix D must be required before any decision on funding the project, and if its results do not unambiguously demonstrate that neither the Meadow River nor municipal water wells are affected, funding for the WGC project should be denied.

Page 3.15-5. The noise criteria presented are inadequate to protect the public from adverse impacts as they are, at best, crude guidelines to identify serious adverse health effects associated with hearing loss or severe stress. But numerous studies show that noise can contribute to adverse health impacts at levels well below these sound levels, particularly when occasional loud noises interrupt sleep, or startle people during concentrated activities, or are designed to be deliberately annoying and attention-getting. The L_{90} and L_{01} standards are based on averages from continuous noise measurements, and even the L_{10} values do not account for the occasional very loud noise that occurs on an infrequent basis. While an L_{10} of 60 or 70 dBA may seem protective, the facility could generate noise levels in excess of 130 dB from an occasional loud bang whistle, or steam release, and not violate these standards. Imagine a shotgun blast going off outside your bedroom window once an hour all night long. If the average noise level remained below the L_{90} or L_{01} standard, this would not be considered an adverse impact under the guidelines identified here. Yet the persons exposed to these sounds would still be awakened from a sound sleep, or exhibit severe startle or fear responses. Persons exposed to these sounds multiple times per week may develop problems associated with severe nervous reaction, sleep disorders, or other adverse health effects. These noise guidelines may be appropriate for more or less continuous highway sounds, but they do not account for the occasional very loud noises that

RESPONSES**Comment: 91-032, Issue Code: F4**

The commenter is correct. Updates and other changes have been made to Table 3.3-1. The current 24-hr $PM_{2.5}$ standard is $35 \mu g/m^3$ (effective December 18, 2006). Rainelle, is designated as "in attainment" or "unclassifiable" for all regulated air pollutants. As part of the air permitting process, WGC conducted an analysis of project impacts on air quality and demonstrated that it would not "degrade" the air quality in the general project area. The analysis was submitted to and reviewed by WVDEP as required by the Prevention of Significant Deterioration (PSD) regulations implemented by WVDEP (45 C.S.R. 14). The PSD program is a new source review process used to ensure that a new source will not cause a significant deterioration of affected ambient air quality. PSD applies only to "major" new sources or "major" modifications to an existing source located in areas designated as attainment or unclassifiable with respect to the National Ambient Air Quality Standards (NAAQS). PSD regulations require an assessment of air quality impacts to demonstrate compliance with NAAQS and PSD increments. The modeling analysis demonstrated that the project's emissions would not cause an exceedance of the NAAQS or PSD increments. When evaluating potential human health effects for the EIS, DOE initially used a very conservative approach to provide an upper bound for a $PM_{2.5}$ estimate for comparison to the old NAAQS standard (i.e., the analysis in the Draft EIS assumed $PM_{2.5}$ emissions were 70 percent of PM_{10} emissions – see Section 4.3.2 of Volume 1). Since this conservative approach did not result in an exceedance of the old 24-hr $PM_{2.5}$ NAAQS standard of $65 \mu g/m^3$, further analysis was not conducted at that time. However, in light of the new NAAQS, DOE reviewed more current research. A recent study indicated that multipliers in the range of 0.06 to 0.11 can be used to infer or scale $PM_{2.5}$ concentrations from PM_{10} data (EPA, 2005). DOE has used a more realistic multiplier for relative $PM_{2.5}$ and demonstrated that the resulting concentrations of $PM_{2.5}$ for the 24-hour standard would not exceed the NAAQS standard of $35 \mu g/m^3$.

Comment: 91-033, Issue Code: E4

See General Responses 4.1, and 4.2.2 through 4.2.5.

Comment: 91-034, Issue Code: G1, G2

See General Response 4.4.2.

Commenter 91 – James Kotcon

Page 9

Sierra Club
Western Greenbrier DEIS

occur at coal-fired power plants. Because they do not occur on a constant or regular basis, there is no opportunity for people to acclimate to them. In addition, some types of noises are specifically designed to be as attention-getting as possible. The beeping of back-up alarms on trucks, emergency sirens, public address systems, or loudspeakers are all sounds that can be very annoying, and to which people are unlikely to become acclimated. The EIS should identify noise as one of the most adverse and undesirable impacts associated with coal-fired power plants. The loss in adjacent property values, and the loss of the use and enjoyment of nearby properties must be evaluated and described as significant impacts, and mitigation or compensation should be required.

91-035
(continued)

Page 2.2-2. Section 4.2.3.2. The decision to limit the Area of Potential Effects for impacts on the viewshed to only 0.75 miles is inappropriate, as it ignores the long distance from which such a large facility can be seen. This severely biases the analysis and results in the EIS ignoring the visual impacts to a designated National Scenic Highway, US Route 60, also known as the Midland Trail. This is a major tourist destination for vacationers and recreational drivers. These tourists are attracted to the natural scenic vistas of the area, not the views of power plants or industrial facilities. Yet because the human eye tends to be disproportionately drawn to human artifacts, the dominant impression of the scenic drive becomes that of one really ugly facility instead of the many miles of beautiful vistas. Thus, the focus on an extremely local viewshed has the effect of distracting from the larger context and allows the EIS to place the scenic impacts within a context of a small industrialized area, rather than the much larger regional context of green hillsides, and breath-taking beauty. As such, the EIS greatly underestimates the true visual impact of the facility. It is UGLY! It is a huge, disproportionate blemish along an otherwise scenic route widely touted for its scenic values. The absurdity of the analysis is aggravated on page 4.2-6 in which the EIS claims that the exchange of property for the transmission line "would support the National Scenic Highway status of US 60". If the current exchange property "is undeveloped and is expected to remain so", how can the construction of the transmission line contribute anything positive to the scenic resources of a National Scenic Highway? Two relatively green areas are reduced to one green area and a power line corridor. The EIS loses credibility when it states (end of section 4.2.3.3) that the visual impacts of a 20-mile long power line corridor "would be minor". The EIS should be rewritten to accurately describe the visual impacts so that the public and DOE decision-makers can understand the true significance of the impacts.

91-036

Page 4.2-4 – 4.2-5. The visibility analysis conveys the incorrect impression that the four distant recreation areas constitute all of the Class II areas affected by the facility. In fact, all of Rainelle is classified as Class II, and the impacts to visibility there would be significantly greater than identified in the EIS. The EIS should evaluate the visibility impacts throughout the Rainelle area and consider the worst case impacts. In addition, the impacts to the recreational areas mentioned are likely to be more severe than described here. The source of the meteorological data is critical to the ability of a model to evaluate visibility impacts. The EIS should be modified to describe the source of the data and to incorporate more conservative assumptions if on-site meteorological data have not been used at each location. It may be useful to delete these paragraphs here as the information is presented more clearly in section 4.3.

91-037**RESPONSES****Comment: 91-035, Issue Code: J**

DOE considers the L_{dn} of 60 dBA to be an appropriate value, which is lower than the guideline threshold of an L_{dn} of 65 dBA established by many federal agencies for residences, schools, and churches. The potential blow-off and start-up noise of 133 dB is a linear parameter, not an A-weighted level. Noise levels from blow-off are typically in the range of 115 to 125 dBA at a distance of approximately 1 meter from the source (W&P, 2007). As a mitigation measure, temporary venting silencers could be installed that would reduce the A-weighted noise level by 30 dBA. Thus, the noise level of 125 dBA would be reduced to 95 dBA, which would attenuate at a rate of 6 dBA per distance doubling. Based on the source height (120 feet), the shortest horizontal distance to the property line (about 270 feet), and the elevation of the plateau (about 20 feet), the resulting potential noise level at the plant property line would be approximately 77 dBA with the silencers in place. The short duration of this noise level would not constitute a danger to health, and the blow-off activities would not be carried out at night. Furthermore, the walls and windows of a typical home would provide additional attenuation of 10 to 20 dBA, which means a resident inside a home at the plant property line would experience a noise level of approximately 57 to 67 dBA.

Sounds from back-up alarms are pure tones in the 1350 or 4000-5000 Hz range. Due to their high frequency, they would attenuate quickly with distance. CADNA modeling shows that a noise level of 96 dBA for these tones would attenuate to 51 dBA or less at a distance of 50 meters from the source. No sensitive receptors are within such a close distance to these activities. In addition, on-site buildings would serve as barriers to block much of the sound from back-up alarms.

Commenter 91 – James Kotcon

(see previous page for comments)

RESPONSES

Comment: 91-036, Issue Code: K

As described in Section 4.2.3.2 (Volume 1), because of the heavily wooded, mountainous terrain in western Greenbrier County, the proposed WGC plant would affect a limited viewshed in the vicinity of Rainelle, which was defined as a 0.75-mile radius based on average lines of site within the community. Because of the terrain, the visibility of the proposed plant to travelers along US 60 would be limited almost exclusively to this viewshed area, which also provides vistas of other commercial and residential properties that are generally inconsistent with the regional context of this scenic route. Also, as described in Section 4.2.3.3 (Volume 1), proposed power line corridors would have limited aesthetic impacts where they would occur within or adjacent to existing power line corridors. Potential new corridors would traverse relatively isolated areas that have been defined by prior strip-mining and timbering activities, and many of the properties that would be traversed are owned by lumber companies. No crossings of parks, trails, or byways were identified. Therefore, DOE considers the descriptions of potential aesthetic impacts from the proposed WGC plant, transmission line corridors, and other features of the Proposed Action as presented in Section 4.2.3 (Volume 1) to be reasonable and appropriate representations of these consequences in accordance with 40 CFR 1502.16.

Comment: 91-037, Issue Code: K

The discussion of visibility analysis for Class II areas in Section 4.2.3.2 (Volume 1) refers the reader to Section 4.3 (Volume 1) for more detail. In Section 4.3.3.2, the EIS states: "With the exception of Otter Creek and the Dolly Sods National Wilderness areas, the entire state of West Virginia is designated as a Class II PSD area designated for moderate growth." The impacts on Class II areas are described including effects on visibility. The sources of data used in the analysis are described in Sections 4.3.1.1 and 4.3.1.3 (Volume 1) and Appendix O (Volume 2). See also General Response 4.3.1.

Commenter 91 – James Kotcon

Page 10

Sierra Club
Western Greenbrier DEIS

Page 4.2-8. Several of the coal refuse sites listed have already been reclaimed, hence no improvement to aesthetic resources would occur. No provision is discussed for reclamation of the prep plant sites. Past experience suggests that such sites leave behind a long-term degraded visual and soil environment. While section 2.2.3 illustrates that some of the prep plant sites are currently vegetated, there is no assurance that trees and shrubs would be able to grow back after the prep plant has moved on. The EIS should either specify that the prep plant sites will be reclaimed to productive post-mining uses, or identify these sites as visually degraded. While we agree that the sites are relatively remote with little traffic, compared to the US 60 National Scenic Highway, long term visual degradation would still be a significant impact. The conclusion (page 4.2-9) that adverse visual impacts from the prep plant would be "minor and temporary" should be changed to accurately identify these sites as having long-term degraded visual quality.

Editorial note: Some of the photos in this section appear to be copies of photos presented earlier. Redundant information should be consolidated and/or eliminated to reduce the volume of repetitious material in the EIS.

Section 4.3.1. We believe that the air pollution from the facility is one of its most significant adverse impacts. In particular, we disagree that the standard of meeting allowable emissions under PSD regulations has been met. PSD regulations require an emissions level determined using Best Available Control Technology (BACT) and the BACT analysis submitted by WGC and accepted by WV-DEP is fatally flawed. Lower emissions rates are technically and economically feasible, as demonstrated during hearings on an appeal of the air permit before the WV Air Quality Board in August, 2006. Specifically, we believe that use of wet scrubbing, Selective Catalytic Reduction, and other controls should have been required as BACT. Failure to use BACT is a violation of the PSD regulations, and the EIS should so state. In addition, we believe that use of meteorological data from the Raleigh County Airport is not appropriate for pollutant dispersal or visibility modeling. The Airport is located on a high plateau over 20 miles from the site, while the site is located deep in a valley surrounded by high hills. Because of these conditions, stability at the Airport is almost certainly less than at the site, which suggests that the model may greatly underestimate the worst case pollutant levels from the facility. These flaws make it clear that the WV-DEP air permit and supporting data cannot be relied upon to determine compliance with the air standards. The EIS should include revised analyses using on-site meteorological data to correct these errors in order to properly evaluate the level of pollution impacts from the facility.

Page 4.3-10. Table 4.3-5. EPA is proposing reductions in the NAAQS for PM_{2.5} which would likely take effect before this facility is completed. Nearby monitors indicate the area already approaches the levels of the proposed new standards, and a new major source would almost certainly result in exceedances of the proposed new PM_{2.5} NAAQS, resulting in significant health effects for local residents. The EIS should evaluate the impact of the facility on PM_{2.5} emissions, and their effect on local receptors.

Page 4.3-20. Greenhouse Gases. This section includes an absurd assumption, i.e., that mitigation of releases of greenhouse gases would occur because the proposed Eco-Park would use waste heat that would otherwise be generated from fossil fuels. First, there is no evidence that the proposed EcoPark or any of its associated benefits would ever be realized. Several previous co-generation proposals have promised a similar EcoPark development, but none have ever been completed. Second, heat re-use does not "offset" emissions, since those emissions

RESPONSES

Comment: 91-038, Issue Code: K, Q

The EIS has been revised to state in Section 2.4.4.1 (Volume 1) that each prep plant site would be subject to a remediation plan to be prepared by WGC and approved by WVDEP, which would be comparable in intent to the remediation plan that would be prepared for the Anjean site in accordance with the MOU between WGC, WGBDC, and WVDEP as described in Section 2.4.3.1 (Volume 1).

Comment: 91-039, Issue Code: D1, F4

See General Response 4.3.1.

Comment: 91-040, Issue Code: F3, F4

See response to Comment 91-032. The monitoring data provided by WVDEP in 2004 showed that the only monitor in Greenbrier County recorded ozone. Currently, there are no PM_{2.5} monitors in Greenbrier County. The current 24-hr PM_{2.5} standard, which EPA made effective on December 18, 2006, is 35 µg/m³. The 24-hr PM_{2.5} data from the closest monitoring station, at 29.4 µg/m³, is below this new standard, but is near approaching the new standard. The incremental changes in concentrations for both PM₁₀ and PM_{2.5} that would occur as a result of the Co-Production Facility would not exceed the NAAQS, and thus, are below the EPA defined thresholds for significant environmental and health impacts. The PM_{2.5} estimates presented in Section 4.14 of Volume 1 were derived using maximum values of PM₁₀ (i.e., permit limits), and therefore, represent conservative estimates. Health impacts as a result of increased air emissions from the proposed facility are discussed in Section 4.14 of Volume 1. See also response to Comment 91-032.

Comment: 91-041, Issue Code: D4, F4

Estimated CO₂ emissions from the Proposed Action are stated in Section 4.3.3.2 of Volume 1 (under "Greenhouse Gases") and does not include considerations of the EcoPark. The text now clarifies that any associated energy requirement from the use of waste heat is not viewed as a mitigation action. See also General Response 4.3.2.

Commenter 91 – James Kotcon

Page 11

Sierra Club
Western Greenbrier DEIS

RESPONSES

might never be generated if the facility was not funded in the first place. We agree with the unstated implication that greenhouse gas emissions are a serious issue, but it is clear that greenhouse gas emissions must be decreased. Any proposal that attempts to justify an increase is clearly headed in the wrong direction. The EIS must either identify mechanisms for sequestering greenhouse gases, or identify the irretrievable emissions of greenhouse gases from the facility as a serious and significant adverse effect. The EIS cannot use the EcoPark as the sole mitigation for greenhouse gases in the WGC Proposed Action if it continues to insist in other sections of the EIS that the EcoPark is not associated with the WGC Proposed Action.

We note that DOE has recently issued a Supplemental Draft EIS for the Gilbert, PA Coal-to-Clean Fuels and Power Project precisely because the DEIS for that facility incorrectly identified greenhouse gas emissions that would occur. A similar Supplemental Draft EIS should be issued and public comment allowed for the WGC project.

Page 4.3-21 - 4.3-22. The conclusion that no adverse effect on soils or vegetation would occur is incorrect. The recent draft management plan for the Monongahela National Forest identifies large areas of the Forest as having poorly buffered soils that are highly susceptible to acid deposition. In fact, much of the Forest is already so heavily impacted that management may require restrictions on timber harvest or other management activities. Thus, any additional acid deposition will adversely affect the soils and vegetation of these poorly buffered areas. While the EPA criteria may be appropriate for soils with higher buffer capacity, they do not adequately account for site-specific impacts in this region. High elevation habitat for northern hardwoods, red spruce, and hemlock are particularly susceptible. The US Fish and Wildlife Service states in their letter of July 8, 2004: "The cumulative impacts from acid deposition may have a detrimental impact on this type of habitat (especially those found at higher elevations and colder temperature regimes)." (Appendix A of Appendix L). The EIS should evaluate effects of air pollutants on soils and vegetation using appropriate criteria for the highly sensitive sits in this region, or conclude that the impacts are significant.

Page 4.4-6. The section on facility operations (4.4.3.2) identifies risks from ammonia releases, but fails to address risks from mercury releases. According to the WV Dept. of Health, all streams in the area have fish consumption advisories due to high levels of mercury contamination. Additional releases from the plant, regardless of how small, result in increased risks from an already unacceptable situation. The EIS should specify additional mitigation measures to reduce cumulative mercury emissions in the region. For example, a requirement to provide offsets by providing retrofits at another facility could result in a cost-effective method to assure net mercury reduction.

Page 4.4-7. While it is true that use of the RSTP effluent would reduce BOD loading to the Meadow River, that material must go somewhere. In the absence of any further treatment, it can be assumed that this is dissipated as particulate matter pollution from the cooling towers. The air permit does not envision this source of discharge, thus using a source of cooling water such as RSTP with high BOD would create significantly higher PM discharges and odors than anticipated in the air permit. The EIS must consider the adverse air impacts that are clearly tied to and result from the improved water quality from reduced BOD discharges to the Meadow River.

Comment: 91-042, Issue Code: C, F4
CO₂ emission estimates are discussed in Section 4.3.3.2 of Volume 1 (under "Greenhouse Gases"). See General Responses 4.3.2 and 4.8.

Comment: 91-043, Issue Code: F2
As described in Section 4.3 (Volume 1), predicted emission and resulting concentrations of SO₂ from the facility were below EPA screening levels and, thus, significant adverse effect to soils and vegetation are not expected. See also General Response 4.3.3.

Comment: 91-044, Issue Code: F2
See General Response 4.3.3.

Comment: 91-045, Issue Code: F4

For reasons stated in Section 4.3.3.2 of Volume 1, the use of the RSTP effluent is not expected to cause an objectionable odor. Also stated in the EIS, the RSTP effluent would undergo further treatment at the proposed onsite water treatment at the Co-Generation Facility and, therefore, additional emissions of PM as a result of using the RSTP effluent are not expected.

Commenter 91 – James Kotcon

Page 12

Sierra Club
Western Greenbrier DEIS

Page 4.4-10 – 4.4-14. The discussion of the available water supply is biased and does not consider the adverse effects that would occur during a drier than average year. By definition, drier-than-average conditions will occur approximately 10 out of 20 years. Under prolonged drought conditions, ground water withdrawals may create drawdown that would further reduce water flows in the Meadow River, as river water could flow through aquifers to wells. The use of the RSTP water would create a further significant reduction of river flows during severe drought. Furthermore, the proposed use of the “60 % of seasonal average flows” helps to illustrate the inadequacy of the proposed standard. First, there does not appear to be any basis for assuming that the Tennant Method is adequately protective of the Meadow River. Second, as illustrated in Figure 4.4-4, the seasonal standard would allow water withdrawals to levels well below the 30 % of annual average (47,000 gpm) that the Tennant Method identifies as degrading aquatic habitat. To make matters worse, these very low water levels would occur during July, August, and September, the months when water temperatures are already the highest and flows are most limiting. Thus, the 60 % of seasonal average standard would put the most severe strain on the aquatic habitat of the Meadow River at the time of year when it is already the most vulnerable, and impose strains that the Tennant Method identifies as causing severe degradation. Even flows between 30 and 60 % of the annual average are associated with adverse impacts as described in section 4.7.3.3, because although aquatic organisms may survive at these flows, their biological productivity is impaired. The use of the “60 % of seasonal average flows” standard can only be explained as an attempt to maintain the function of the WGC plant, rather than to maintain the ecological function of the Meadow River, directly contrary to the use intended by the Tennant Method. The EIS must first verify that the Tennant Method is appropriate for the Meadow River based on actual site-specific biological data, and must verify that ground water removals will not adversely affect flows of the Meadow River. If these conditions are met, the EIS should require that WGC limit withdrawals to periods when flows exceed 60 % of the annual, not seasonal, average, should require that WGC shut down operations when cooling water is limiting, and must further evaluate the effect these shutdowns would have on the economic viability of the facility.

91-046

Page 4.6-4. The requirement for additional groundwater studies is appropriate, but it does not appear that there are any further opportunities for public review and comment. Affected individuals should be allowed an opportunity to comment on additional information and identify potential adverse impacts. Alternatively, the EIS should require that the facility shutdown during periods when ground water supplies are limiting to existing uses.

91-047

Page 4.6-8. The use of an acid solution in the TCLP test is inappropriate for evaluating the leaching potential for oxy-anions such as arsenic. Leaching tends to be very slow at acidic or neutral pH, but is very rapid at alkaline pH, as may be expected in fly ash of FBC wastes. The Agency for Toxic Substances and Disease Registry specifically warns of the danger of limiting mine tailings and arsenic contaminated soils because of the potential for mobilizing arsenic. (See: <http://www.atsdr.cdc.gov/toxprofiles/tp2-c6.pdf> at page 272). Even under the inappropriate conditions of the test, the TCLP values reported <0.069 mg/L appear to potentially exceed the EPA Maximum Contaminant Level (MCL) of 0.01 mg/L for arsenic. Carcinogenicity of arsenic is well established, and numerous other adverse health impacts are well known. Similar risks occur with other toxic anions. It is certainly true that cations such as iron, aluminum, manganese and cadmium will exhibit reduced leaching potential under alkaline conditions, and the cementitious nature of FBC ash may reduce leaching further, but the EIS is incorrect, at least with regard to arsenic and similar anions, when it concludes that “it is not

91-048

RESPONSES

Comment: 91-046, Issue Code: G1

See General Response 4.4.1.

Comment: 91-047, Issue Code: C, G2

Since the Draft EIS was published, river withdrawal guidelines have been developed by the West Virginia Division of Natural Resources (WVDNR), including recommended base flows. In addition, an ongoing groundwater study referenced in the Draft EIS has now been completed and reviewed by DOE (Appendix D2). This information on both of these water resources provided more insight to facilitate WGC's water use decisions and confirmed assumptions and impacts as originally evaluated in the Draft EIS. See General Responses 4.4.1 and 4.4.2.

Per NEPA guidelines (40 CFR 1506.10(c)), a 45-day public comment period was provided for review of the Draft EIS. Therefore, DOE does not intend to issue a supplemental EIS or revised Draft EIS. See General Response 4.8.

Comment: 91-048, Issue Code: E4, E5

DOE reviewed the 1997 study, “Arsenic Transport in Contaminated Mine Tailings Following Liming” (Jones et al., 1997). The study, based on mining sites in the Clark Fork Basin in Montana, indicated that soluble arsenic levels did not correlate with total arsenic concentrations, and were more strongly correlated with solution pH and adsorption-desorption reactions of oxide minerals, leading to the conclusion the distribution of soil bound arsenic is important for determining mobilization following liming. The process of liming mine tailings, although similar to the Proposed Action, may not be directly applicable to the use of CFB ash as the process may not have the same pozzolanic effects that bring about cementing and have been observed with the application of CFB ash. However, the study does provide insight to circumstances under which arsenic could leach and the importance of evaluating the distribution of soil-bound arsenic when developing remedial plans. See General Response 4.2.4.

Commenter 91 – James Kotcon

Page 13

Sierra Club
Western Greenbrier DEIS

likely that they would be leached from the ash given the results of the TCLP analysis...". Clearly, the leaching of heavy metals from the waste piles may adversely affect ground water or surface waters, and these may have adverse effects on both humans and wildlife. The U. S. Fish and Wildlife Service identified this as a concern when they stated in their July 8, 2004 letter, "The Service cannot recommend trading one environmental problem for another, potentially more serious one." (Appendix A of Appendix L) The EIS should recognize that the TCLP test may be inappropriate for assessing leaching potential under alkaline conditions, and should fully explore the leaching potential of the full range of toxic metals from FBC and fly ash, prep plant spoils, and the remaining coal refuse pile materials under realistic conditions expected to occur at these sites. The EIS should identify and assess the cost of additional mitigation measures that would be required if these tests demonstrate significant risks to human health or the environment.

91-048
(continued)

Page 4.6-8 – 4.6-9. It is not clear from this text that the use of FBC ash and the reclamation plan would assure that acid mine drainage from the site would meet water quality standards. Rather than simply state that AMD will be reduced to the extent practicable, the EIS should clearly establish that WGC is responsible for attaining water quality standards and assumes liability for AMD treatment costs at each of the coal refuse sites.

91-049

Pages 4.7-1 – 4.7-20. Section 4.7. The loss of wildlife and wetland habitat associated with the project is more significant than the impression conveyed in the EIS. The cumulative impacts of the site preparation and operation, the EcoPark development, the transmission corridor, the waste coal piles, and the prep plant sites amount to many acres of habitat. This is compounded by the forest fragmentation that would occur. There appears to be no basis whatsoever for the statement (second paragraph on page 4.7-14) that a "Nationwide Permit" is preferable to an individual permit under Section 404 of the Clean Water Act, but this does clearly illustrate the bias in the EIS toward the Proposed Action. The proposed new transmission line corridor in particular, disrupts a significant amount of potentially important wildlife habitat. The mist net surveys are woefully inadequate and much more detailed surveys for Indiana Bat and Virginia Northern Flying Squirrel are needed. By comparison, mist net surveys for the 13-mile transmission line for the Beech Ridge wind farm in the same area used 12 sites over 10 days and captured 42 bats, a much more intensive effort over a smaller distance than the proposed line for WGC. Since the land exchange being proposed for the transmission line right-of-way involves properties that are already in native habitat with no immediate prospect of development, the exchange cannot be considered compensation for the lost habitat, and new habitat improvements are needed. Adequate wildlife surveys must be completed before any determination of impacts can be made. The EIS should require that the US Fish and Wildlife Service Habitat Evaluation Procedure (or comparable method) be used to assess habitat loss and should require that habitat improvements be provided elsewhere to mitigate the losses of wildlife habitat. Likewise, replacement wetlands should be identified to mitigate the direct, indirect and cumulative wetland losses from the project.

91-050

Page 4.9-1 – 4.9-3. The Socioeconomic analysis is woefully inadequate and biased. Numerous power industry reports indicate that "the landscape is littered with abandoned or incomplete power plant projects." US-DOE figures estimate that as many as 80 % of proposed coal-fired power plants will never be completed. The financial prospects become even worse if a widely anticipated carbon tax or cap and trade program is adopted, as expected with the next five years. Given the paucity of data supporting an adequate fuel supply, the apparent lack of adequate

91-051

RESPONSES

Comment: 91-049, Issue Code: E4

See General Responses 4.2.2 and 4.2.3.

Comment: 91-050, Issue Code: L1, L2, O, P

As described in Sections 3.7 and 4.7 of Volume 1, there is little habitat at the proposed power plant site, which has largely been cleared of vegetation, the EcoPark (a graded site which was the former Meadow River Lumber Company site), the coal refuse sites and most of the candidate sites for the coal prep plant (see photos presented in respective sections of the EIS). Impacts to biological resources as a result of the transmission corridor are discussed in Section 4.7.3 of Volume 1. To expand on biological impacts, new text has been added to Section 4.7 (Volume 1).

Comment: 91-051, Issue Code: D4, E2

See General Response 4.1.2.

Commenter 91 – James Kotcon

Page 14

Sierra Club
Western Greenbrier DEIS

cooling water, and the dramatic recent increases in the cost of construction for power plants, the most likely scenario is that the plant will either never be completed, or will be abandoned shortly after completion. An abandoned facility would create a further blight on Rainelle and hinder future economic development. The liability for removing the structure and reclaiming the site may cost the City of Rainelle several million dollars. Long-term reclamation costs for disturbed gob piles may add many more millions to the liability created by the project. If the facility should operate for a few years before being abandoned, the destruction of local roads by overweight coal trucks would create an additional burden on the area. In some cases, e.g., Longview power plant in Monongalia County, developers are required to post bonds worth millions of dollars to prevent these liability costs from being imposed on local communities. The failure to describe the economic risks and the high likelihood of project failure creates serious questions about the credibility of the EIS. The EIS should identify the financial risks associated with the project. It should describe the adverse economic impacts associated with abandonment of a partially or fully completed facility. The EIS should also impose mitigation measures such as bond requirements to assure that the City of Rainelle or Greenbrier County are not required to assume financial risks that should be borne by the developers.

In addition, a recent study by the Union of Concerned Scientists identified the near certainty of some type of carbon tax or cap-and-trade program in the near future (available at: http://www.ucsusa.org/clean_energy/fossil_fuels/carbon_risk.html). The likely price for carbon emissions will be in the range of \$10-30 per ton. The financial impacts of such a scheme make investments in new coal-fired facilities quite risky. This greatly increases the likelihood that the facility will be shut down and will not be able to repay the loans provided under the CCPI. The financial risks to be evaluated in a Supplemental Draft EIS should include realistic estimates of the costs associated with a carbon tax or other emissions reduction program. The likelihood that the WGC facility would have to be abandoned under this scenario should be considered.

Page 4.14-2 – 4.14-8. The statement on page 4.14-5, that the pollutant concentrations at Sewell Landing Apartments are very low compared to more distant receptor locations, is directly contradicted by the data in Table 4.14-4. Sewell Landing Apartments has the highest deposition of both vapor phase and particulate pollution of any of the sites modeled. Furthermore, the list of Chemicals of Potential Concern in Table 4.14-1 does not include acrylamide, a known carcinogen used in the coal prep plant. In addition, few of the risks to workers in the plant are identified. The calculations of dioxin exposure in nursing infants is appropriate, but similar calculations of exposure to mercury in utero and in breast milk would be appropriate, as mercury concentrations in fish are already known to be of sufficient health concern that fish consumption advisories are in effect. The description of Particulate Matter modeling apparently ignores the PM contributed by diesel trucks hauling coal, limestone, and other materials, and certainly ignores the fact that these emissions occur at ground level instead of from a tall stack that promotes dispersion. Particulates and combustion products from diesel trucks are among the most carcinogenic types of particles emitted, and are many times more toxic than fly ash or other mineral particulates from coal combustion. The EIS should incorporate these much more significant health risks into a revised health Risk assessment section.

Page 4.14-9 – 4.14-10. The assumptions of Road Safety that the Coal Transportation Resource System would improve truck safety, reduce overweight trucks, and that fees would cover the cost

RESPONSES

Comment: 91-052, Issue Code: D4, F1

Any future programs regarding carbon reduction are speculative at this time. DOE will take into consideration any financial risk associated with future emissions regulations during its decision-making process. See General Response 4.1.2.

Comment: 91-053, Issue Code: F3

The pollutant concentrations that the commenter is referring to are air pollutants – text has been revised for clarification in Section 4.14 (Volume 1). Regarding coal preparation, WGC has proposed to use an independent entity to process coal near the remote coal refuse sites. Based on industry practices it is expected that the plant would likely use polyacrylamide (a flocculent that is commonly used in water treatment) which may contain trace amounts of acrylamide. Potential exposure to this chemical would mostly be limited to prep plant workers. It is expected that the workers would be required to follow standard OSHA guidelines and have appropriate training on MSDSs for the use of the chemicals used at the prep plant. Thus, the risk from acrylamide exposure is not considered significant. The 3rd party prep plant would not be able to make the final selection of flocculent type or dosage until the plant is running, but general discussions with suppliers suggest that common types of flocculent, as described in Chapter 2 (Volume 1), would likely be used in the prep plant.

Comment: 91-054, Issue Code: F2

The analysis of exposure to mercury in utero and in breast milk is not required in any of the combustion risk assessments. Additionally, no models currently exist to address these concerns. The model recommended by U.S. EPA for infant exposures to dioxin may not be appropriate to assess exposure to Hg (EPA, 1998). Regarding Hg exposure to infants via ingestion of breast milk, the concentration of Hg to which infants are exposed is generally much lower than the concentration in the maternal breast fat tissue.

Comment: 91-055, Issue Code: F3

The PM₁₀ modeling takes into account PM emissions from materials handling including diesel trucks hauling coal, limestone, and other material to and from the facility. See Section 4.14.1.2 (under "Particulate Matter") in Volume 1 for an explanation as to why human health risks could not be quantified for PM as a COPC.

Comment: 91-056, Issue Code: I

See response to Comment 91-005 and General Response 4.7.

Commenter 91 – James Kotcon

Page 15

Sierra Club
Western Greenbrier DEIS

of road maintenance are all incorrect. The system adopted in Senate Bill 583 was widely acknowledged at the time to be a relaxation of truck safety and weight limit laws. It was further widely acknowledged that the fees assessed on coal trucks would cover less than 1 % of the increased costs from road damage from overweight trucks. The fact that the statement "If the new law works as claimed..." is even included is a tacit acknowledgement that the new law is ludicrous on its face. The traffic accident rates reported for vehicles over 10,000 pounds is likewise a serious underestimate of the accident rate for vehicles weighing 80,000 pounds and operating on narrow, poorly-maintained, steep mountain roads. Thus the estimates for increases in traffic accidents in Table 4.14-6 are seriously underestimated. The EIS must correct the estimated risks and acknowledge that funding the project will increase the use of overweight trucks which will increase road damage and increase the risks from traffic accidents. Alternatively, the EIS must condition funding on restrictions in the weight allowed for coal and limestone trucks.

91-056
(continued)

Page 4.14-14. The Total Cancer Risk as presented in table 4.14-7 seriously underestimates the expected risks to workers at the site, and to other potentially exposed populations because it does not include many of the risks outlined above. Furthermore, the US EPA criteria for acceptable risk are a range of 10^{-4} to 10^{-6} . The appropriate risk criterion I situation specific, and the uncritical use of 10^{-4} is inappropriate. The Risk estimates should be revised to incorporate the more serious risks identified above, and should use the 10^{-6} cancer risk criterion for the residential receptor populations described.

91-057

Page 4.14-15. The Particulate Matter risks described (e.g., text and Table 4.14-8) should acknowledge EPA's proposal to lower the NAAQS for $PM_{2.5}$ to $35 \mu g/m^3$ as a daily standard. As such, the model data demonstrates that the facility will place the Ramelle Area into nonattainment, and would be definition, contribute to significant adverse health impacts. The EIS should describe the facility as contributing to unacceptable deterioration of ambient air quality and deny funding. At a minimum, the modeled PM concentrations indicate that further reductions in air emissions are warranted and that monitoring for ambient $PM_{2.5}$ should be required if the plant is built.

91-058

Page 4.15-1 – 4.15-2. The criterion for significant impact allowing an airblast up to 135 dB is highly inappropriate near a residential area. Noises such as this disrupt sleep and deprive property owners of the use and enjoyment of their property. These instantaneous loud noises are the most disruptive to humans, because there is no opportunity to acclimate to them. The EIS should identify an appropriate protective standard and prohibit any noises louder than 90 dB daytime, and 80 dB at night. The use of an L_{dn} criterion of 60 dBA is highly inappropriate for residential areas, schools, churches, or other noise-sensitive sites. Since many areas along Rt. 60 already experience unhealthy levels of noise, an increase in noise levels must be considered as a significant adverse effect and mitigation measures must be required. In addition, adequate monitoring and enforcement of noise standards should be required. Since the WV Public Service Commission has minimal enforcement ability, a noise complaint plant should be imposed and WGC should be required to provide compensation to adversely affected residents.

91-059

RESPONSES

Comment: 91-057, Issue Code: F3

The use of 10^{-4} as a risk criterion is not inappropriate. The basis of 10^{-6} to 10^{-4} risk criteria is that for individual chemicals, the risk shall not exceed 1×10^{-6} , and the total risk from all chemicals shall not exceed 1×10^{-4} . In the analysis provided in Section 4.14 of Volume 1, none of the risks attributable to individual chemicals exceeded 1×10^{-6} for any of the receptors, nor did total risks attributable to all chemicals combined exceed 1×10^{-4} for any receptor. Please note that the numbers preceding " $\times 10^{-4}$ " in the Total Risk column in Table 4.14-7 of Volume 1 are all significantly less than 1. In fact, as indicated in Appendix I (Tables 1 through 5); total risks for each of the receptors were consistently less than 1×10^{-6} .

Comment: 91-058, Issue Code: F3

See response to Comment 91-032 regarding estimates for $PM_{2.5}$. The 24-hour NAAQS for $PM_{2.5}$ has been updated in Table 4.14-8 (Volume 1). Also refer to updated discussions on the new $PM_{2.5}$ standard in Sections 4.3 and 4.14 of Volume 1.

Comment: 91-059, Issue Code: J

See response to Comment 91-035 regarding the use of an L_{dn} threshold of 60 dBA and a discussion of high linear noise levels. A blasting program would be established that would adhere to state and federal guidelines, as described in the EIS (Section 4.15.3.1, Volume 1), including advance notification of blasting activities, blasting only during daytime periods, and use of portable noise barriers.

Based on research used by the U.S. Department of Interior, Office of Surface Mining, the airblast threshold levels are considered low enough to prevent human health impacts. Noise levels along US 60, which is a heavily traveled truck route, are projected to increase by less than 1 dBA during WGC operations. This increase would not be detectable, would not be considered a significant adverse impact under guidelines established by the WVDOT, and, thus, would not constitute a danger to public health.

Commenter 91 – James Kotcon

Page 16

Sierra Club
Western Greenbrier DEIS

In summary, the Draft EIS is woefully inadequate and a Supplemental EIS should be prepared. This should incorporate reasonable alternatives, consider conditions to be associated with funding that would reduce environmental impacts, should evaluate the full range of financial risks of the facility, and should then be circulated for a full round of public comment.

91-060



Sincerely,

James Kotcon, Chair
State Government Programs Committee

RESPONSES

Comment: 91-060, Issue Code: C, D5

DOE has taken a hard look in evaluating reasonably foreseeable effects on the human environment in the EIS. Where specific information has been incomplete or unavailable, DOE has proceeded in accordance with 40 CFR 1502.22 to evaluate the reasonably foreseeable impacts of the Proposed Action. See also General Response 4.8 regarding uncertainties in the EIS. DOE does not believe a supplemental EIS or a re-issuance of the Draft EIS is warranted.

Commenter 92 – Margaret Janes

January 17, 2007

Roy Spears, Document Manager
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P.O. Box 880
Morgantown, WV 26507-0880
Roy.Spears@NETL.DOE.GOV

RE: Western Greenbrier Co-Production Demonstration Project, Draft Environmental Impact Statement (DOE/EIS – 0361)

Dear Mr. Spears:

Please accept these comments on behalf of the West Virginia Highlands Conservancy and the Appalachian Center for the Economy and the Environment.

Background

The Department of Energy (DOE) has determined that the proposed Western Greenbrier Co-Production Demonstration Project constitutes a major federal action within the meaning of the National Environmental Policy Act (NEPA). Specifically, the Agency has prepared a Draft Environmental Impact Statement (DEIS) to evaluate the potential environmental impacts of DOE's proposal to provide cost share dollars for the construction of a 98-megawatt power plant to be located in the municipality of Rainelle, Greenbrier County, West Virginia. Western Greenbrier Co-Generation, LLC (WGC) proposes to design, construct, and operate a coal-fired power plant that burns 3,000 to 4,000 tons per day of coal refuse from local sites as the "primary"¹ fuel. DOE would provide approximately \$107.5 million (up to 50%) of the development cost for the proposed facility through its Clean Coal Power Initiative (CCPI).

Legal Requirements of NEPA

NEPA requires that federal agencies carefully consider the direct, indirect and cumulative effects of federal actions. In this case, DOE has proceeded with an environmental impact statement that must include an analysis of direct and indirect environmental "effects" of the proposed action, including "cumulative" impacts and "cumulative actions." 40 C.F.R. §§ 1502.16, 1508.8.

¹ Note that while the DEIS abstract refers to coal refuse as the "primary" source of fuel, WGC's Clean Air Act permit mandates that waste coal be used as the exclusive source.

RESPONSES

Note: A supplement (not included in this document) to Ms. Janes' January 17, 2007 comment document was received on March 26, 2007. Ms. Janes included the decision of Judge Chambers in Ohio Valley Environmental Coalition et al. v. the United States Corps of Engineers, et al., Action No: 3:05-0784.

Comment: 92-001, Issue Code: E2, F1

See General Response 4.8. DOE has taken a hard look in evaluating reasonably foreseeable effects on the human environment in the EIS. Where specific information has been incomplete or unavailable, DOE has proceeded in accordance with 40 CFR 1502.22 to evaluate the reasonably foreseeable impacts of the Proposed Action. Therefore, DOE does not intend to issue a supplemental EIS for the WGC Project at this time. See General Responses 4.2.1, 4.4.1, and 4.4.2 to comments related to fuel supply, Meadow River, and groundwater, respectively.

Response to footnote 1: WGC's air permit does limit WGC to use coal refuse for the CFB combustor during normal operations. However, during startup, fuel oil (i.e., diesel) would be used. See response to Comment 89-010.

Commenter 92 – Margaret Janes

1508.25(a)(2). A “cumulative impact” is “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions.” 40 C.F.R. § 1508.7. “Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.” *Id.* Cumulative actions are actions “which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.” *Id.* § 1508.25(a)(2).

“Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment.” 40 C.F.R. § 1508.27(b)(7). “Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.” *Id.*

Further, the information gleaned by that hard look must be consistent with the funding criteria for the CCPI program.

Failure to Proceed with the DEIS without Sufficient Information

The mandates of NEPA are clear: DOE must take a hard look at the direct, indirect and cumulative environmental effects of the proposed funding of the WGC Project. Before DOE can take that hard look, however, the agency must have all of the pertinent information before it. In this case, information on some of the most critical and significant aspects of the project is either pending or may never be obtained. According to the Supreme Court:

Often an initial EIS is sufficient, but in certain circumstances an EIS must be supplemented. See *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 370-374, 109 S.Ct. 1851, 104 L.Ed.2d 377 (1989). A regulation of the Council on Environmental Quality requires supplementation where “[t]here are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.” 40 CFR § 1502.9(c)(1)(ii) (2003). In *Marsh*, *73 we interpreted § 4332 in light of this regulation to require an agency to take a “hard look” at the new information to assess whether supplementation might be necessary. 490 U.S., at 385, 109 S.Ct. 1851; see *id.*, at 378-385, 109 S.Ct. 1851. *Norton v. Southern Utah Wilderness Alliance*, 542 U.S. 55, *72-73, 124 S.Ct. 2373, **2384 (U.S.,2004).

Similarly:

NEPA does require that agencies take a “hard look” at the environmental effects of their planned action, even after a proposal has received initial approval. See Brief for Petitioners 36. Application of the “rule of reason” thus turns on the value of the new information to the still pending decisionmaking process. In this respect the decision whether to prepare a supplemental EIS is similar to the decision whether to prepare an EIS in the first instance: If there remains “major Federal action” to occur, and if the new information is sufficient to show that the remaining action will “affect[] the quality of the human environment” in a significant manner or to a significant extent not already considered, a supplemental EIS must be prepared. ^{FN20} Cf. 42 U.S.C. § 4332(2)(C). *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, *374, 109 S.Ct. 1851, **1859 (U.S.Or.,1989)

RESPONSES

Commenter 92 – Margaret Janes

Here are just a few examples highlighted by DOE in the DEIS: the fuel quality from the Joe Knob and Donegan sites was not included (DEIS, p. 2-30), the analysis of ash at the Green Valley, Joe Knob and Donegan sites (DEIS, p. 4-6-8) is not available, the appropriate draw down levels of the Meadow River have not been determined (DEIS, p. 4-4-10), there is limited hydrological data on the Meadow River (DEIS, Id.), and there is insufficient information on ground water resources or their connection to the Meadow River and other smaller streams (DEIS, App. D). In fact, this DEIS is so inadequate as to preclude a "meaningful analysis" by DOE or citizens and requires the agency to "prepare and *circulate* a revised draft of the appropriate portion." [emphasis added], 40 C.F.R. §1502.9(a) and (c)(ii). Once the information becomes available DOE must not only reissue the DEIS but also provide opportunity for public notice and comment on the revisions **before DOE authorizes the funding for the project**. The current lack of information greatly restricts the ability to comment and is even more egregious because it deals with some of the most important and controversial aspects of the proposal. In sum, DOE must prepare a supplemental second EIS and the public must be given a meaningful opportunity to understand and comment on the critical data that is before the agency when it makes its decision.

92-002

DOE Alternatives Analysis

The decision to limit the analysis to two alternatives directly violates NEPA and its implementing regulations. To the extent that DOE has allowed Western Greenbrier to define the purpose of the agency action and limit the alternatives to "a take-it-or-leave-it proposition", it has rendered the discussion of reasonable alternatives an "empty exercise." Citizens Against Burlington, 938 F.2d at 210 (Buckley, J., dissenting). The alternatives section is supposed to be "the heart of the environmental impact statement." 40 C.F.R. § 1502.14. The regulations further require the agency to evaluate all reasonable alternatives, 40 C.F.R. § 1502.14(a), and the agency must consider alternatives not within the jurisdiction of the lead agency. 40 C.F.R. § 1502.14(c). Whether an EIS has an adequate alternatives analysis is based on a rule of reason. The federal courts have held that the whether an EIS considers all the necessary alternatives is based on a rule of reason. Citizens Against Burlington, Inc. v. Busey, 938 F.2d 190, 195 (D.C. Cir. 1991) (citing Natural Resources Defense Council, Inc. v. Morton, 458 F.2d 827, 834, 837 (D.C. Cir. 1972). That rule governs "both which alternatives the agency must discuss and the extent to which it must discuss them." State of Alaska v. Andrus, 580 F.2d 465, 476 (D.C. Cir. 1978), rev'd in part of other grounds su nom Western Oil & Gas Ass'n v. Alaska, 439 U.S. 922 (1978).

92-003

The courts have explained that "[t]he agency must look at every reasonable alternative within the range dictated by the nature and scope of the proposal. The existence of reasonable but unexamined alternatives renders an EIS inadequate." IlioUlaokalani Coalition v. Rumsfeld, 464 F.3d 1083, 1095 (9th Cir. 2006). No decision is more important than delimiting what these "reasonable alternatives" are." Simmons v. U.S. Army Corps of Engineers, 120 F.3d 664, 666 (7th Cir. 1997). Logic and law dictate that every time an agency prepares an environmental impact statement, it must answer three questions in order. First, what is the purpose of the proposed project (major federal action)? Second, given that purpose, what are the reasonable alternatives to the project? And third, to what extent should the agency explore each particular

RESPONSES

Comment: 92-002, Issue Code: C
See response to Comment 92-001 and General Response 4.8.
Comment: 92-003, Issue Code: C, D
The purpose of the Proposed Action is to support mandates of the CCPI Program as described in Section 1.3.1 of Volume 1. Additional discussion of the Purpose and Need, as well as reasonable alternatives, is also discussed in responses provided under General Response 4.1.
40 CFR 1502.14(e), states that agencies shall, "identify the agency's preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement..." Also see revised Section 2.6 (Volume 1), which discusses DOE's preferred alternative.

Commenter 92 – Margaret Janes

reasonable alternative?” Simmons, 120 F.3d at 668. “An agency cannot restrict its analysis to those ‘alternative means by which a particular applicant can reach his goals.’” Simmons, 120 F.2d at 669 (quoting Van Abbema v. Fomell, 807 F.2d 633, 638 (7th Cir. 1986)). “[T]he evaluation of ‘alternatives’ mandated by NEPA is to be an evaluation of alternative means to accomplish the general goal of an action; it is not an evaluation of the alternative means by which a particular applicant can reach his goals.” Van Abbema v. Fomell, 807 F.2d 633, 638 (1986) (emphasis original). Because this DEIS leaves reasonable alternatives unexamined it is inadequate.

92-003
(continued)

The funding of other CCPI candidates, or other clean coal facilities, would be a reasonable alternative that would also serve DOE’s purpose of promoting “the widespread commercial application of innovative technologies for more efficient and environmentally sustainable uses of coal by the power industry.” DEIS at 1-3. DOE did not consider that alternative. Rather, the agency simply quantified the number of other applicants. DOE may believe that funding other projects may not serve its goal of “commercially demonstrating an innovative design for an atmospheric pressure, circulating fluidized bed (ACFB) power plant that would generate electricity and steam using coal refuse (i.e., ‘gob’) as fuel while using the ash to produce cement that can be used in the manufacture of structural building blocks and other construction products.” DEIS at 1-1. To the extent that DOE relies on that statement to be the nature and scope of the action of funding CCPI programs, that goal is far too narrow. Under NEPA, DOE “may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency’s power would accomplish the goals of the agency’s action, and the EIS would become a foreordained formality.” Citizens Against Burlington, 938 F.2d at 196. Because funding other clean coal projects would be a reasonable alternative to consider when analyzing how to spend CCPI dollars, DOE must consider it in a supplemental EIS.

92-004

DOE must also consider in a supplemental EIS the alternative of funding a higher capacity project. If the Co-Production facility had a capacity of more than 98 MWe, the effect would be that the cost effectiveness of more stringent air pollution control technology would be increased. Consequently, the impacts of the facility on the environment would be reduced. It may not be within DOE’s power to require Western Greenbrier to construct a larger facility, but, under NEPA regulations, that is irrelevant. See 40 C.F.R. § 1502.14(c). Building a higher capacity facility would serve even the narrow goal quoted above from the DEIS.

92-005

The analysis of alternatives being considered by the applicant does not meet the requirements of NEPA to analyze all reasonable alternatives and to identify the least-impacting alternative. Additional alternatives that would significantly reduce the adverse impacts of the project must be considered as a condition of funding. Specifically, DOE should evaluate the use of improved air pollution control technologies, a larger and more efficient plant, a larger plant with better pollution control including carbon sequestration, wet scrubbers, and improved NOx controls as an alternative that would significantly reduce the adverse impacts of this facility. Requirements for additional mitigation, such as shutdowns during periods when cooling water is limited, further restrictions on truck traffic and noise, prohibitions on use of fuels other than waste coal, among others should be considered. In addition, an alternative that evaluates the impacts of reasonable alternative energy technologies (wind or solar) and energy conservation technologies

92-006

RESPONSES**Comment: 92-004, Issue Code: C, D1**

See General Responses 4.1.1 and 4.1.4. As stated in Section 1.7 (Volume 1), “If DOE declines to provide financial assistance for the WGC Project, the agency may choose to fund a project proposed by another applicant during a future round of the CCPI solicitations.”

Comment: 92-005, Issue Code: D1

Under the CCPI Program innovative clean coal technologies are demonstrated at commercial scale to ensure proof of operation and facilitate potential widespread adoption (see new text in Section 1.2 of Volume 1). Within the goals and constraints of DOE’s Proposed Action (to “fund”) and No Action Alternative (to “not fund”), the EIS evaluated the applicant’s alternatives to identify the least-impacting reasonable alternative. These goals and constraints do not extend into designing by DOE of the applicants proposed alternatives or funding other alternative technologies. See revised Section 2.6 of Volume 1 – the EIS evaluated the applicant’s alternatives to identify the least-impacting reasonable alternative. See also General Responses 4.1.4 and 4.1.5.

Comment: 92-006, Issue Code: D1, D2

See General Responses 4.1.5 and 4.3.1. Within the context of DOE’s Proposed Action, the EIS evaluated WGC’s proposed alternatives and plant features to meet applicable standards and reduce adverse impacts on the environment. Reasonable alternatives and plant features are those that would be cost-effective and feasible for the project proponent to meet standards and limitations applicable to the plant.

Commenter 92 – Margaret Janes

should be included, as these would almost certainly demonstrate lower environmental impacts than those anticipated in the project as proposed.

We disagree with the conclusion that DOE need not evaluate alternative fuel sources in order to determine whether this project is appropriate for funding under the CCPI program. (DEIS p. 1-8) The mandate of the CCPI is to fund projects that promote “environmentally sustainable uses of coal by the power industry” (DEIS p. 1-3). If the project does not meet this test of “environmentally sustainable” DOE under the CCPI should not fund it. Since sustainability is a relative term, the appropriate way to test this is to compare the environmental impact of the project with other environmentally sustainable energy projects, i.e., energy conservation, renewable energy, or cleaner fossil fuels. By failing to evaluate alternative fuels, the DEIS fails to make the case that this project is environmentally sustainable, and therefore eligible for funding. At a minimum, the DEIS must demonstrate that the use of waste coal in this project is more environmentally sustainable than the No Action alternative. If DOE does not compare the environmental impacts of this project with other more sustainable energy sources in this DEIS, it may not authorize funding under the CCPI.

92-006
(continued)

The DEIS Does Not Adequately Consider Funding the WGC Project as Opposed to a True “Clean Coal” Facility

By funding the Co-Production facility, DOE is bypassing funding other potential facilities. Those bypassed facilities may have included truly innovative pollution control technology, which is lacking from the Co-Production facility. However, the DEIS is silent as to the environmental impacts of funding the Co-Production facility as opposed to other, cleaner facilities. These issues must be part of the alternatives analysis.

Far from meeting “clean coal” standards, the Western Greenbrier plant does not even reach the standards of other conventional CFB plants. One does not have to search far for evidence that the Co-Production facility is not particularly innovative. One only has to compare the Co-Production facility to the Greene Energy facility in Pennsylvania. Both facilities will burn gob; both facilities use the same pollution control technologies for PSD pollutants. There are, however, two key differences between the two facilities. First, the NO_x limit for the Greene Energy facility is a more stringent 0.08 lbs/mmBtu on a 30 day average with a 24-hour limit of 0.10 lbs/mmBtu on a 30-day average. The upshot of that difference is this: The Co-Production proposed facility is permitted to emit 125% of the NO_x that the Greene Energy facility is permitted to emit. Put another way, if WGC were held to the same stringent NO_x emission limit as the Greene Energy facility, it would emit 222,500 pounds of NO_x less than it is currently permitted to emit.

Second, the Greene Energy facility is not being funded under the Clean Coal Power Initiative. That fact suggests that there is very little innovative about the Co-Production facility, and that it does not demonstrate technology that otherwise would not be funded by the market.

92-007

RESPONSES

Comment: 92-007, Issue Code: D1, D2

See General Responses 4.1.1 and 4.1.4 and the responses to Comments 92-004 and 92-005.

Commenter 92 – Margaret Janes

The Clean Coal Power Initiative commits a finite pool of money towards the demonstration of innovative coal power technology. By choosing to fund the Co-Production facility, which may be "dirtier" than other comparable, non-clean-coal facilities, DOE is foregoing the opportunity to fund other projects that could result in a true reduction in the environmental effects of coal-fired power plants. Nothing in the DEIS considers what those impacts may be, nor even acknowledges their existence. Consequently, the current DEIS is inadequate.

92-007
(continued)

Focus of the Clean Coal Power Initiative (CCPI)

The DOE must not only comply with the mandates of NEPA but must also evaluate the project in light of its own CCPI funding guidelines. The WGC project was selected as a Round 1 CCPI project.² According to the National Energy Technology Laboratory (NETL) solicitation for applications:

This CCPI Round I solicitation is seeking projects that: (1) demonstrate advanced coal-based technologies; and (2) accelerate their deployment for commercial use. The CCPI is open to any technology advancement related to coal-based power generation that results in efficiency, environmental, and economic improvement compared to currently available state-of-the-art alternatives. The solicitation is also open to technologies capable of producing any combination of heat, fuels, chemicals or other useful byproducts in conjunction with power generation. Prospective projects must ensure that coal is used for at least 75% of the fuel energy input to the process. Additionally, prospective projects must show the potential for rapid market penetration upon successful demonstration of the technology or concept.³

DOE further describes the CCPI:

By 2010, the Clean Coal Power Initiative subprogram will initiate demonstration of advanced coal-based power generation technologies that target advancements from among the following categories: 45 percent electrical efficiency, 90 percent mercury removal at a cost of 70 percent of current technology by 2010, and 0.15 lb/MMBtu NOx at 75 percent of the cost of current technology (selective catalytic reactors), and can be configured to co-produce heat or fuels. These deployment-ready advanced technologies will be capable of producing substantial near-, mid-, and long-range economic and environmental public benefits. The CCPI subprogram will create public/private partnerships to provide technology to ensure continued electricity production from the extensive U.S. fossil fuel resource, including control technologies to permit reasonable-cost compliance with emerging regulations. CCPI demonstrations drive down the cost and risks of IGCC systems and other coal-based power and emissions control technologies.⁴

92-008

RESPONSES

Comment: 92-008, Issue Code: D1, D2

See General Responses 4.1.1 and 4.1.4 and responses to Comments 92-004 and 92-005.

² http://www.netl.doe.gov/technologies/coalpower/ccpi/pubs/presentations/CCPI_111803.pdf, slide 15.
³ http://www.netl.doe.gov/technologies/coalpower/ccpi/solicitations/CCPI-1_SOL.pdf, p. 1 of introductory letter.
⁴ http://www.mbe.doe.gov/budget07/budget/Content/Volumes/Vol_7_FE.pdf

Commenter 92 – Margaret Janes

92-008
(continued)

In addition, DOE states that each demonstration project must “raise the bar” in terms of progress towards project goals.⁵

Purpose of WGC

The purposes of the WGC facility are outlined in the draft Environmental Impact Statement (DEIS, p. S-3) and include:

- Create economic and social revitalization in western Greenbrier County through the development of an ecologically balanced and sustainable industrial park;
- Provide a low cost, reliable supply of steam and hot water for use by the industrial park;
- Provide electrical energy for distribution to the national electric grid using coal refuse as fuel; and
- Demonstrate an economical coal refuse cleanup strategy by using the coal refuse as a fuel source and using the coal ash for both remediation of acid drainage from coal refuse piles and for production of cement to be used in the manufacture of building materials.

DOE describes the industrial park (EcoPark) as “not associated with the WGC Proposed Action”, but to be “developed as a third party action independent of WGC actions.” (DEIS, p. 3.7-5). Because the development of the EcoPark is in third party hands its eventual success or failure or even existence will not be determined by WGC. In addition, there is no information on the business or marketing plan for the Park so commenters are able to evaluate the likelihood of success. The EcoPark is an independent action that should have no impact on DOE’s assessment of WGC Project’s qualifications for CCPI funding and should not be used to mitigate potential environmental impacts or energy efficiency assessments in the DOE analysis. Because the existence of the EcoPark is in question so is its potential need for a low cost, reliable supply of steam and hot water.

92-009

In addition, while the DEIS continues to mention “potential ash byproduct manufacturing facilities (privately owned and financed and independent of the Co-Production Facility)” i.e. woodbrix, there is no assurance that these products are marketable or will even be manufactured (DEIS, p. S-5).

92-010

While we agree that the WGC project, if built, will be able to provide electrical energy for distribution to the national electric grid using coal refuse as fuel; the DEIS fails to adequately analyze the probability that using some of the gob at the fuel source sites will significantly reduce long-term mine drainage problems (see appropriate section below). In fact we believe it is likely that over time gob will not be the only source of fuel – that new coal will be mined to supply coal to the plant in order to meet the BTU requirements of the CFB burner.

92-009
(continued)

In addition, while the project purpose describes coal ash being used for the production of cement in the manufacture of building materials, the DEIS states, marketable by-products “could include .cement” (DEIS, s-7 [emphasis added]) leaving doubt as to the success of even the cement marketing scheme. Importantly, while WGC seems to get credit for cement manufacturing, there is no business plan or marketing plan in the DEIS that would support the likelihood of WGC

⁵ http://www.nrel.doe.gov/technologies/coalpower/cctc/pubs/presentations/CCPI_111803.pdf, slide 7.

RESPONSES

Comment: 92-009, Issue Code: D1, D4

See General Responses 4.1.2 and 4.1.4. The purposes for the proposed WGC facility listed in this comment, as stated in Section 1.3.2.2 (Volume 1), represent needs identified by the project proponent (WGC). However, as stated in Section 2.1.2 (Volume 1), the EcoPark and other potential future commercial and industrial development that are intended by WGC to occur as a result of the plant “...are not integral to the DOE decision on whether to provide cost-shared funding to demonstrate the clean coal technologies of interest.”

Comment: 92-010, Issue Code: D3

See General Responses 4.2.1 and 4.2.2 and the response to Comment 92-001.

92-010 {
(continued)}

Commenter 92 – Margaret Janes

demonstrating project success or “the potential for rapid market penetration upon successful demonstration of the technology or concept” that is required for CCPI funding.⁶

Further, while DOE emphasizes the importance of demonstrating the commercial value of the inverted cyclone circulating fluidized bed (CFB) boiler in the United States. (DEIS, S-3), the agency also admits that, “the inverted cyclone design has been used successfully on small power plants in China,” (DEIS, p. 2-17) undermining the necessity for a demonstration in the U.S.

The purported benefits including a smaller physical footprint and lower cost of building materials are relatively minor as compared to the potential for lower emissions using other more cutting edge technologies. (DEIS, p. S-1). A CFB boilers ability to burn a variety of fuels is not unique to the reverse cyclone but is true for all CFB burners. CFB burners have been used for years and any CFB burner could burn refuse from the target piles

In the end, the WGC project is really just a proposal to build and operate a power plant and burn some waste coal – something that has been done routinely in many locations.

(Also see section on fuel source and AMD mitigation) Certainly, the WGC project does not “raise the bar” on CCPI performance goals.

DOE has a mandate to promote “innovative technologies for more efficient and environmentally sustainable uses of coal...” (DEIS, p. 1-3) As such, DOE has an obligation to demonstrate that funding will only be provided to those projects that are truly “innovative” and “environmentally sustainable”. It appears that DOE has failed to demonstrate either of these claims, and as such, the No action alternative should be selected. Alternatively, DOE should evaluate other alternatives that would reduce the adverse environmental impacts of the proposed project, thereby enhancing the environmental sustainability of the project.

The WGC project does not meet the BACT requirements of the CAA

The WGC Project fails to meet basic CCPI criteria because even on its face it fails to demonstrate any technology advancement related to coal-based power generation that results in efficiency, environmental, and economic improvement compared to currently available state-of-the-art alternatives. In fact, the plant will not employ state-of-the-art air pollution control technologies or even comply with the BACT requirements of the Clean Air Act (CAA).

Emission Controls

Air pollution from the facility is one of its most significant adverse impacts. In particular, the facility does not comply with Best Available Control Technology (BACT) requirements of the Clean Air Act (CAA). The BACT analysis submitted by WGC and accepted by WV-DEP is fatally flawed. Lower emissions rates are technically and economically feasible, as demonstrated during hearings on an appeal of the air permit before the WV Air Quality Board in August, 2006. Specifically, we believe that use of wet scrubbing, Selective Catalytic Reduction, and other controls should have been required as BACT. DOE must take a hard look at the emission limits in WGC’s CAA permit and assure that BACT requirements are being met.

⁶ http://www.netl.doe.gov/technologies/coalpower/cc/cf/cpi/solicitations/CCPI-1_SOL.pdf, p. 1 of introductory letter.

92-011

RESPONSES

Comment: 92-011, Issue Code: D1

See General Response 4.1.1.

Comment: 92-012, Issue Code: D1, F1, F4

See General Responses 4.1.1 and 4.3.1.

92-012

Commenter 92 – Margaret Janes

92-013 { WGC has selected a Flash Dryer Absorber (FDA) for sulfur dioxide removal. (DEIS p 2-19). The description of the FDA is extremely biased and appears to be derived from promotional materials, rather than an objective evaluation of the system. The presentation creates the impression that this technology is the ideal sulfur dioxide removal system available. However, wet scrubber technologies in use at numerous coal-fired power plants achieve much higher sulfur dioxide removal. The FDA is, in fact, a "second best" technology for sulfur dioxide removal. DOE must evaluate all emission control technologies and assure they are state-of-the-art, raising the bar for "clean coal" technology demonstration.

92-014 { WGC has selected Selective Non-Catalytic Reduction to reduce nitrous oxide emissions. This is another "second best" control technology – other better technologies are readily available, i.e., Selective Catalytic reduction.

92-015 { Section 2.3.5 of the DEIS implies that a larger kiln (100 tons per day) may be involved than is currently permitted by the air pollution control permit (75 tons per day) issued for the facility. If the DEIS assumes benefits from a larger kiln, it must also consider the increased emissions that will result. The DEIS must use a consistent description of the alternative when describing both the benefits and the adverse impacts of the facility. We recommend that the DEIS analyze a worst-case scenario, which assumes the larger kiln and which identifies the maximum pollutant impacts that could potentially occur, and therefore not rely on the current air permit to estimate air emissions and their impacts. (DEIS, p. 2-21).

92-016 { The DEIS incorrectly states that the PM 2.5 and 8-hour ozone standards have not yet been implemented. (DEIS p. 3.3-2). In fact, these standards have been implemented for several years. EPA is considering more stringent standards that are near monitored levels reported in the area (DEIS see Table 3.3-2). Thus, additional emissions from the WGC facility may push the area into nonattainment. If this occurs many of the purported economic benefits of the facility would evaporate. The DEIS should take a hard look at the potential adverse impact that would occur if the WGC facility contributes to nonattainment of these more stringent NAAQS.

92-017 { In addition, the WVDEP inappropriately used meteorological data from the Raleigh County Airport for pollutant dispersal or visibility modeling. The Airport is located on a high plateau over 20 miles from the site, while the site is located deep in a valley surrounded by high hills. Because of these conditions, stability at the Airport is almost certainly less than at the site, which suggests that the model may greatly underestimate the worst-case pollutant levels from the facility. These flaws make it clear that the WV-DEP air permit and supporting data cannot be relied upon to determine compliance with the air standards. The DEIS should include revised analyses using on-site meteorological data to correct these errors in order to properly evaluate the level of pollution impacts from the facility.

DOE Failed to Take a Hard Look at WGC's HCl Emissions

92-018 { Among the contaminants of potential concern that DOE identified in section 4.14 of the DEIS is hydrochloric acid (HCl). To the extent that it relied on the HCl emissions rate that WGC included in its PSD application, DOE relied on an incorrect number and, therefore,

RESPONSES

Comment: 92-013, Issue Code: D1
See response to Comment 91-019.

Comment: 92-014, Issue Code: D1
See response to Comment 91-020.

Comment: 92-015, Issue Code: F4
See response to Comment 91-021.

Comment: 92-016, Issue Code: F4
See response to Comment 91-032.

Comment: 92-017, Issue Code: F4
See General Response 4.3.1.

Comment: 92-018, Issue Code: F3
Air Permit No. R14-0028 issued by WVDEP to WGC specifies emission

threshold limits of 0.01 lb of HCl per ton of fuel and 0.016 lb of HF per ton of fuel. Section 4.0 of this permit requires:

- Waste coal that WGC would use as fuel should not have a chloride or fluoride content (in percent by weight) that would cause an exceedance of this limit when combusted;

- WGC determines the maximum chloride and fluoride content in a plan

- submitted to WVDEP for approval at least 12 months prior to initial startup;

- WGC demonstrates continuing compliance with the coal specifications by collecting composite waste coal samples once a day, and tests them using methods specified in the permit; and

- WGC conducts a performance test on the CFB and kiln after achieving the maximum production rate to determine the emissions rate of pollutants,

- including HCl and HF, and provides the results to WVDEP. The performance test needs to be repeated once a year after initial startup.

As the commenter correctly observed, the specified 0.01 lb/ton HCl emission limit arose as a result of a unit conversion error. Notwithstanding, WGC has concluded that it would be unnecessary to modify the air permit (thus, WGC would be required to meet the limits as stated in the permit) because their investigations have demonstrated that they would anticipate no difficulties in complying with the terms of Section 4.0 listed above, and with a limit that is lower than they might have otherwise requested. Furthermore, WGC are quite cognizant that they need comply or otherwise face major consequences of a suspension of the air permit (Section 2.5 of the permit), and are fully confident that they face no such risk. The investigations that enabled WGC to conclude that they are not exposed to any risk of non-compliance are summarized below:

Commenter 92 – Margaret Janes

underestimated the potential impacts on human health of the facility's HCl emissions. Before it can purport to have taken a "hard look" at the proposed facility's environmental impacts, DOE must consider what the facility's true HCl emissions will be. See 10 C.F.R. § 1021.216(c) (requiring, in preparing an EIS, that "DOE shall independently evaluate and verify the accuracy of environmental data and analyses submitted by offerors").

In its PSD application, WGC was concerned with avoiding being a major source of hazardous air pollutants (HAPs), including HCl. Under section 112 of the Clean Air Act, if a new source is going to emit more than 10 tons per year of any single HAP, or 25 tons per year of any combination of HAPs, then it is deemed to be a major source of HAPs and must apply the Maximum Achievable Control Technology (MACT). 42 U.S.C. § 7412. When WGC put together its application for its PSD permit, it believed that it was going to be subject to section 112, and it sought to avoid that sections consequences.⁷ Part of that effort resulted in WGC grossly underestimating its potential HCl emissions.

EPA has prescribed a formula for the calculation of a source's estimated emission of HAPs. The key factor in that formula is called the emission factor. For all but three HAPs (a total of 48), WGC turned to the Fifth Edition of EPA's Compilation of Air Pollutant Emission Factors, Volume 1: Stationary Point and Area Sources (AP-42). See DEIS, Appendix O, Table B-3. For one HAP, mercury, WGC relied on a "vendor estimate" to identify an emission factor. Id. For the final two HAPs, HCl and HF, WGC did not explain how it identified the appropriate emission factors. Id. WGC's calculations based on the emission factors that it chose for HCl and HF showed low enough emissions that it could avoid major HAP source status. Id.

WGC chose an emission factor for HCl—0.01 pounds per ton (lbs/ton)—that resulted in an estimated emission of HCl from the proposed facility of 5.37 tons per year. Id. The factor that it chose for HF—0.016 lbs/ton—resulted in an estimated emission of hydrofluoric acid of 8.58 tons per year. Id. However, WGC failed to explain how it identified those emission factors.

To appreciate why that failure is important, consider this: The emission factors for HCl and HF in the AP-42—the very source of 48 out of 51 of the emission factors that WGC used—are 1.2 lbs/ton and 0.15 lbs/ton respectively. Had WGC used the EPA numbers for HCl and HF, as it did for all other HAPs but one, the estimated emissions of HCl would have increased to over 641 tons of HCl per year and the estimated emissions of HF would have increased to over 80 tons of HF per year.

The only justification offered for the choice of the emission factor for HCl (found in an email exchange between WGC's engineers) demonstrates that the HAP analysis was fatally flawed. That email suggests that the HCl calculation should be performed using the 0.01 factor because that was the factor used in a contemporary permit issued in Illinois. However, the emission factor in the Illinois permit was measured in pounds per million BTUs (lbs/MMBtu). Two things

⁷ In 2005, however, EPA revised its Clean Air Act rules and exempted coal-burning power plants from the strictures of section 112. See generally 70 Fed. Reg. 15,994. That rule change is subject to an ongoing judicial challenge in the United States Court of Appeals for the District of Columbia Circuit.

RESPONSES

(*response to comment 92-018 continued*)

- The manufacturer of the WGC boiler, Alstom, has reviewed the proposed limits and, based on emission data from similar plants, determined that the system they provided for WGC would be capable of meeting the limits (due to propriety issues these technical data are not publicly available);

- Other similar existing plants using CFB units (e.g., Spurlock Power Station in Kentucky and Sevier Power Company in Utah) have permitted emission rates in the same order of magnitude of WGC's emission limit of 0.01 lb HCl/ton fuel (much lower than AP-42 [EPA, 1985] emission factors discussed later).

Consistent with these lower achievable emission rates, emission tests from the Southeast Steam Plant in Minnesota (air emission permit no. 05301050-011) exhibited a range of 0.0046 to 0.0075 lbs of HCl per ton of fuel. In this case, the permit emission limit is 0.054 lbs HCl/ton fuel, thus in actuality this facility is emitting at a significantly lower level.

- WGC reviewed publicly available information (e.g., EPA's National Coal-Fired Utility Projects Spreadsheet [EPA, 2007] and other data for recently permitted CFB projects) and used emission factors that accurately reflected the proposed technology being used for this project to determine the permit limits.

- WGC did not use AP-42 emission factors to determine the HCl and HF emission factors for their permit because these AP-42 factors are based on a 1985 document that WGC believes does not accurately reflect the advanced technology being used for this project. In addition these emission factors, as indicated in a footnote of Table 1.1-15 in AP-42 (EPA, 1985), are intended to encompass both controlled and uncontrolled emissions, indicating that these factors are representative of uncontrolled conditions that lie outside those of this project.

- WGC has recently tested random samples from the Anjean and Donegan fuel sources and estimated that the chlorine content of the coal refuse would result in annual emissions for HF and HCl emissions well below the threshold considered for a major source designation (URS, 2007).

Therefore, for all of these reasons DOE concurs with WGC that the emission limits listed in the air permit are both reasonable and attainable. More importantly they are enforceable.

DOE has reviewed the risk assessment data and assumptions, and has updated it to reflect most recent project data. The revised modeling results have been included in Tables 4.14-4 and 4.14-7 (Volume 1). Based on these revisions, Total Risk and the Hazard Index values are still well below the U.S. EPA criteria, and the conclusions presented in Section 4.14 of Volume 1 remain unchanged. New tables for the chemical-specific risks and hazards for each receptor are included in Appendix I.

Commenter 92 – Margaret Janes

in that email make clear that the unit involved in the Illinois permit—on which intervenor based its choice of its own emission factors—was lbs/MMBtu. First, that is how the unit is labeled in the email. In fact, a narrative statement by WGC's engineer uses that unit. He said, "We can try the 0.01 lb/MMBtu and DEP may ask us to justify why we cannot do [better]." Second, the email states that EPA's AP-42 factor for HCl is 0.05lbs/MMBtu. Recall that the AP-42 in lbs/ton is 1.2 lbs/ton. In AP-42, EPA states that it uses a conversion factor of 26 MMBtu per ton to convert lbs/MMBtu into lbs/ton. Using that conversion factor on AP-42's factor of 1.2 lbs/ton, EPA's AP-42 factor for HCl is 0.046 lbs/MMBtu. Thus, when WGC picked its emission factor, it was thinking in terms of lbs/MMBtu.

However, when it came time to calculate its emissions of HCl, WGC used a factor of 0.01 lbs/ton rather than 0.01 lbs/MMBtu. That is, it used a different unit than that it stated was used in Illinois. Based on WGC's numbers, it estimates the energy content of the gob to be 8.34 MMBtu/ton. Had WGC properly converted the Illinois factor from lbs/MMBtu to lbs/ton, as opposed to simply transposing the proper unit, it would have concluded that the Illinois factor in lbs/ton was 0.08341 lbs/ton. As a result, WGC underestimated its emissions of HCl by a factor of 8. That is, had it properly converted the factor that it purported to rely on to estimate its HCl emissions, WGC would have estimated its emissions of HCl to be 44.57 tons/year.

The result of this error is that WGC has grossly underestimated its HCl emissions. Converted back to lbs/mmBtu, in order to be able to compare apples to apples, WGC has represented that it will emit 0.00153 lbs/mmBtu of HCl. By comparison, of recently permitted facilities—excluding this facility—the Spurlock facility in Eastern Kentucky has the lowest HCl emissions rate, coming in at 0.0035 lbs/mmBtu. Thus, WGC estimates that it will emit approximately two and a half times less HCl than the Spurlock facility.

The Greene Energy Resource Recovery Project is another comparable facility. An examination of the permit for that facility—which has similar control technologies to those proposed for WGC facility and will burn similar fuel—reveals that that facility is permitted to emit 0.0067 lbs/mmBtu. Consequently, WGC estimates that it will emit less than one fourth of the amount of HCl that the Greene Energy plant is permitted to emit. There is absolutely nothing in the PSD permit record, such as an analysis of the chlorine content of the gob in the Anjean gob pile, to support WGC's HCl emission estimates.

The DEIS accepts WGC's underestimation of its HCl emissions without critique. The upshot is that the DEIS underestimates the health effects caused by the COPCs from this facility. Consequently, DOE must revise the DEIS, and remodel the risk assessment on COPCs.

The WGC project does not meet the CCPI 2010 emission criteria

The WGC project also does not meet the goals outlined by NETL and DOE for CCPI plants. The chart below outlines emissions goals for CCPI projects.⁸

⁸ http://www.netl.doe.gov/technicalpublications/externalpublications/CCPI_111803.pdf, slide 10 modified by adding emissions applicable to WGC from WVDEP CAA permit R14-0028.

RESPONSES**Comment: 92-019, Issue Code: D1**

The CCPI Program is open to any technology advancement related to coal-based power generation that results in efficiency, environmental, and economic improvement compared to currently available state-of-the-art alternatives (see new text in Section 1.2 of Volume 1). The program is also open to technologies capable of producing any combination of heat, fuels, chemicals, or other useful byproducts in conjunction with power generation. Coal for the demonstration process is required to provide at least 75% of the fuel energy input to the process. This provision ensures that multiple-fuel concepts such as co-firing are not excluded, but that a focus is maintained on coal-based power generation. Additionally, projects must show the potential for rapid market penetration upon successful demonstration of the technology or concept. WGC thereby qualifies to be part of the Round 1 CCPI projects.

Additionally, there are other factors required under the CCPI Program that the WGC Project meets. Factors considered in DOE's project selection process for Round 1 included the desirability of projects that collectively represent a diversity of technologies, utilize a broad range of U.S. coals, and represent a broad geographical cross-section of the United States. See General Response 4.1.1.

92-018
(continued)

92-019

Commenter 92 – Margaret Janes

	Reference Plant	2010	2020	WGC
Air Emissions	98% SO ₂ Removal	99%	>99%	98%
	0.15 lb/10 ⁶ Btu NOx	.05 lb/10 ⁶ Btu NOx	<0.01 lb/10 ⁶ Btu	0.10 lb/MMBtu
	0.01 lb/10 ⁶ Btu PM	0.005 lb/10 ⁶ Btu	0.002 lb/10 ⁶ Btu	0.03 lb/MMBtu
	Mercury (Hg)	90% removal	95% removal	
By-Product Utilization	40%	50%	near 100%	Not confirmed ⁹
Plant Efficiency (HHV)	40%	45-50%	50-60%	31.31% ¹⁰
Availability (time)	>80%	>85%	≥ 90%	
Plant Capital Costs \$/kW	1000-1300	900-1000	800-900	2193 ¹¹
Cost of Electricity	3.5	3.0-3.2	< 3.0	

Coal Refuse Pile Clean Up

The project is not needed to clean up gob piles. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the ones at Anjean, Joe Knob and Donegan. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund to clean it up. The taxpayer, through the CCPI, must not assume these costs and create another coal industry subsidy.

⁹ Claimed by-product utilization is based on unformulated and or unfunded third party projects.

¹⁰ The Plant Efficiency is not specified in the air permit, but assuming a maximum of 1070 MMBtu/hour and 98 MW generating capacity 1070 MMBtu is approximately 313 MW. If 98 MW is actually generated, the efficiency is 98/313 =31.31 %

¹¹ based on capital costs of \$215,000,000 and 98,000 kilowatts

RESPONSES

Comment: 92-020, Issue Code: D1, D4, E1
See General Responses 4.1.1 and 4.1.4. See also response to Comment 91-011.

Commenter 92 – Margaret Janes

RESPONSES

92-020
(continued)

The integration of power generation with remediation of coal refuse piles is not "novel". Similar projects have been in operation around West Virginia for almost 20 years. These include the MEA plant in Morgantown, Monongalia County and the Grant Town plant in Marion County. Numerous similar projects are proposed throughout Appalachia, in most cases without the need for federal funding. Thus, this justification for CCPI funding is not valid and is another reason to deny funding for the project.

Comment: 92-021, Issue Code: E2
See General Response 4.2.1.

Comment: 92-022, Issue Code: E4
See General Response 4.2.2.

Comment: 92-023, Issue Code: E2, E3, E4, E5

See General Responses in 4.2.2, 4.2.3, and 4.2.4. See also Sections 4.4.3.4 and 4.6.3.5 (Volume 1) for discussions related to potential impacts to water resources with respect to the proposed activities at the coal refuse sites.

92-021

The anticipated operating life of 20 years must be based on documentation of the availability of sufficient quality and quantity of fuel in the gob piles. We have previously commented (during scooping) on the history of overly optimistic assumptions about available fuel supplies. If the fuel supply is inadequate, many of the purported benefits from clean-up of these gob piles or the financial ability to repay the needed funding will not materialize.

92-022

Further, there is no information in the DEIS as to the specifics of the fuel procurement and refuse/AMD clean up plans. DOE has not taken an independent hard look at these activities but instead has relied on WVDEP to take full and final authority for this part of the project. (DEIS p. 2-31). WVDEP believes that the WGC Project *may* enable the state to finish reclaiming the sites more effectively (DEIS p. 2-31) but there are absolutely no details in the DEIS to confirm this belief.

92-023

There is no certainty that the WGC will actually improve conditions at these refuse sites. In fact, the DEIS states that during fuel extraction short term worsening of AMD and increased sedimentation is expected. (DEIS p. 4-6-8 and 3.4-18) The DEIS further claims that it is unlikely that metals will leach from the ash that will be returned to the sites because of the results of the TCLP leachate tests done on ash collected from burning Anjean refuse. No tests were from the other three sites are included in the DEIS. The TCLP tests, however, failed to use appropriate detection levels for selenium, mercury and lead in the leachate making the results nearly meaning less. In these cases the detection levels greatly exceed the water quality criterion. A downside of the TLCP procedure is that it does not reflect real world conditions. Weathering, acid rain, and the refuse pile itself will influence leaching from the ash overtime. Those factors must be reflected in the leaching procedure (such as in the use of a Synthetic Precipitation Leaching Procedure) so that the toxicity of the ash is accurately assessed. In addition, the use of the acid solution in the TCLP test is inappropriate for evaluating the leaching potential for oxy-anions such as arsenic. Leaching tends to be very slow at acidic or neutral pH, but is very rapid at alkaline pH, as may be expected in fly ash of FBC wastes. The Agency for Toxic Substances and Disease Registry specifically warns of the danger of liming mine tailings and arsenic contaminated soils because of the potential for mobilizing arsenic. (See: <http://www.atsdr.cdc.gov/toxprofiles/tp2-c6.pdf> at page 272). Even under the inappropriate conditions of the test, the TCLP values reported <0.069 mg/L) appear to potentially exceed the EPA Maximum Contaminant Level (MCL) of 0.01 mg/L for arsenic. Carcinogenicity of arsenic is well established, and numerous other adverse health impacts are well known. Similar risks occur with other toxic anions. It is certainly true that cations such as iron, aluminum, manganese and cadmium will exhibit reduced leaching potential under alkaline conditions, and the cementitious nature of FBC ash may reduce leaching further, but the DEIS is incorrect, at least with regard to arsenic and similar anions, when it concludes that "it is not

Commenter 92 – Margaret Janes

likely that they would be leached from the ash given the results of the TCLP analysis....". (DEIS p. 4.6-8)

Clearly, the leaching of heavy metals from the waste piles may adversely affect ground water or surface waters, and these may have adverse effects on both humans and wildlife. The U. S. Fish and Wildlife Service identified this as a concern when they stated in their July 8, 2004 letter, "The Service cannot recommend trading one environmental problem for another, potentially more serious one." (Appendix A of Appendix L) The DEIS should recognize that the TCLP test may be inappropriate for assessing leaching potential under alkaline conditions, and should fully explore the leaching potential of the full range of toxic metals from FBC and fly ash, prep plant spoils, and the remaining coal refuse pile materials under realistic conditions expected to occur at these sites. The DEIS should identify and assess the cost of additional mitigation measures that would be required if these tests demonstrate significant risks to human health or the environment.

In addition, the WVDEP agreed to explore the feasibility of extending the Refuse Clean Up MOU at the Anjean site to other forfeited or AML sites. The MOU's for the Joe Know, Green Valley and Donegan sites are apparently not even finalized and there is no information in the DEIS to reflect possible changes in the MOU for those sites.

While some iron will be extracted from the fuel at the prep plant there is no established market for the iron by-product (DEIS, -, 2-23) If no market is found, the iron precipitate will be landfilled or returned to the refuse pile. Because of the cost of landfill fees, the likely fate of the iron is the refuse pile where it may eventually contribute to AMD problems. In either case environmental harm may occur. This harm has not been assessed in the DEIS and the uncertainty of the outcome make it impossible for citizens to adequately comment on the project.

The DEIS refers to the complete removal of the refuse piles but due to the low BTU value of the refuse complete removal is not guaranteed and, in fact, unlikely (DEIS p.4.4-14 and 2-4). See comments below on fuel quality. For example at the Green Valley site, much of the refuse pile is part of an active mining project owned by Massey Energy. That portion of the refuse pile will remain intact as the existing prep plant for O-155-83 is located on the site. Complete extraction of the pile can simply not occur and the sponge like nature of the refuse fill coupled with the Colt Branch and seeps contained in the fill (CHIA O-10-83, p. 6) will not only complicate the fuel extraction process but also assure an increase in AMD during extraction. Hominy Creek, a trout water, is currently on the 303(d) list for iron impairment. (See WVDEP 2006 303(d) p. 16) As previously mentioned the disruption of the pile will likely make AMD worse in the short term and in this case will further threaten the trout fishery in Hominy Creek.

In addition, while the WGC is obligated to provide a performance bond for each phase of the Anjean work, there is no assurance that the bond will cover the cost of cleaning up disruption of the site if WGC fails. Bonds have obviously been insufficient in the past to cover the cost of clean up and we have no assurance the situation will improve.

The DEIS states that the objectives for the project include "remediating a significant environmental hazard" and "elimination of multiple coal refuse piles". (DEIS p 2-1) However,

RESPONSES

Commenter 92 – Margaret Janes

the specific environmental hazard is not specified or quantified, nor are criteria provided to define the standard to which remediation is to be achieved. In fact, sections 3.2.5, 3.2.6, and 3.2.7 describe three of the proposed sites as largely reclaimed, with trees and grasses already growing on them. Claims of eliminating the refuse piles are incorrect, as the project will, at best, replace the existing refuse piles with ash and CFB waste as well as wastes from the coal prep plants. More likely, significant portions of the waste piles will remain as not all of the waste coal will have sufficient Btu content to be useful as fuel. By describing the project as "eliminating" these piles, the DEIS misleads the public and DOE decision makers by promising benefits that will not be achieved. The DEIS should correctly describe the environmental hazards that will be "removed", provide milestones and timelines for environmental improvement and a detailed monitoring plan that will substantiate their completion and assure compliance with water quality standards.

92-023
(continued)

The information provided in the DEIS is inadequate to assure that the proposed waste coal sources will provide adequate quality and quantity of fuel to operate the plant for the required 20-year life of the project. (DEIS p. 2-4 to 2-8). If core drilling at two of the sites is still ongoing, it is clear that the DEIS is simply hoping that everything will work out. Given the history at other waste coal facilities, it is irresponsible to assume that adequate fuel is available. At the Grant Town facility in Marion County, developers expected a 30-year supply of fuel, but the usable waste coal was exhausted within 10 years. Some gob piles have been "picked over" for higher quality coal. In other cases, oxidation of waste coal and gob pile fires have consumed much of the fuel. DOE must not assume that adequate fuel is available until statistically reliable sampling has been done on each pile to demonstrate that adequate fuel reserves are present.

Fuel quality

The WGC Clean Air Act (CAA) permit limits fuel to waste coal. (*Sierra Club v Division of Air Quality*, 2006-03-AQB, 8/30/06, p. 51-52). The "performance coal," defined as the long-term average coal quality used to estimate annual air emissions, is assumed to have 4,170 Btu/lb. The plant can burn a lower Btu fuel and hourly emissions are based on a worst case "design coal" with 3,409 Btu/lb but that would result in higher emissions than allowed on an annual average. (see air permit R14-028). Thus, the "design coal" may only be burned to the extent it is offset by the use of higher quality coal to meet annual emission standards.

92-024

Table 2.4-1 of the DEIS outlines the characteristics of the refuse at the Anjean and Green Valley sites (DEIS, p. 2-30). The average HHV at Anjean is 4,184 Btu/lb and at Green Valley the HHV is 3,745 Btu/lb. These are weighted averages from a limited number of borings. WGC will have to assure that during fuel procurement it meets both the "performance" and "design" coal requirements throughout the year. This may be possible at Anjean, if perfect mixing occurred and if *none* of the refuse at Anjean falls below the "design coal" requirements. This appears to be impossible at the Green Valley site since the average HHV for the site is below the annual "performance coal" criteria. It is unclear how much refuse will actually be removed from these sites and how much benefit that removal will have on the pollution coming from the refuse piles. Also there is only an average HHV listed in the DEIS instead of minimum and maximum, standard deviations and other statistical data on the samples that were taken. Thus we do not know how much refuse tested below the "design coal" threshold of 3,409 Btu/lb at each site.

92-025

RESPONSES

Comment: 92-024, Issue Code: E2, F1
See response to Comment 89-010 and General Response 4.2.1.
Comment: 92-025, Issue Code: E2
See General Response 4.2.1.

Commenter 92 – Margaret Janes

If in fact as the DEIS describes, WGC intends to completely remove the refuse from the identified refuse piles, it would clearly necessitate the addition of newly mined coal and a major modification of its CAA permit. If WGC will only be removing refuse with appropriate design and performance values then it is obvious that significant amounts of refuse will be left at the sites. This falls short of what is claimed in the DEIS and also erodes compliance with CCPI goals. In addition, since the prep plant data indicates that the average yield will be approximately 40%. (DEIS, p.2-40) This means that 60% of what is actually removed from the sites will be returned to the refuse pile.

In addition, there is no data in the DEIS on the quality of refuse at the Joe Knob or Donegan sites. There is also no assurance that the refuse at the four sites will provide sufficient fuels to run for the 20 years of the project life. In that case where will the extra fuel come from? The lack of data, specific project goals, and milestones prevents citizens from thoroughly commenting on the fuel requirements of the proposed project.

The Prep Plant

In their air permit application, WGC concluded that coal cleaning was technically infeasible and would only reduce sulfur dioxide emissions to a small degree, a determination confirmed by WVDEP in their Preliminary Determination. The statements on page 2-34 that “WGC determined that the prep plant design would provide a significant reduction in capital cost with only a minor increase in operations and maintenance costs” and that “environmental impacts would be reduced by this alternative” are in direct contradiction to the statements WGC made, and WVDEP accepted, in their air permit application. WGC is clearly trying to have it both ways. The justification for the prep plant in the DEIS must explain why the Determination by WVDEP (that coal washing was not economically feasible) is incorrect, as well as justify the conclusion that the prep plant would not contribute to significant adverse environmental impacts.

The above section on fuel quality clearly explains the vital role the prep plant plays in attempting to meet the CCPI goals including: avoidance of using new coal, meeting performance and design coal requirements, mixing of refuse with ash, and removal of iron from the refuse. If the prep plant is not an economically viable commercial enterprise one of three things will happen: the third party vendor for the prep plant will never take on the project, WGC will have to take it on and absorb costs elsewhere, or the operator of the prep plant (WGC or third party) will go broke. Obviously this issue is key to implementing the project.

In the DEIS, however, there are no detailed plans on prep plant activities. The prep plant is another third party activity that receives such cursory review that citizens are unable to determine how or if the supporting activities carried out at the prep plant will occur.

Further, DOE must take a hard look at the environmental impacts of the prep plant. Releases of compounds used in coal cleaning have resulted in massive ground water contamination throughout West Virginia. Thus, prep plant wastes are not a trivial matter. DOE's analysis of the environmental impact of those wastes requires a supplemental EIS for the following reasons.

RESPONSES

Comment: 92-026, Issue Code: E1, E2, E3, E4, E5
See response to 91-024 and General Responses 4.2 and 4.1.4. The proposed prep plant operations are discussed in Sections 2.3.6 and 2.4.4 of Volume 1. Associated water resources impacts that address the issues raised in this comment are discussed in Sections 4.4.3.4 and 4.6.3.5 of Volume 1.

92-025
(continued)

92-026

Commenter 92 – Margaret Janes

One of the fundamental flaws with the DEIS is that it equates compliance with federal and state environmental laws and regulations with the absence of environmental impacts. See, e.g., DEIS at 4.3-1 (identifying eight conditions which would result in a significant impact on air quality, six of which are violations of environmental regulations). Such a conflation is unlawful under NEPA. See *Calvert Cliffs Coordinating Committee, Inc. v. U.S. Atomic Energy Comm'n*, 449 F.2d 1109, 1122-1123 (D.C. Cir. 1971) (vacating agency regulation that deemed compliance with federal and state environmental regulations to be sufficient to demonstrate no significant effect on the environment).

In *Calvert Cliffs*, the Court faced the question of whether a rule of the Atomic Energy Commission that limited the scope of the agency's NEPA review was lawful. Two aspects of the challenged rule are relevant to the DEIS currently before DOE. First, the rule prohibited the Commission from examining in a NEPA proceeding any water quality issues, instead deferring to state water quality standards. *Id.* at 1122. Second, the rule provided for the "abdication of NEPA authority to the standards of other agencies" by prohibiting the consideration of the environmental effects of activities regulated by other federal and state agencies. *Id.* The Court held that the challenged rule was "in fundamental conflict with the basic purpose of [NEPA]." *Id.* at 1123. The Court recognized that compliance with environmental regulation

"does not mean that [there will be] no environmental damage whatever. In fact, there may be significant environmental damage (e.g. water pollution), but not quite enough to violate applicable (e.g. water quality) standards. [Federal and state environmental] agencies do not attempt to weigh that damage against the opposing benefits. Thus the [requisite case-by-case] balancing analysis remains to be done. It may be that the environmental costs, though passing prescribed standards, are nonetheless great enough to outweigh the particular economic and technical benefits involved in the planned action. The only agency in a position to make such a judgment is the agency with overall responsibility for the proposed federal action—the agency to which NEPA is specifically directed."

The Court concluded that the Atomic Energy Commission, by "abdication[ing] entirely to other agencies' certifications[, had] neglect[ed] the mandated balancing analysis." *Id.* The consequence of the agency's neglect was that "[c]oncerned members of the public are thereby precluded from raising a wide range of environmental issues in order to affect particular [agency] decisions. And the special purpose of NEPA is subverted." *Id.* (emphasis added).

The DEIS similarly subverts NEPA's purpose. By abdication[ing] its responsibility to consider environmental impacts to other federal and state regulatory agencies, DOE has deprived the public of the opportunity to comment on the true environmental impacts of DOE's funding of the Co-Production facility. In each instance where DOE does this, it violates NEPA, and must prepare a supplemental EIS in order to comply with the law. No where is that more obvious than

RESPONSES

Commenter 92 – Margaret Janes

in DOE's consideration, or lack thereof, of the environmental impacts of the waste stream generated by the coal processing plant attendant to the Co-Production facility.¹²

According to the DEIS, the coal refuse will be beneficiated for consumption at a "portable" preparation plant that will be moved from refuse pile to refuse pile. DEIS at 2-22 to 2-23. The DEIS concedes that "[a]t this time, details regarding chemical inputs and the methods of storm water management at the beneficiation prep plant are uncertain. As stated in Section 2.4.4, it is assumed that industry standard coagulants, flocculants, and pH control inputs would be used as is typical in coal prep processing." DEIS at 4.4-14. Table 2.4-2 identifies some of the "industry standard" processing chemicals, more than half of which are hazardous. DEIS at 2-34. In fact, CAS 79-06-1 is acrylamide, identified by NIEHS as "reasonably certain to be a human carcinogen" and known to cause a range of nervous system disorders. However, discussion of the environmental impacts—including human health effects—of the chemicals used in coal processing is limited to statements such as "[t]he material and waste streams would be handled and managed in accordance with federal and state regulations." DEIS at 2-33. A lengthier, but equally substanceless, analysis can be found at page 4.12-7 of the DEIS:

"As stated in Section 2.4.4, it is expected that commercial coagulants, flocculants, and pH control inputs would be used during the coal prep process, and waste streams may also contain residuals of these chemicals. However the composition and quantities of these materials are unknown at this time. Some of the products that would be added during the coal cleaning process may become a waste that could meet the criteria of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Before disposal, any waste stream would be characterized to determine whether or not it qualifies as a hazardous waste. Hazardous wastes would be transported and disposed of or treated at a licensed hazardous waste treatment, storage, disposal or recycling facility as required under state and federal regulations."

(Emphasis added). Frankly, it is amazing that the environmental impacts of a carcinogen-laden waste stream from a federally funded action are given such short shrift.

¹²

It should be noted that information provided orally by a representative of Western Greenbrier at the public hearing on the DEIS conflicts with the information presented in the DEIS. Wayne Brown explained to several people that all of the coal refuse at each refuse site would be removed from the site and subjected to the beneficiation process. According to Brown, the refuse from the beneficiation process would then be mixed with ash from the Co-Production facility to neutralize the pH and returned to the refuse site. The DEIS, however, states that only coal refuse with a sufficient BTU heating value will be removed from the refuse pile and beneficiated. DEIS at 2-34. Before the final EIS is issued, the details of the beneficiation process must be resolved. That will require a supplemental EIS to inform the public of the environmental impacts of the settled-upon procedure.

RESPONSES

Commenter 92 – Margaret Janes

The deficiencies in the DEIS's discussion of the impacts of coal cleaning agents are threefold. First, as the DEIS acknowledges, the quality and quantity of the chemicals that will be used to beneficiate the coal refuse are unknown at this time. Quite simply, until those facts are certain, any analysis of the environmental impacts of the coal prep plant attendant to the Co-Production facility is premature and, consequently, inadequate. A supplemental EIS must be prepared that fully describes each of the compounds to be used, the volume of each needed, disposal requirements, and their direct and indirect environmental risks. The DEIS should not identify remediation of coal refuse piles as an environmental benefit, or assume that the process is environmentally benign, if it involves the use of large volumes of these hazardous chemicals.

Second, the DEIS's treatment of the environmental impacts of known carcinogens in the waste stream of the prep plant runs afoul of Calvert Cliffs. That case stands for the proposition that a federal agency cannot satisfy the requirements of NEPA by simply stating that a major federal action will meet federal and state environmental standards. Calvert Cliffs, 449 F.2d at 1122-23. Even assuming that the waste stream from the coal prep plant is handled in compliance with all federal and state environmental standards, there still may be significant, but not necessarily unlawful, environmental impacts. NEPA is not concerned with whether or not a particular environmental impact is lawful. Rather, the purpose of NEPA, as explained by the Calvert Cliffs Court, is to enable the federal agency to balance all the benefits of a federal action against all of the environmental impacts of that action, not just the unlawful impacts. Hence, DOE cannot comply with NEPA by blithely stating that the waste stream from the beneficiation of the coal refuse will be handled in accordance with federal and state environmental standards. Because the DEIS lacks any consideration of the true environmental impacts of the coal processing waste, a final EIS cannot be issued until the public has had the opportunity to comment on those effects. Hence, a supplemental EIS is required.

Third, relying on federal and state environmental standards to prevent significant effects on the environment where coal processing wastes are concerned is foolhardy at best. Had DOE considered the applicable regulations, rather than rote reciting them, it would have recognized that the federal and state standards with regard to coal processing waste are wholly inadequate.

DOE assumes that the Resource Conservation and Recovery Act (RCRA) will be sufficient to prevent environmental degradation from the coal processing wastes. Specifically, DOE contemplates the treatment of the coal processing wastes as hazardous wastes. However, that may be impossible under current law. The federal regulations promulgated under RCRA specifically exclude waste from coal beneficiation from the definition of hazardous waste. 40 C.F.R. § 261.4(b)(7). The upshot of that exclusion is that, even if the waste from the coal prep plant would otherwise meet the criteria of hazardous waste based on its characteristics, e.g., toxicity, it would not have to be treated as hazardous under RCRA. Consequently, DOE's reliance on the hazardous waste disposal standards to mitigate any environmental impacts of toxic chemicals in the waste stream of the coal prep plant is misplaced. DOE must, therefore, prepare a supplemental EIS addressing those impacts.

The DEIS is also inadequate in its discussion of the disposal of the tailings from the coal prep plant (prep plant spoils). DOE abdicates its NEPA responsibilities, stating that "the disposal of prep plant spoils would be addressed in the remediation plan for each coal refuse site, if after the

RESPONSES

Commenter 92 – Margaret Janes

spoils have been characterized and it is determined that the prep plant spoils would be properly disposed of at the coal refuse sites.” DEIS at 4.6-9. The remediation plans are to be developed by Western Greenbrier and approved by the West Virginia Department of Environmental Protection (WVDEP).

As discussed above, the prep plant spoils will not be characterized as hazardous-in-law, even if they are hazardous-in-fact, so it is virtually certain that those wastes will be returned to the refuse sites. Because DOE anticipates that only 40% of the coal refuse taken to the beneficiation plant will be usable, it appears that a significant percentage of the coal refuse removed from the refuse sites will, in fact, be taken back to the same refuse site. DEIS at 2-49.

The DEIS’s discussion of prep plant spoils is flawed in two ways. First, DOE’s abdication to WVDEP on the issue of the disposal of prep plant spoils run afoul of Calvert Cliffs, 449 F.2d at 1122-23. Second, DOE’s argument that the Co-Production facility’s use of coal refuse as a fuel source is a benefit for the environment cannot withstand scrutiny. Assuming the DEIS’s description of the process to be accurate (rather than that of Western Greenbrier officials, *see* note 1, *infra*), not only will Western Greenbrier leave coal refuse in the gob piles that is not of sufficient BTU heating value, but it will also return as much as 60% of the refuse that it does remove after beneficiation. The pH of that refuse may be neutralized by the addition of fly ash, but that does not address the leaching of toxic metals from the coal refuse, or other effects on surface or ground waters.¹³ Even if the burning of the gob piles is a net plus for the environment, it is not the panacea that it is represented to be in the DEIS. Consequently, DOE must prepare a supplemental EIS to address those issues.

Economic Viability

The likelihood of project success must be sufficient to justify taxpayer support through CCPI money or any other scheme. The DEIS does not take a hard look at the business expertise, financial resources or business plans of the participating municipalities. Referred to repayment agreements are not included in the DEIS. MOU details between WVDEP and WGC are not included. Tentative agreements or communications between WGC and vital third party vendors such as the operators of the prep plant are not revealed. DOE and WGC persist in including information about cement manufacturing but give no details on where the cement will be stored, how much will be produced, where or how it will be marketed, or how it will be transported to

¹³ The DEIS’s treatment of the potential for metal leaching from the ash returned to the refuse sites also establishes that the DEIS was prematurely issued and must be supplemented before DOE can issue a final EIS. The DEIS states that there is little likelihood that metals will leach from the ash based on the results of a toxic characteristic leaching procedure (TCLP) that was performed on ash from a trial burn of gob from the Anjean pile. DEIS at 4.6-8. However, the quality of the coal at each gob pile will vary, so the assumption that results from a TCLP on ash from the Anjean pile is representative of all of the ash that the Co-Production facility will generate may be invalid. That is, without conducting similar tests on ash from the other gob piles, the potential for toxic metals to leach from that ash cannot be known. Consequently, the environmental impacts of the use of that ash cannot be adequately considered. The ash from coal from the other gob piles must be tested and the results discussed in a supplemental EIS.

RESPONSES

Comment: 92-027, Issue Code: D4
See General Responses 4.1.2 and 4.2.2.

92-026
(continued)

92-027

92-027 {
(continued)

Commenter 92 – Margaret Janes

those markets. Without this information it is impossible for citizens to comprehensively comment on the project.

Water supply

The WGC Project will require 900 to 1200 gpm to operate. In order to meet that need, effluent from the Rainelle sewage treatment plant (RSTP) will be piped to the project site. All of the effluent will be used at the plant. The fact that the effluent will not be discharged to the river as it has in the past will exacerbate flow problems in the Meadow River. The remaining 300 to 800 gpm will come from deep wells and withdrawals from the Meadow River (DEIS, p. 2-37). Peak water demand for the project will be during summer months at a time when output from the RSTP is at its lowest (DEIS, p. 2-38). WGC is evaluating two options to address the remaining water needs: Option A where groundwater will be the secondary source of water and withdrawals from the Meadow River will be the tertiary source and Option B where withdrawals from the Meadow River will serve as the secondary source and ground water will be the tertiary source. WGC has identified Option B as the preferred alternative. (DEIS, p. 3-39)

In general, the water supply analysis is riddled with admitted data gaps – uncertain base flows, old flow data, uncertainty as to the surface ground water connection and stream recharge, uncertainty as to the relationship between superficial and deep ground water aquifers, lack of the results of longer ground water pumping test among others. These gaps make it impossible to analyze the WGC water supply strategy. In fact, this is exactly the type of critical data gap that requires a supplemental DEIS as noted earlier in the comments. It is our understanding that WVDEP also shares our concerns about the lack of data on these issues.

92-028

Surface Water – The DEIS claims that water withdrawals from the Meadow River down to 60% of base flow will not cause, “adverse water quality and aquatic habitat impacts,” (DEIS, p. 2-39) but fails to adequately substantiate this assumption. In fact, in another section the DEIS states, “[u]ncertainty on the details of the intake structure’s monitoring system, and state recommendations and limited hydrological data make it difficult to estimate the impacts at this time; however, for the purpose of this analysis this section examines the 60 percent threshold based on both annual average and seasonal averages.” (DEIS, p. 4-4-10) The DEIS further states, “[f]inal design for the power plant would require a closer evaluation of the maximum water demands and sources.” (DEIS, p. s-23). Essentially, the methodology presented in the DEIS is extremely flawed because there is insufficient data to bring the analysis.

The final base flow has yet to be determined. This makes adequately commenting on this section of the DEIS extremely difficult because the base flow will drive the model. (DEIS p. 4-4-10)
Prior to taking a hard look at water withdrawals, a complete instream flow analysis must be done. Neither DOE nor WGC have done such an analysis and this is a fatal flaw of the DEIS. At this point base flow will be based on sparse 25-year-old USGS gaging data gathered 2 miles away from the site at McRoss, W.V. (DEIS, p. 4-4-11) The DEIS also states that the WGC claim to maintaining the Meadow River in optimum condition relies on the river following the pattern outlined in Figure 4.4-6 which is based on that old sparse data. (DEIS p. 4-4-13). All of these assessments are flawed due to the lack of a flow analysis of the Meadow River.

RESPONSES

Comment: 92-028, Issue Code: G1

The Proposed Action does not include the withdrawal of 40 percent of the base flow of the Meadow River as indicated in the commenter’s analysis. Rather, WGC indicated in would not withdraw from the river when doing so would reduce the river flow to below 60 percent of the average annual flow. The maximum rate that WGC would withdraw from the Meadow River would be less than 2.7 cfs (1,200 gpm) which represents less than 1 percent of the average annual flow. Additionally, to ensure that withdrawing water from the river would not occur during stressed conditions (i.e., during drought conditions), the thresholds provided by WVDNR’s guidelines ensure that withdrawals would be limited to high flow conditions. See General Responses 4.4.1 and 4.4.2.

Commenter 92 – Margaret Janes

The DEIS also uses a basic Tennant model developed in 1976 where hydrographic information alone determines the impacts of water withdrawals on the Meadow River and “optimum flow.” Later modifications to the Tennant Model rely, “upon hydrographic information for decision processes but attempt to incorporate some amount of biological information, usually through consultation with professional fisheries biologists and aquatic ecologists.” (Gore Chapter, p. 9) but it doesn’t appear this happened in the DOE analysis. Relying on the Tennant model takes an extremely narrow look at river flows and values and fails to individualize the impacts of water withdrawals to a specific river or tailor the assessment to target species or uses (such as canoeing or bass fishing). The model assumes that each river is the same and each species requires the same habitat.¹⁴ The model was based on ten years of observation of salmonid habitat in Montana (with much different hydrology from West Virginia) and did not look at impacts on species important to the Meadow River.¹⁵

Also there, “is a wealth of research to indicate that hydrological variability is the critical template for maintaining ecosystem integrity.” (Gore Chapter p. 6) Any constant periods of withdrawals will have a tendency to minimize or perhaps totally eliminate that variability of flow and harm the ecosystem.

“In addition to the seasonal pattern of flow, such conditions as time, duration and intensity of extreme events, as well as the frequency and predictability of droughts and floods may also be significant environmental cues. The frequency, duration, and intensity of higher and lower flows can affect channel morphology and riparian vegetation, and thus change aquatic habitat. Indeed, the rate of change of these conditions is also important.” (Gore Chapter p. 7) Regardless of what model is used, long flow-averaging periods will mask this variability and have long terms consequences for the watershed.

The assumption that the Tennant Model can accurately predict the impacts to the watershed is basically flawed. Studies looking at the effectiveness of models of water withdrawals, “found that existing models generally address only part of the overall problem, such as watershed hydrologic response, channel hydraulics, sediment transport, water quality or ecological effects. No existing model by itself directly links a water withdrawal to ecological responses. Furthermore, no existing model addresses the broad range of potential ecological responses resulting from water withdrawal scenarios.”¹⁶

Researchers have developed newer models that more effectively assess the impacts of water withdrawals on rivers and on target organisms and activities. In order to model impacts of withdrawal those target uses must be identified. Black bass, small mouth bass, sunfish, musky and others are important species in the Meadow from Rainelle downstream to the mouth.¹⁷ In fact, the West Virginia Division of Natural Resources stocks this section of river with musky.¹⁸

¹⁴ Phone conversation between Dr. Jim Gore, University of South Florida and Margaret Janes of the Appalachian Center, 1/17/07.

¹⁵ Id.

¹⁶ <http://www.elc.org/wateruse/tools/limno/pdf/factsheet-screen.pdf>, p. 1.

¹⁷ Phone conversation between Margaret Janes of the Appalachian Center and Mark Scott of the WVDNR 1/5/07

¹⁸ Id.

Commenter 92 – Margaret Janes

In addition, the river is very popular with intermediate paddlers.¹⁹ The Meadow River also supports the flow of the Upper Gauley River, a major advanced boater tourist attraction.

Once target species and uses have been chosen appropriate flows should be determined. In the current case Dr. Jim Gore from the University of South Florida used an annual average base flow²⁰ to model the impacts of the proposed withdrawals. Annual average base flows were used because the DEIS indicated that it was an option being considered for use with the old Tenant model (DEIS, p. 4.4-10) and the information could be gleaned from the USGS McRoss gaging data. Dr. Gore used the Physical Habitat Simulation (PHABSIM) (Bovee 1982, and Nestler et al. 1989) that has in most instances replaced the use of older Tenant Model described in the DEIS.²¹

The results of his preliminary modeling showed the weighted useable habitat (i.e an estimate of the quantity and or quality of habitat in terms of surface area, bed area, or volume²²) for each species or activity over a variety of flows. (attached as Meadow WUA.) Based on these preliminary findings, the impacts to habitat from given water withdrawals as compared to that provided by annual average base flow or daily mean flow are graphed. (Attached as Meadow Comparisons.)

For example, for one target species, the small mouth bass, a 30-40 percent water withdrawal would result in about a 15% reduction of habitat for adult small mouth bass as compared to that provided by annual average base flow. Habitat loss will result in decreased productivity or survivability of the species even if only one small mouth bass age group is impaired.²³

In his report Dr. Gore explains these impacts:

In general, a loss of more than 15% of available habitat from existing conditions is considered to be a significant impact to the biological target; that is, to produce significant harm. I have based my preliminary analysis on this value. As is often the case, some life-stages or guilds or communities may actually appear to have an increased amount of habitat available when discharges are increased or decreased. This underscores the importance of a time-series analysis which allows the determination of the percentage of time (over the life-span of the organism) that the "improved" habitat might be available. For example, if decreased flows enhance spawning habitat for a target fish, but those decreased flows do not occur during the one or two month spawning period, it can not be concluded that decreasing flow any time is, in fact, improving habitat for the organism, if that same decrease results in a decline in habitat quality for all other

¹⁹ Id.

²⁰ Based on the USGS flow data from McRoss, WV.

²¹ Phone conversation between Dr. Jim Gore, University of South Florida and Margaret Janes of the Appalachian Center, 1/17/07.

²² See <http://www.fort.usgs.gov/products/Publications/15000/chapter4.html>

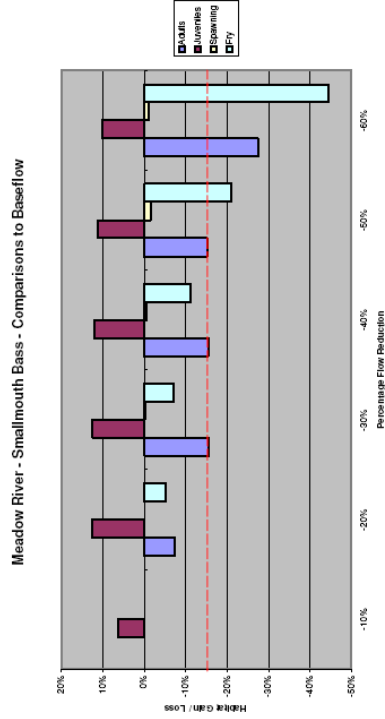
²³ Phone conversation between Dr. Jim Gore, University of South Florida and Margaret Janes of the Appalachian Center, 1/17/07.

RESPONSES

92-028
(continued)

Commenter 92 – Margaret Janes

life stages. Indeed, if all life stages are not equally supported under a given flow regime, one can assume that the ultimate effect will be to decrease the population success of that species. Thus, in the case of the smallmouth bass, for example it might be possible that decreases in flow might improve habitat for the juveniles and fry but provide significant loss of habitat for adults (see below, when comparing flow reductions from mean daily flows [in this case, there is a significant loss of adult habitat at a reduction of 20% and a concurrent increase in habitat for juveniles and fry while there is no impact to spawning, production of fry and juveniles, and the ultimate decline or loss of the population, regardless of the availability of improved habitat for other life stages. (Gore report p. 8)



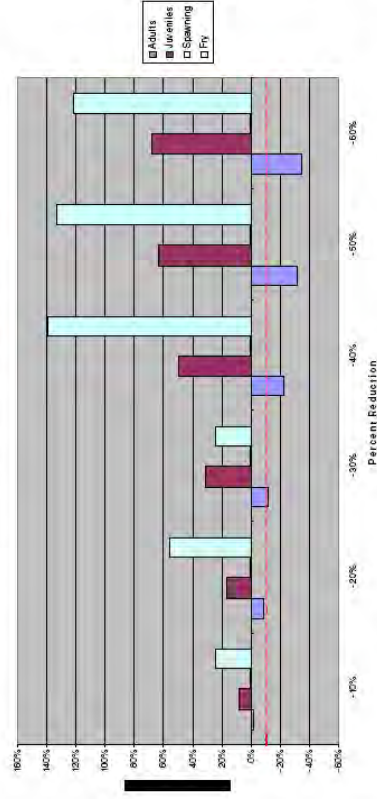
(Gore report p. 10)

Dr. Gore also evaluated WUA for small mouth bass if withdrawals were made to 60% of mean daily flow. (Gore p.9)

RESPONSES

Commenter 92 – Margaret Janes

Meadow River - Smallmouth Bass - Mean Daily Flow

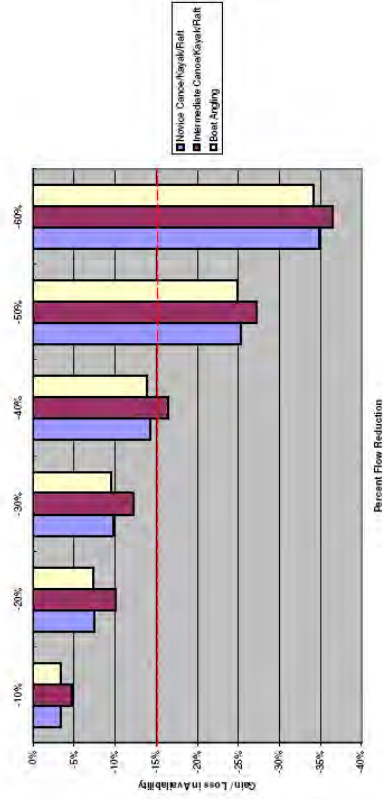


Here the *relative impacts* are far greater even though the withdrawals are actually of less volume.

Reductions from base flow will also significantly impact recreations opportunities.

92-028
(continued)

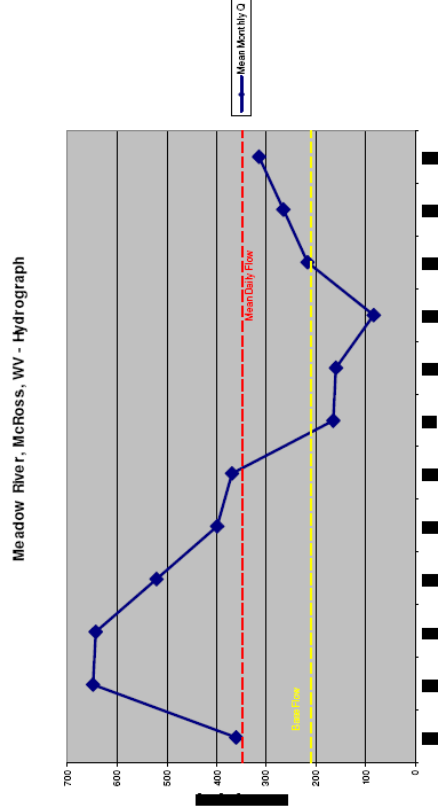
Meadow River - Recreational Boating - Comparisons to Baseflow



As is seen in the graph above (Gore report p. 13) intermediate boating will be significantly impacted as compared to that use at base flow as will other types of boating activities. While useful, the above graph compares recreational uses at base flow vs. the planned withdrawals below baseflow. The graph does not show the loss of use as compared to total actual flow.

Commenter 92 – Margaret Janes

The hydrograph below (Gore, Meadow Comparison) helps to understand that comparison by showing the relationship between base flow (i.e. ground water contributions) and mean daily flow and mean monthly flow (closer to actual flow).

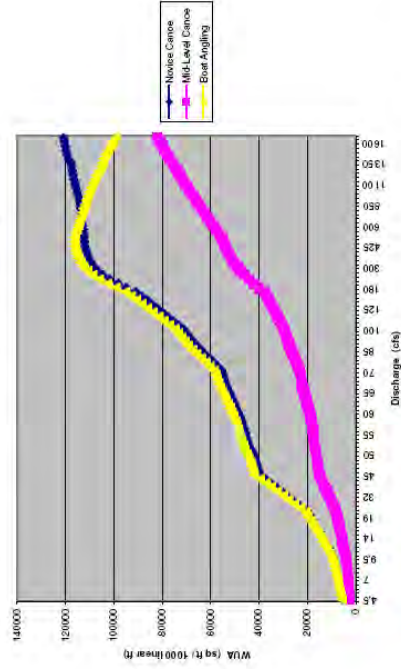


The 40% withdrawal from base flow discussed in the DEIS (p 4.4-10) would result in a river flow of approximately 120 cfs (40% of 200 cfs). It is important to compare that reduced flow, 120 cfs, not only to base flow but actual river flow as demonstrated in the graph above.

RESPONSES

92-028
(continued)

Commenter 92 – Margaret Janes
Meadow River - Recreational Boating



The graph above (Gore Meadow WUA) shows weighted usable area (WUA) for boating at different flows. At 120 cfs the WUA is approximately 33,300 (mid) and 80000 (novice/fish) sq ft/1000 linear ft. But the Meadow River ordinarily flows at rates of equal to or greater than 350 cfs at least 6 months of the year. At 350 cfs the WUA for boating would be 51,500 (mid), 110,000 (novice) and 114,000 (fishing) sq ft/1000 linear ft. This translates to, **at a minimum, a 35%, 27%, and 30% loss in WUA** over existing conditions for 6 months out of the year if the 40% withdrawals occurred as planned. The loss in usable area for recreation would obviously translate into a loss of actual recreation use and associated income.

At the end of his report on water withdrawals in the Meadow River Dr. Gore concludes: (Gore Report p 13-14):

Of particular interest is the potential loss of recreational boating capability if the proposed withdrawals are created. Many recreational industries consider even a 10% loss to have significant economic impact but the 15% line could potentially mean loss of up to two or more weeks of recreational rafting and kayaking during the peak use season. Again, this is based upon an assumed baseflow of 200cfs. If baseflow of 150 cfs is assumed, that loss occurs at a 20% reduction and if baseflow of 125 cfs is assumed, that loss occurs at a 10% reduction.

It does appear that the proposed withdrawals have the potential to impact several species of fish in the Meadow River as well as having an impact on recreational boating in the region.

Commenter 92 – Margaret Janes

Since this is a preliminary analysis, I suggest that, before a final decision is made to permit any withdrawal schedule, a complete instream flow, including minimum flow analysis, study be accomplished. This would require:

- Identification of one or more typical stream reaches to be analyzed. These would be reaches known to support the best fish communities in the potential impacted area and a reach typical of optimal recreational boating.
- A minimum of three surveyed data sets which include measures of cell-by-cell measures of depth, velocity, substrate, cover, and slope to be used in a formal PHABSIM analysis.
- A time-series analysis of 20 years of record of flows. These can be approximated by using other gaging records in the catchment and some approximations of groundwater and tributary input for the selected sites. Alternatively, a catchment analysis of rainfall and land-use and cover have been shown to be adequate estimates of an average hydrograph by using the SWAT model.
- Identification of target fish species, boating opportunities, and other flow-related criteria. If necessary, on-site development of habitat information for regionally specific species of interest.

This analysis will give the most reasonable opportunity to ascertain if any proposed release schedule will have an impact on fisheries and potential recreational use.

While these are preliminary findings, this is the type information that DOE must consider to take a hard look at the water withdrawals and the impacts on river uses and the local economy

In addition, the surface or ground water withdrawals also may impact the 7 q 10 flow of the Meadow River and thereby impact other NPDES permit limits in the area and be exacerbated by loss of the RSTP effluent.

Ground Water

John Hemple of EEI Geophysical, reviewed appropriate sections of the DEIS and information in Appendix D submitted by Papadopolus and Associates (the consultants) in order to evaluate potential ground water impacts from withdrawal. He concluded (Hemple Report):

- The consultants used an inappropriate model to assess impacts to the area's hydrology. (p. 2)
- The layout of test wells was not ideal for modeling the hydrologic conditions. (p.2)
- The consultants failed to monitor the Rainelle water well system, private wells or water level in streams during the pumping tests. (p.2 - 3)
- They failed to recognize the probable connections between surface and ground water and upper and lower hydrological units. (p. 2)

RESPONSES

Comment: 92-029, Issue Code: G1
See response to Comment 89-001.

Comment: 92-030, Issue Code: G2
DOE collected data, completed studies, and has conducted water resources impacts analyses to the extent practicable. Based on data from initial pumping studies, DOE conducted a 60-day aquifer test with additional monitoring wells to confirm the assumptions made in previous studies and in the Draft EIS analysis. This report is presented in Appendix D2 of the Final EIS. This study, and the impact analysis conducted in the EIS was performed in a scientifically sound manner and provides DOE with sufficient data for evaluating reasonably foreseeable impacts from groundwater withdrawals that would be associated with the Proposed Action. See General Response 4.4.2 and new text in Section 4.6.3.4 (Volume 1) for a discussion of the findings of the long-term pumping test report.

92-028
(continued)

92-029

92-030

Commenter 92 – Margaret Janes

- They failed to complete a fracture map – this is a “grave oversight”, (p. 2)
- They failed to “log the wells or determine what elevation or geologic unit provided the recharge water found entering the well bores,” (p. 2)
- They failed to recognize that some of the draw down water most likely originates from surface water or to require more thorough testing of this probability. (p.2 - 3)
- The data provided in the DEIS was insufficient to allow a commenter to replicate the DEIS findings. (p.3)
- The consultants failed to recognize or account for the degree of fracturing caused by both stress relief fractures *and* by tectonic fractures. (p. 1 - 2)
- The consultants failed to address the role of the large Sewell Creek lineament on the hydrology of the area. (p. 2)
- There is insufficient data to make conclusions about the impacts of the proposed ground water withdrawals including impacts to public or private wells. (p.3)

The deficiencies outlined by Mr. Hemple prevent DOE and citizens from taking a hard look at the ground water withdrawal plan. The lack of information is so serious it necessitates a major revision of the DEIS and another opportunity for public comment.

In the DEIS, DOE and the consultant admit to some of the same concerns about impacts and lack of data. The impacts of constant ground water pumping were evaluated only through short-term well tests. The results were then plugged into a model to simulate 25-year pumping at 760 gpm. The impacts were evaluated over a 50-mile radius. Early evaluations indicated significant drawdowns of the aquifer. The consultant concluded that, “additional testing may well indicate that long-term pumping at a rate of 760 gpm is not sustainable from the sandstone aquifer.” (DEIS, App. D, p. 8) Further, the DEIS states, “project related groundwater withdrawals could adversely impact the Rainelle water supply as indicated by ground water pumping tests. Therefore, WGC would ensure that the power plant maintains an adequate supply of process water without adversely affecting the Rainelle water supply and local private wells. Final design for the power plant would require a closer evaluation of the maximum water demands and sources.” (DEIS, p. s-23)

Based on the ground water short term pumping test results and the potential threat to public and private drinking water supplies, WGC prefers Option B that uses ground water as a tertiary source of water. As demonstrated in the section above, however, planned surface water withdrawals will likely harm the uses of the Meadow River. WGC and the DEIS, however, have failed to carefully study the connection between ground and surface water and address their interconnectivity. The choice of Option B and the independent analysis of ground water and surface water imply that these two resources are completely partitioned. This is not the case and the connection between the two is critical information that has yet to be determined.

Even if ground water serves as a tertiary source of water, more data is needed to substantiate the impact of intermittent pumping of significant amounts of water. Ground water is likely to be used as a tertiary source at a time when surface and ground water are stressed and RSTP discharges are low due to low flow or drought. (DEIS p. 4.4-13) In addition in the ground water assessment, the consultant failed to evaluate the cumulative impacts of pumping 100 gpm at the prep plants (which falls inside the 50-mile study area). (DEIS, p. 4.6-9) This additional water

92-030
(continued)

RESPONSES

Commenter 92 – Margaret Janes

use is significant and DOE must take a hard look and assess the impact of the additional water withdrawal.

The DEIS has failed to take a hard look at the connection between ground and surface water and the impacts of ground water pumping on surface water levels – specifically, impacts to the Meadow River when it is at 60% of its base flow or to Sewell Creek. DOE's state of knowledge on that connection is outlined in the DEIS, "[t]he deep aquifer may discharge into the Meadow River, located north and east of the study area; however, it is also possible that the deep aquifer does not discharge to any of the nearby surface water bodies." (DEIS, P/ 3.6-10) Also the DEIS describes the uncertainty as to the relationship of the sandstone aquifer and the Meadow river – does the river recharge the aquifer or does the aquifer recharge the river? (DEIS, p. 4.6-7)

Further in assessing the impacts of ground pumping on surface water levels, the DEIS has already admitted a likely connection between surficial and deep aquifers. "However, it is likely that vertical stress-relief fractures at the valley walls provide a conduit for water to flow from the shallow regolith aquifer into the deep fracture controlled aquifer." (DEIS, p. 36-8 to 9) This is important because the ground water recharge for surface water resources has to come from one or the other. If there are connections between the two - over time, deep ground water aquifer depletion will also deplete the surficial ground water and result in additional impacts to surface water flow. Further, the DEIS has not even mentioned the impacts of ground water pumping on smaller Meadow River tributaries.

This concern is supported by an extensive USGS study in Rhode Island carried out in cooperation with the state water resources board due to concerns about water supply and water withdrawals. USGS found, "[n]early all of the ground water withdrawn is derived from depletion of streamflow in the rivers, brooks, and ponds that overlie the surficial aquifer." (USGS p. 62) And further, "[b]ecause withdrawals deplete streamflows in the study area, the total amount of ground water that may be withdrawn for public supply depends on the minimum allowable streamflow criterion that is applied for each basin." (USGS, p 1.)

This means that in a number of watersheds you cannot do both - draw down surface water to critical levels and then proceed to draw down the ground water that is supporting that flow. This underlines the need to fully understand the connection between surface water and surficial and deep aquifers. The DEIS states there are ongoing studies that consider the relationship between the aquifer and the Meadow River but they are not included in the DEIS (DEIS, p.4.4-14) In addition, "there are still some uncertainties related to how the aquifer would behave over long periods of time (particularly as a secondary source) and under certain stresses (e.g. droughts)" (DEIS, p. 4.6-4). This information, while not included in the DEIS or available to the public, is fundamental to an understanding of the environmental impacts of the project and the ability of WGC to protect drinking water sources and the Meadow River watershed.

The DEIS fails to outline what WGC would do if ground water and surface water resources, as is very possible, were both stressed at the same time. The DEIS has failed but must analyze the economic and environmental consequences of this potential outcome. The failure to take a hard look at ground water and its connection to surface water is not only a fatal flaw of the DEIS but prevents citizens from adequately commenting on the water quantity issue.

92-030
(continued)

RESPONSES

Commenter 92 – Margaret Janes

92-031

In addition, there is no information on the distribution or depth of private wells, or even the depth of all of the community wells. (DEIS p. 4.6-7) Without this information it is impossible for DOE to take a hard look at the impacts of ground water pumping or for citizens to adequately address the issue.

Water withdrawals will threaten the uses and economy of the Meadow River

The popular whitewater runs on the Meadow River begin at Rainelle and extend downstream to the mouth of the Gauley. The Meadow then flows into the Upper Gauley at the top of what's often regarded as its most difficult rapid. Maintaining the flow of the Meadow River is important to maintaining the flow of the Gauley River especially in its upper reaches.

92-032

These stretches of river are enjoyed by thousands of tourists including boaters and fishermen. The proposed withdrawals of ground and surface waters threaten the uses of both rivers and the tourist economies they support. In 2004, the Gauley River and Greenbrier Valley Region generated over 500 million dollars in tourism spending.²⁴ Greenbrier County alone generated over 230 million.²⁵ Clearly, tourism is a significant economic engine in this region. DOE must but has failed to take a hard look at the economic trade offs that will take place if the project moves forward. This failure is a significant flaw in the DEIS and necessitates a major revision once all of the water data has been collected and evaluated and the economic impacts can be thoroughly assessed.

The WGC NPDES permit

92-033

To our knowledge and belief, WGC has not yet applied for a NPDES permit to discharge pollutants to the Meadow River watershed. Assuming there will be a discharge the heat and pollutants will further exacerbate the stresses on surface water and these impacts must be considered in the DEIS.

CO2 emissions and global warming

92-034

The DEIS must either identify mechanisms for sequestering greenhouse gases, or take a hard look at the environmental consequences of the emission of greenhouse gases from the facility. Because coal gob has a relatively low BTU content, many more tons of CO₂ and other pollutants are released per unit of electricity generated than from other fuels. It is absurd for DOE to claim that the steam and hot water that may be used by future EcoPark tenants mitigate for this impact. (DEIS p 4.3-20) The EcoPark has no assurance of even having tenants and if they existed those tenants would be new users of energy and not eliminate existing CO₂.

In addition, regulations related to global warming such as a carbon cap or carbon tax are inevitable and will probably be implemented in the near future. By building a CFB plant and not

²⁴ Dean Runyan Associates, "Economic Impact of Travel on West Virginia 2000-2004 Detailed State and County Estimates," June 2005, p 21.

²⁵ Id. p 30

RESPONSES

Comment: 92-031, Issue Code: G2

A discussion of existing wells was provided in Section 3.6.4 of Volume 1 and shown in Figure 3.6-5. Additional well data has been included in that section (Volume 1). See also General Response 4.4.2.

Comment: 92-032, Issue Code: G1

See General Response 4.4.1.

Comment: 92-033, Issue Code: H1

See General Response 4.5 and response to Comment 90-006.

Comment: 92-034, Issue Code: F1, F4

As described in Sections 4.3.3.2 and 4.16.2 of Volume 1, carbon sequestration is not favorable for CFB technology. See General Response 4.3.2 and responses to Comments 91-007 and 91-052.

Commenter 92 – Margaret Janes

92-034 { (continued) Having a global warming offset plan, WGC increases the financial risks of complying with these new regulations.

Flooding

92-035 { While the DEIS admits that flooding in Sewell Creek will be made worse by the activities at the power plant (DEIS p. s- 16), DOE fails to take a hard look at this impact and what it will mean to the community along Sewell Creek. It is insufficient to claim that the impacts are below FEMA guidelines especially since DOE did not assess the cumulative impacts from anticipated third party activities. Maps included in the DEIS show that the proposed EcoPark is totally within the 100 year flood plain and building, fills or impervious surfaces at the park will likely make flooding even worse. (DEIS Figures 3.5-3 and 3.11-1)

Community and other impacts

The DEIS outlines a litany of potential community impacts but fails to take a hard look on how those impacts will actually impact the community or the state.

92-036 { *The EcoPark* – The Greenbrier Valley Economic Development Center already owns a 34-acre industrial park that includes a 30,000 sq ft vacant building adjacent to the proposed EcoPark. (DEIS p. 3.9-7). Funding for the project came from USDA Rural Development, Governor's Community Partnership Grant and the Greenbrier County Commission. The total investment for this project was \$425,000. (<http://www.gvedc.com/Progress2000CFLPDE>, p. 10). We believe the EcoPark will potentially compete with the existing industrial park for tenants because of excess industrial park capacity in the area. The DEIS must consider the economic impacts of this competition including the undermining the investment of other state resources.

92-037 { *Transportation* - The DEIS states that during business hours there will be a truck entering or leaving the plant on average every 2.5 minutes. (DEIS p. 2-40) This increase in traffic will cause noise, pollution, increased accident risks and traffic congestion for local residents. In addition, the proposed trucking assumes 80,000-pound trailers, but the associated roads are not designed or built to carry these weights. This implies that funding the plant would have the effect of tearing up existing roads, and create general havoc. Although the West Virginia Legislature authorized coal trucks to carry these excessive loads, funding to upgrade the roads has never been provided. At a minimum, the DEIS should identify road destruction and accident risk as significant adverse impacts of a decision to fund the facility and take a hard look at the impact.

92-038 { The assumption that coal and ash hauling trailers would carry 40 tons each assumes that the designated roads are able to carry such loads. (See DEIS, p. 2-40 and Table 2.4-4, 2-50, 3.13-2, 3.13-3) Most state highways are designed to carry maximum loads of 65,000 pounds, and the design limit is actually considerably lower on some of the poorly surfaced, narrow mountain roads in the area. The reliance on the state's legal limit means that the DEIS has failed to analyze the actual impact that these monster trucks have on the designated roads. Furthermore, the estimate of 12,600 tons per week for fuel is significantly below the fuel usage rate for the "performance coal specified in the air permit. The air permit assumes 122 tons per hour, or

RESPONSES

Comment: 92-035, Issue Code: H2
See General Response 4.6.

Comment: 92-036, Issue Code: D4
As stated in Section 3.9.4 (Volume 1), the Greenbrier County Strategic Comprehensive Development Plan has an economic objective to strongly encourage the development of public infrastructure improvements to support economic development. The WGC Project would represent such an improvement that may provide incentive to attract commercial and manufacturing operations to increase the county's industrial base as stated in Section 4.9.3.2 (Volume 1). The Greenbrier Valley Economic Development Corporation has been working to recruit new industries in Greenbrier, Monroe, and Pocahontas Counties, and the Western Greenbrier Industrial Park in Rainelle is only one of its properties. In the absence of incentives provided by infrastructure improvements, there have been few prospects to attract commercial and industrial tenants to the area; hence, excess capacity currently exists. Given this excess capacity, it is unlikely that the EcoPark would be developed by private investors unless the prospects for attracting additional tenants became favorable. DOE's decision for this EIS is whether to provide cost-shared funding to demonstrate a technology of interest for the CCPI Program. The potential for economic stimulus in the private sector locally is a matter for speculation that has been evaluated in the Draft EIS to the extent practicable and appropriate.

Comment: 92-037, Issue Code: I
See General Response 4.7.

Comment: 92-038, Issue Code: I
See General Response 4.7 and response to Comment 91-029.

Commenter 92 – Margaret Janes

RESPONSES

92-038 (continued) { 20,496 tons per week for the “performance coal”. Periods during which the “worst case” or “design coal” would be used would require 157 tons per hour or 26,376 tons per week. The use of low tons/week values, combined with the use of overweight trucks means that the DEIS underestimates the number of truck trips that would be required and ignores the damage to roads from overweight trucks. The DEIS should be amended to accurately estimate the number of truck trips, and should not assume overweight loads would be appropriate on these narrow mountain roads.

Comment: 92-039, Issue Code: J
See responses to Comments 91-035 and 91-059.

Comment: 92-040, Issue Code: L1, L2, O
Impacts to Protected Species and Habitat, and Wetlands were discussed in Section 4.7.3 of Volume 1. To expand on biological impacts, new text has been added to that section (Volume 1). New text has been added also in Section 4.7.4 that discusses WGC’s current status with the wetlands encroachment permit and mitigation.

Comment: 92-041, Issue Code: J

See responses to Comments 91-035 and 91-059. Additionally, WGC intends to use hand-held, two-way radio devices rather than outdoor public address systems for on-site communications.

92-039 { The criterion for significant impact allowing an airblast up to 133 dB is highly inappropriate near a residential area. (DEIS p. 4.15-1 – 4.15-2) This noise will disrupt sleep and deprive property owners of the use and enjoyment of their property. These instantaneous loud noises are the most disruptive to humans, because there is no opportunity to acclimate to them. The DEIS should identify an appropriate protective standard and prohibit any noises louder than 90 dB daytime, and 80 dB at night. The use of an L_{dn} criterion of 60 dBA is highly inappropriate for residential areas, schools, churches, or other noise-sensitive sites. Since many areas along Rt. 60 already experience unhealthy levels of noise, an increase in noise levels must be considered as a significant adverse effect and mitigation measures must be required. In addition, adequate monitoring and enforcement of noise standards should be required. Since the WV Public Service Commission has minimal enforcement ability, a noise complaint plan should be imposed and WGC should be required to provide compensation to adversely affected residents.

Transmission Corridor

92-040 { The construction of a new transmission corridor will adversely impact migratory and resident bird and bat populations. The DEIS should but has failed to evaluate the potential for bird and bat kills due to collisions and mitigation measures to protect bird and bat populations must be included.

In addition the DEIS fails to assess the impact to wetlands along the transmission corridor. The Summary Section of the DEIS (p s-18) refers to impacts to approximately 5 acres of wetlands from construction of the transmission line but there is no assessment of these impacts later on. The detailed assessment in the DEIS, however, is limited only to the .23 ac wetland impacts from the plant itself. (DEIS p 4.7-6)

In the Public Notice Bulletin for the WGC 404 permit²⁶, the Corps describes the WGC impacts to water of the U.S. as 3.33 acres including: .509 acre of forested wetlands, 1.557 acre of emergent wetlands, .4 acre of scrub-shrub wetland, .08 acre of stream channel and .786 acre of open water. These fill impacts have not been but must be addressed in the DEIS. Further functional mitigation of these losses to achieve the national no net loss goals must be assured.

Noise

92-041 { The noise criteria presented are inadequate to protect the public from adverse impacts as they are, at best, crude guidelines to identify serious adverse health effects associated with hearing

²⁶ Issued by the Huntington District Army Corps of Engineers on January 10, 2007.

Commenter 92 – Margaret Janes

loss or severe stress. But numerous studies show that noise can contribute to adverse health impacts at levels well below these sound levels, particularly when occasional loud noises interrupt sleep, or startle people during concentrated activities, or are designed to be deliberately annoying and attention-getting. The L_{eq} and L_{dn} standards are based on averages from continuous noise measurements, and even the L_{10} values do not account for the occasional very loud noise that occurs on an infrequent basis. While an L_{10} of 60 or 70 dBA may seem protective, the facility could generate noise levels in excess of 130 dB from an occasional loud bang whistle, or steam release, and not violate these standards. Imagine a shotgun blast going off outside your bedroom window once an hour all night long. If the average noise level remained below the L_{eq} or L_{dn} standard, this would not be considered an adverse impact under the guidelines identified here. Yet the persons exposed to these sounds would still be awakened from a sound sleep, or exhibit severe startle or fear responses. Persons exposed to these sounds multiple times per week may develop problems associated with severe nervous reaction, sleep disorders, or other adverse health effects. These noise guidelines may be appropriate for more or less continuous highway sounds, but they do not account for the occasional very loud noises that occur at coal-fired power plants. Because they do not occur on a constant or regular basis, there is no opportunity for people to acclimate to them. In addition, some types of noises are specifically designed to be as attention-getting as possible. The beeping of back-up alarms on trucks, emergency sirens, public address systems, or loudspeakers are all sounds that can be very annoying, and to which people are unlikely to become acclimated. The DEIS should identify noise as an extremely undesirable impact associated with coal-fired power plants. The loss in adjacent property values, and the loss of the use and enjoyment of nearby properties must be evaluated and described as significant impacts, and mitigation or compensation should be required.

The Viewshed

The decision to limit the Area of Potential Effects for impacts on the viewshed to only 0.75 miles is inappropriate (DEIS p 2.2-2), as it ignores the long distance from which such a large facility can be seen. This severely biases the analysis and results in the DEIS ignoring the visual impacts to a designated National Scenic Highway, US Route 60, also known as the Midland Trail. This is a major tourist destination for vacationers and recreational drivers, and the scenic vistas that attract these tourists are not the views of power plants or industrial facilities. Yet because the human eye tends to be disproportionately drawn to human artifacts, the dominant impression of the scenic drive becomes that of the power plant instead of the many miles of beautiful vistas. As such, the DEIS greatly underestimates the true visual impact of the facility. The DEIS should be rewritten to take a hard look at the visual impacts of the project.

In addition, the visibility analysis falsely asserts that the four distant recreation areas constitute all of the Class II areas affected by the facility. (DEIS p 4.2-4 – 4.2-5) In fact, all of Rainelle is classified as Class II, and the impacts to visibility here would be significantly greater than identified in the DEIS. The DEIS should evaluate the visibility impacts throughout the Rainelle area and consider the worst-case impacts. In addition, the impacts to the recreational areas mentioned are likely to be more severe than described here. The source of the meteorological data is critical to the ability of a model to evaluate visibility impacts. The DEIS should be

RESPONSES

Comment: 92-042, Issue Code: K
See response to Comment 91-036.
Comment: 92-043, Issue Code: K
See response to Comment 91-037.

92-041
(continued)

92-042

92-043

Commenter 92 – Margaret Janes

modified to describe the source of the data and to incorporate more conservative assumptions if on-site meteorological data have not been used at each location.

Soils

The conclusion that no adverse effect on soils or vegetation would occur is incorrect. (DEIS p. 4.3-21 - 4.3-22). The recent draft management plan for the Monongahela National Forest identifies large areas of the Forest as having poorly buffered soils that are highly susceptible to acid deposition. In fact, much of the Forest is already so heavily impacted that management may require restrictions on timber harvest or other management activities. Thus, any additional acid deposition will adversely affect the soils and vegetation of these poorly buffered areas. While the EPA criteria may be appropriate for soils with higher buffer capacity, they do not adequately account for site-specific impacts in this region. High elevation habitat for northern hardwoods, red spruce, and hemlock are particularly susceptible. The US Fish and Wildlife Service states in their letter of July 8, 2004: "The cumulative impacts from acid deposition may have a detrimental impact on this type of habitat (especially those found at higher elevations and colder temperature regimes)." (DEIS App A of App L). The DEIS should evaluate effects of air pollutants on soils and vegetation using appropriate criteria for the highly sensitive sits in this region, or conclude that the impacts are significant.

Mercury

The DEIS fails to address the health and environmental impacts of additional inputs of mercury into the environment. According to the WV Dept. of Health, all streams in the state have fish consumption advisories due to high levels of mercury contamination. Additional releases from the plant, regardless of how small, result in increased risks from mercury to humans and piscivorous birds and mammals. The DEIS must but has failed to take a hard look at this issue.

Conclusion

For all of these reasons the DEIS does not comply with NEPA and a second supplemental DEIS must be completed with an opportunity for public comment. It is imperative that an adequate alternatives analysis must be performed and that the supplemental DEIS contain the significant information currently unavailable to the public. This supplemental DEIS must be issued before funding for the project is authorized.

Sincerely,

Margaret Janes
Appalachian Center for the Economy and the Environment
5640 Howards Lick Rd
Mathias, WV 26812
mjanes@hardvnet.com
304-897-6048
fax 304-897-7110

RESPONSES

Comment: 92-044, Issue Code: F2, M
See General Response 4.3.3 and response to Comment 91-043.

Comment: 92-045, Issue Code: F2

See General Response 4.3.3.

Comment: 92-046, Issue Code: C

DOE has taken a hard look in evaluating reasonably foreseeable effects on the human environment in the EIS. Where specific information has been incomplete or unavailable, DOE has proceeded in accordance with 40 CFR 1502.22 to evaluate the reasonably foreseeable impacts of the Proposed Action. See also General Response 4.8 regarding uncertainties in the EIS. DOE does not believe a supplemental EIS or a re-issuance of the Draft EIS is warranted.

Commenter 92 – Margaret Janes

Included by reference and attached are:

1. Dr. Jim Gore, University of South Florida, Modeling results including: (1) Meadow WUA and (2) Meadow Comparisons, January 15, 2007.
2. Gore, J.A., and J. Mead. 2007 The Benefits and Risks of Ecological Models to Water Resource Management Decisions. *In: D. Harper, M. Zalewski, S.E. Jorgensen, and N. Pacini (eds.) Ecology: Processes, Models and Case Studies. An approach to the sustainable management of water resources.* CABI Publ., [Oxford University Press]. (IN PRESS), Chapter on The Benefits and Risks of Ecological Models to Water Resource Management Decisions.
3. Dr. Jim Gore, Report "Preliminary Analysis of Potential Impacts from Flow Reductions: Meadow River at McRoss, WV," January 17, 2007.
4. CV of Dr. Jim Gore
5. John Henple, RPG # 000576G, "Expert Disclosure Report: In the Matter of the Western Greenbrier County Production Demonstration Project," January 17, 2007.
6. George Jenkins, WVDEP, CHIA for mining permit O-10-83
7. Gregory E. Granato, Paul M. Barlow, and David C. Dickerman, *Hydrogeology and Simulated Effects of Ground-Water Withdrawals in the Big River Area, Rhode Island*, Water-Resources Investigations Report 03-4222, USGS available at <http://pubs.usgs.gov/wri/wri034222/>

RESPONSES

Commenter 93 – Charles E. Brabec

>>> "Charles and Nancy Brabec" <thebrabecs@earthlink.net> 1/17/2007 12:09 AM >>>
Dear Mr. Spears:

The U.S. Department of Energy (DOE) should not fund the Western Greenbrier Co-Gen Project.

The proposed plant would not meet minimum Clean Air Act requirements and it would harm the environment of the Meadow River and the surrounding area.

The plant will need hundreds of gallons of water per minute to operate. WGC plans to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining the river and lowering the water table, which would affect local wells. Consultants admit that there may not be enough groundwater. Also WGC didn't count the water withdrawal from the newly proposed prep plant wells.

Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the river.

The proposed plant would also impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches - caused by displacement of floodplain.

Many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the projects will never be realized.

One of the claimed project benefits is to clean up mine waste (gob piles). The coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund for clean up. Current and past landowners are also responsible for cleanup. Taxpayers should not pay for the cleanup.

Because coal gob has a relatively low BTU content, many more tons of carbon dioxide and other pollutants are released per unit of electricity generated

RESPONSES

Comment: 93-001, Issue Code: F4

See General Response 4.3.1.

Comment: 93-002, Issue Code: G1, G2

See General Responses 4.4.1 and 4.4.2.

Comment: 93-003, Issue Code: G3

See General Response 4.4.3.

Comment: 93-004, Issue Code: H1

See General Response 4.5.

Comment: 93-005, Issue Code: H2

See General Response 4.6.

Comment: 93-006, Issue Code: D4

See General Responses 4.1.2 and 4.1.4.

Comment: 93-007, Issue Code: E1

See General Responses 4.1.4 and 4.2.2.

Comment: 93-008, Issue Code: F1

See General Response 4.3.2.

Commenter 93 – Charles E. Brabec

93-008 {
(continued) {
than from other fuels. DOE failed to consider the plant's contribution to global warming.

93-009 {
The project will add much noise, dust and traffic to the area. If the plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.

93-010 {
It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices.

93-011 {
West Virginia already produces more electricity than it needs and citizens of southeastern WV should not be forced to breathe the pollution generated from yet another coal-fired power plant.

For these reasons, I ask the DOE to deny funding for this wasteful and dirty project.

Sincerely,

Charles E. Brabec
P.O. Box 273
Canvas, WV 26662-0273

RESPONSES

Comment: 93-009, Issue Code: I, J
See General Response 4.7.

Comment: 93-010, Issue Code: D1
See General Responses 4.1.1 and 4.1.4.

Comment: 93-011, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

Commenter 94 – Liz Garland

January 17, 2007

Mr. Roy Spears
USDOE, NETL
3610 Collins Ferry Rd.
P.O. Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears,

The West Virginia Rivers Coalition (WVRC) is submitting the following comments in regarding The Western Greenbrier Co-Production Demonstration Project proposal (Project). WVRC has concluded that the Draft Environmental Impact Statement (DEIS) is inadequate, and further believes that the project should not be funded. American Whitewater (AM) concurs with our position. AW is a national organization that has represented whitewater resources and those who enjoy them since 1954. WVRC is a statewide organization, with broader membership, devoted to the conservation and restoration of West Virginia's exceptional waterways. Our concerns are summarized in the following paragraphs.

Gob piles for fuel source. The Project proposes that the use of gob piles as fuel is a benefit. Indeed cleaned or stabilized gob piles throughout West Virginia are beneficial but the Project does not provide adequate assurance that the overall health of the gob pile sites will be improved.

It must be adequately demonstrated that new sources of acid mine drainage are not created, and pollutants typical of gob pile sources such as selenium and iron are not leached at the sites. The proposed gob piles are in drainage systems other than the Project site and healthy trout waters could be impaired.

Citizens should have assurance that the effort of burning these coal wastes will not create harmful emissions that would outweigh the supposed benefits of using gob pile waste. It does not appear that the Project has weighed the potential burdens of emissions specific to the gob piles.

If the Project is authorized to use gob pile waste, taxpayer's federal funds from DOE should not be used in the action of acquiring, using and remediating these gob piles. Mechanisms already exist to pay for gob pile clean-ups and they are funded by the responsible parties—coal companies and land owners, not citizens.

Mercury. Mercury is only one pollutant that will be discharged from the Project but it is notable to the users of West Virginia's waters. Currently all the states streams are subject to a health advisory related to mercury because of coal fired power plants. The DEIS has

RESPONSES

Comment: 94-001, Issue Code: E3, E4
See General Responses 4.2.2 through 4.2.5.
Comment: 94-002, Issue Code: F1
See General Responses in Section 4.2.
Comment: 94-003, Issue Code: E1
See General Response 4.1.4.
Comment: 94-004, Issue Code: F2
See General Response 4.3.3.

94-001

94-002

94-003

94-004

Commenter 94 – Liz Garland

not sufficiently addressed the impact of the Project's added contribution to West Virginia's mercury load.

94-004 {
(continued)

Flooding. Although the DEIS mentions the potential for additional flooding on Sewell Creek because of the Project, it does not measure what the impact of the flooding will be on the community and river environment.

94-005 {

Eco-park impacts. The Project touts the residual benefits of an industrial park but does not include the Eco-park in its environmental evaluations. If the Project effectively supports the park, it will add environmental degradation that is not measured in the DEIS. Additional flooding, water use and thermal pollution from the growth of an industrial park should be considered as a part of the Project's cumulative impacts.

94-006 {

Water supply and in-stream flow impacts. Because the Project's primary source of water, the Rainelle sewage treatment plant, is insufficient, the Project proposes using water from the Meadow River. The DEIS on one hand says that limited data and uncertain plans make it difficult to properly define the impacts of reduced flows in the Meadow, and on the other hand says that withdrawals as much as 60% of base flow will not cause adverse water quality conditions. It is difficult to imagine that 60% reduction of any water source would not lead to ecological impacts.

For the constituents of WVRC and AW, flow in the Meadow River is not only about the health of the aquatic and riparian habitats, but also about a core of West Virginia's largest growing economic sector—the whitewater industry, and specifically the Gauley River. The Meadow River is one of the state's finer whitewater runs and offers three prime sections respected across the nation by intermediate, advanced and expert boaters. A 60% withdrawal in any whitewater section of the Meadow would greatly minimize the recreational opportunities of boaters across the nation. Further, the Meadow is the single largest tributary feeding the notorious upper Gauley River. This section of whitewater is known by boaters across the world and has been home to international competitions as well as the center point of a five year advertising campaign by the state. The Gauley River is host to the state's largest commercial whitewater business.

94-007 {

A proper assessment of impacts on flows is critical to understanding the impact on the whitewater opportunity on the Meadow and Gauley Rivers. The DEIS does not provide this information and significant data collection will be required to properly perform such an assessment.

94-008 {

The same assessment is needed to better understand the impacts on fisheries. Despite the Project's assumption that ecological impacts are unlikely, DOE should be assured that at least cumulative impacts of reduced flows and thermal changes will harm an important fishery.

94-009 {

Additionally, the Project proposes alternative groundwater withdrawals. It is not clear how much groundwater and surface water flows are interconnected in the project area but the Meadow River is well known for its in-stream cave features therefore it is very likely

RESPONSES

Comment: 94-005, Issue Code: H2

See General Response 4.6.

Comment: 94-006, Issue Code: P

Some of the potential aspects of the third party ash byproduct facility (in the EcoPark area) were included in the evaluation of some of the environmental impacts, including impacts on air, flooding, wetlands, traffic, and noise. The development of the EcoPark is considered a connected action and cumulative impacts associated with the EcoPark were discussed in Section 4.16 of Volume 1.

Comment: 94-007, Issue Code: G1

See General Response 4.4.1.

Comment: 94-008, Issue Code: G1, H1

See General Responses 4.4.1 and 4.5.

Comment: 94-009, Issue Code: G1, G2

See General Response 4.4.2.

Commenter 94 – Liz Garland

94-009
(continued)

that groundwater depletion and surface water depletion will be strongly correlated. Groundwater stability should be assessed in the DEIS for the benefit of those dependent upon wells or springs for water supply, and for its impact on the Meadow's overall flow.

Conclusion. *Clearly the water resources of the Gauley watershed are at risk from the Project—because of poorly planned use of gob pile waste, because of mercury, thermal and potentially many other sources of pollution, and most notably because of direct water withdrawals and cumulative water use burdens on project area water resources.*

94-010

In its current state, WVRC and AW believe the Project should be denied. If an improved and thorough, new or revised, DEIS were permitted for the Project it must include: 1) sufficient analysis of flow impacts on the Meadow, Gauley and by flooding at Sewell; 2) gob pile impacts from fuel use, remediation and handling of the coal waste at the gob sites and the Project site; 3) measure of the burden of additional mercury on the state's already impaired waterways; and 4) the cumulative impacts of associated projects such as the Eco-park. Because any revised DEIS would require substantial change in order to be sufficient, any new or altered DEIS must be subject to full opportunity for public participation.

Based upon the DEIS under consideration, the West Virginia Rivers Coalition and American Whitewater request DOE deny the Western Greenbrier Co-Production Demonstration Project.

Thank you for accepting our comments. And, WVRC appreciates that you agreed to accept public comment beyond the original January 17, 2007 deadline. WVRC, AW and our constituents look forward to a response summary document.

Sincerely,

Liz Garland, Executive Director
West Virginia Rivers Coalition
329 Davis Ave., Suite 7
Elkins, WV 26241
lgarland@wvrrivers.org

On behalf of:
Mark Singleton, Executive Director
American Whitewater
P.O. Box 1540
Cullowhee, NC 28723
mark@amwhitewater.org

RESPONSES

Comment: 94-010, Issue Code: C

The Draft EIS was made available for public review for 45 days. According to 40 CFR 1506.10(c), "the public review and comment period on a draft EIS shall be no less than 45 days."

See General Response 4.8. According to 40 CFR 1502.9, a supplemental EIS is required if, "The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." Therefore, DOE does not intend to issue a supplemental EIS for the WGC Project at this time.

Commenter 95 – Brian Rahall

>>> "Brian Rahall" <brahall@suddenlink.net> 1/17/2007 10:00 AM >>>

Dear Mr. Spears,
I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60. The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water-Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project.

Sincerely yours,

Brian Rahall
308 East Prince Street
Beckley, WV. 25801

RESPONSES

Comment: 95-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2 and 4.5.

Comment: 95-002, Issue Code: I
See General Response 4.7.

Comment: 95-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.

Comment: 95-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.

Comment: 95-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 95-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.

Comment: 95-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.

Commenter 96 – Deborah Merritt

>>> "deborah merritt" <dmerritt31@yahoo.com> 1/17/2007 12:47 PM >>>

Dear Mr Spears,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. I believe that this planning is flawed in not only the design of the project but also the huge environmental impact. West Virginia should make smart choices when it comes to our future, and I believe this is not a smart choice for WV, economically or environmentally.

Regards,
Deborah Merritt

96-001

RESPONSES

Comment: 96-001, Issue Code: B
Comment noted.

Commenter 97 – Allen Stump

>>> "Allen Stump" <allen@smymna.org> 1/17/2007 1:00 PM >>>
Dear Mr. Spears,

97-001

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. As I understand this, the WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. The purpose of this plant is to burn only gob pile waste coal. I am concerned about a possible huge environmental impact. West Virginia has been called the Colorado of the east due to our wonderful scenic mountains and rivers which provide wonderful opportunities for recreational activities such as hunting, fishing, skiing, ATV riding and boating. Our wilderness is a blessing to our own people and a strong incentive to bring in out-of-state tourists. West Virginia, to keep this image and even improve it, must make smart decisions when it comes to our future and I feel this is not a smart choice for West Virginia. Your consideration in this matter is greatly appreciated.

Sincerely yours,

Allen Stump
Wyoming County)

RESPONSES

Comment: 97-001, Issue Code: B
Comment noted.

98-001

Commenter 98 – Donald W. Beyer

>>> "Don Beyer" <DBeyer@wsgarch.com> 1/17/2007 1:05 PM >>>
I am totally against this coal-fired power plant project. As a whitewater enthusiast, I strongly object to the adverse environmental impacts to the Meadow River. I would not want to see water levels decreased or otherwise controlled nor do I want to see changes in the natural water temperatures. This project will not benefit the people that are paying these high prices. These kinds of areas should be protected.

Donald W. Beyer, P.E.
Williamson Shriver Architects
717 Bigley Avenue
Charleston, WV 25302
Phone 304-345-1060
Fax 304-345-3693

RESPONSES

Comment: 98-001, Issue Code: G1, H1
See General Responses 4.4.1 and 4.5.

Commenter 99 – Paul A. Schulte

>>> "Paul Schulte" <pschulte1970@yahoo.com> 1/17/2007 1:10 PM >>>
Dear Mr. Spears,
I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob-pile waste coal. I think this planning is flawed in not only the design of the project but also the huge environmental impact. WV should make smart choices when it comes to our future and I think this is not a smart choice for WV.

Regards,
Paul A. Schulte

99-001

RESPONSES

Comment: 99-001, Issue Code: B
Comment noted.

Commenter 100 – Skip Heater

>>> "new and gauley river adventures " <adventure@gauley.com> 1/17/2007 1:14 PM >>>
I believe the DOE should not fund this project!!!

From: new and gauley river adventures [mailto:adventure@gauley.com]
Sent: Wednesday, January 17, 2007 1:08 PM
To: roy.spears@netl.doe.gov
Cc: adventure@gauley.com
Subject: power plant Rainelle

Hey Roy,

This project needs to be further studied to determine impacts on Meadow River, recreation, plant life, fish & wildlife, impact on local ground water and people with wells such as myself. Not to mention air pollution of all sorts of toxic emissions. West Virginia and her residents have long been used and continue to be abused by king coal! Lets not destroy the West Virginia we have left, nor sacrifice our health, and environment for distant consumer energy needs.

Best Regards

Skip Heater

New & Gauley River Adventures

POB 44

Lansing WV 25862

800-759-7238

304-574-3008

www.gauley.com

adventure@gauley.com

RESPONSES

Comment: 100-001, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.
Comment: 100-002, Issue Code: F
See General Response 4.3.2.

100-001 {
100-002 }

Commenter 101 – Ben Curnett

>>> "Ben Curnett" <ben_curnett@hotmail.com> 1/17/2007 1:15 PM >>>
Mr. Spears,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

101-001

101-002

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

101-003

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality.

Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

101-004

101-005

101-006

I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to

101-007

RESPONSES

Comment: 101-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2, and 4.5.
Comment: 101-002, Issue Code: I
See General Response 4.7.
Comment: 101-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.
Comment: 101-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.
Comment: 101-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 101-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.
Comment: 101-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.

101-007 {
(continued)

Commenter 101 – Ben Curnett

spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project.

Sincerely yours,
Ben Curnett

RESPONSES

Commenter 102 – John Brown Harris

JOHN BROWN HARRIS
RT. 2, BOX 261A
LEWISBURG, WV 24901

January 17, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

Ref: Western Greenbrier Co-Gen

Gentlemen:

We ask that the DOE deny funding of the Western Greenbrier Co-Gen plant, for the following reasons:

- 102-001 { • There is nothing new or innovative about the plant's pollution control devices. In fact, there is NO SCRUBBER!
- 102-002 { • Taxpayers should not have to pay for cleaning up old gob piles when the current and past landowners can be held responsible. Besides, there is money in the Federal Abandoned Mine Land Fund (AML) to pay for the cost of moving and treating the piles.
- 102-003 { • DOE has failed to consider the plant's contribution to GLOBAL WARMING.
- 102-004 { • There is insufficient water to run the plant without seriously depleting the groundwater and KILLING MEADOW RIVER! Meadow River is an important fishery and is very popular with whitewater enthusiasts.
- 102-005 { • The pollution will result in a decrease in real estate values.
- 102-006 { • The plant's materials handling system does not take into account the size consist and moisture content of the coal to be recovered from the gob piles.
- 102-007 { • The gob piles are on fire.
- 102-008 { • The citizens will be forced to breath polluted air and the plant will add mercury poisoning to an area that already has a fish consumption advisory.

There is no argument against an economic revitalization of Western Greenbrier County. However, this proposed power plant is just the wrong way to do it. For many good reasons, we respectfully ask and pray that the DOE *deny funding* for this wastefull and dirty project.

Sincerely,

John Brown Harris
jharris@bhgc.com
office: 540.962.6612

RESPONSES

Comment: 102-001, Issue Code: D1
See General Responses 4.1.1 and 4.3.1.

Comment: 102-002, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Comment: 102-003, Issue Code: F1
See General Response 4.3.2.

Comment: 102-004, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Comment: 102-005, Issue Code: K
Impacts to property values are discussed in Section 4.9 of Volume 1.

Comment: 102-006, Issue Code: E2, F1
See General Responses 4.2.1 and 4.3.2.

Comment: 102-007, Issue Code: E
See General Responses 4.2.1 and 4.2.2.

Comment: 102-008, Issue Code: F2, F3
See General Responses 4.3.2 and 4.3.3.

Commenter 103 – Andrew Must

>>> "Andrew Must" <andrewmust@gmail.com> 1/17/2007 3:23 PM >>>

Dear Mr. Spears,
I am a life long resident of West Virginia and feel a strong bond to both the culture and the environment. I have witnessed firsthand the destructive and unfortunate practices that have decimated much of our formerly pristine mountain ecology and similarly reduced much of our population to poverty, both psychologically and financially. While the proposed Rainelle plant will not rely directly upon newly extracted coal it still falls fully within the outdated and primitive model of fossil fuel combustion and will cause considerable localized pollution, not to mention contribute even more CO2 to the atmosphere per kilowatt hour than a conventional coal fired power plant.

103-001

While it is certainly true that something must be done about gob accumulation, it seems absurd to suggest burning it as a solution. Firstly, burning the gob piles will only eliminate a portion of the gunk, as there will still be countless tons of ash byproduct. Secondly, combustion cannot be considered elimination since it simply transfers solid matter to atmospheric carbon monoxide, sulfur dioxide, nitrogen oxide, mercury, etc. There will be no "elimination" of these gob piles; the damage is already done - the coal has been extracted and burned, creating immense piles of waste and a shamefully destructive Appalachian legacy. The best we can do now is find a benign and perhaps even useful way dealing with these gob piles. The least we can do is stop thinking of Appalachia merely as a resource pit from which the nations power can be derived - at the expense of the health and well being of local citizens. Any reduction in the burning of fossil fuels will be a step in the right direction for both West Virginia and the nation.

103-002

Imagine deciding to turn solid waste gob piles into breathable carcinogenic air pollution and calling it a solution, and spending a huge amount of money in the process! There is obviously something wrong with this picture. Surely someone or some people stand to gain much from this proposed plant, but, as has been the case for over 100 years in WV, it is not the population at large. Is it not time to think about those who will actually feel the effects of such proposed projects? Is it not time to consider those who think of our home as more than a means to produce energy and profit? You have an opportunity, by disallowing this project, to set a healthy precedent for future development in our state. There are exciting alternatives to coal which would not only reduce environmental degradation but also provide meaningful employment for the people of West Virginia. It is time, before it is too late, to change the socioeconomic direction of our state. Please do all you can to prevent this project from proceeding.

103-003

Thank you,
Andrew Must
Lobelia, WV

RESPONSES

Comment: 103-001, Issue Code: F1
See General Response 4.1.1.
Comment: 103-002, Issue Code: E4
See General Responses 4.2.1 and 4.2.3.
Comment: 103-003, Issue Code: F1, D2
See General Responses 4.1.4, 4.3.1, and 4.3.2.

Commenter 104 – Naomi W. Cohen

Western Greenbrier Co-Production Demonstration Project

Comments on Draft Environmental Impact Statement (EIS)

Naomi W. Cohen
Representing myself
117 E. Washington St.
Lewisburg, WV 24901
e-mail: nwc@care2.com

I have been a resident of Monroe County since 1975. I owned and operated a construction company (residential and light commercial) for 29 years (1975 – 2004). I am a principal shareholder and officer of the Sweet Springs Valley Water Company, a locally owned company which bottles and delivers Monroe County spring water to homes and businesses in West Virginia and Virginia.

I am not opposed to the construction of “clean coal” power plants in principle, but I am writing to ask the Department of Energy (DOE) to DENY THE FUNDING for the Western Greenbrier Co-Production Demonstration Project at Rainelle, WV on the following grounds:

The DOE proposes to provide 50 per cent (approximately \$ 107.5 million) of the total estimated funding of this project through the Clean Coal Power Initiative. This is an inappropriate use of these funds which are intended to be used solely for projects that use innovative pollution control technology. There is nothing new or innovative about the pollution control devices that will be used by this plant. The plant as designed will not meet the minimum requirements of the Clean Air Act. The fact that the proposed boiler system has a “40 per cent smaller footprint than a conventional boiler system of similar capacity” has nothing to do with producing electrical power with clean coal technology.

The WGC Demonstration Project was presented and “sold” to the community with the promise of several auxiliary benefits, i.e. an attached “eco” industrial park, production of ash based by products, e.g. Woodbrik products, production of cement, sale of hot water and steam for agricultural activities and greenhouses. These proposed enterprises have no current funding and/or market. Current indications are that most, if not all, of these auxiliary enterprises will never materialize. Therefore, they are just window dressing to sell the project and without clear proof of their financial viability the DOE should not consider them as a factor in evaluating the WGC Demonstration Project.

The proposed facility is designed to burn waste coal, the primary source of which would be the 4 million ton refuse site in Anjean, WV, but this site may not be available, and in any case “blending with quality coal” would be required for additional heating value requirements. Cleaning up the coal waste piles with Clean Coal Power Initiative funds from taxpayers is an inappropriate use of this money since the coal industry as well as current and previous landowners are obligated under law to pay into the State’s Special

RESPONSES

Comment: 104-001, Issue Code: D1, F4
See General Responses 4.1.1 and 4.1.4.
Comment: 104-002, Issue Code: D4
See General Response 4.1.2.
Comment: 104-003, Issue Code: E1
See General Response 4.1.4 and responses under General Response 4.2.

104-001

104-002

104-003

Commenter 104 – Naomi W. Cohen

104-003 { Reclamation Fund to clean up these coal waste piles and remediate acid mine drainage discharges.
(continued)

104-004 { DOE did not consider the plant's contribution of tons of CO₂ to the problem of global warming. Coal gob has a low BTU content relative to other fuels and coal fired power plants in general are some of the worst culprits in the emission of CO₂ as well as other pollutants per unit of electricity generated. West Virginia produces more electricity than it requires and we do not need to breathe the pollution generated by another coal fired power plant or the several additional ones planned for the area in addition to the Demonstration Plant.

104-005 { There are serious water quantity and quality problems raised by the proposed WGC Demonstration Project. The plant will require hundreds of gallons of water per minute to operate. The WGC plans to take this water from nearby wells, the Meadow River and the treated effluent from the Rainelle Sewage Treatment Plant. The WGC plant could potentially drain the river and lower the water table, which would affect local water supplies. Consultants for the WGC have admitted that there may not be enough groundwater. The WGC project will discharge heated effluent into the Meadow River as well as withdraw water from the river, which will have significant harmful impact on the aquatic life in the river. Unless the WGC project can be shown to have NO serious adverse impacts on water quantity and quality the DOE should deny funding.

104-007 { Finally, if there is to be a "Clean Coal Initiative" demonstration project, the citizens of the Greenbrier Valley are entitled to have a truly clean and innovative project, with the latest and best available technology and not a second class, dirty, wasteful project. Why should West Virginians and residents of the Greenbrier Valley be treated worse than citizens of other states. We deserve the best, not the same old dirty coal fired power plants that are already ruining our health and our environment. Only a truly clean, cutting edge technology plant will help coal and coal fired power plants survive the challenges posed by global warming and be an economic boon to the community for many years to come. The future viability and profitability of this plant will also be impacted negatively if taxes or fees are imposed in future years on industrial operations that are huge carbon emitters.

For all of the above reasons, DOE should deny funding to this project until the above stated problems have been solved.

RESPONSES

Comment: 104-004, Issue Code: F1, D3
See General Responses 4.1.3 and 4.3.2.
Comment: 104-005, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.
Comment: 104-006, Issue Code: H1
See General Response 4.5.
Comment: 104-007, Issue Code: D1, D4
See General Response 4.1.1.

Commenter 105 – William E. Deegans
COMMENTS ON THE U. S. DEPARTMENT OF ENERGY
WESTERN GREENBRIER CO-PRODUCTION DEMONSTRATION PROJECT
DRAFT ENVIRONMENTAL IMPACT STATEMENT

BY

WILLIAM E. DEEGANS

While I find the Alstom Power's CFB Steam Generator an intriguing and possibly viable design and I concur with the proponents' objectives of stimulating the economy in western Greenbrier County and alleviating much of the acid mine drainage at the Anjean gob deposit, the proposed Western Greenbrier Co-Production Demonstration Project is, as presented in the Draft Environmental Impact Statement (EIS), ill-conceived for the following reasons:

1. The siting in Rainelle is inappropriate:

- (a) The water supply is not adequate and, under normal conditions, could destroy the community's municipal water supply over the 20-year life of the project. In the case of droughts, the water supply could be deficient for both the community and the project. As noted in the EIS, "...the aquifer that underlies Rainelle is the sole source of drinking

105-001

RESPONSES

Comment: 105-001, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Commenter 105 – William E. Deegans

water for the residents of Rainelle, and any impact to this reserve must be considered very carefully.” Also, as the EIS states, the aquifer “is highly fractured, very well connected hydrologically, and has limited storage capacity.”

105-001
(continued)

(b) The proposed location, within the city limits of Rainelle, will have an adverse impact on the health and well being of its residents. While I recognize that the project developers will buy a few of the nearest residences, the plant is still unreasonably close to many other residences, a retirement home, a health clinic, and a public school.

105-002

The residents of Rainelle will be exposed to an increase in air emissions from the plants and from trucks transporting gob, coal, limestone, and chemicals, from fugitive dust from the plant, and noise from the plant and trucks. Moreover, the residents of Rainelle will live under the risk of potential chemical spoils at the storage facilities or during transportation of chemicals to the plant.

© Depending on truck transportation of fuel and chemicals to the plant and waste away from the plant. The original conception of the project indicated that rail would be used instead of trucks and emissions, traffic, and possibly noise would be reduced. Since the fuel is located on or near rail lines, it would make sense to locate the plant adjacent to a rail line.

105-003

RESPONSES

Comment: 105-002, Issue Code: F3, I, J
See General Responses 4.3.2 and 4.7.

Comment: 105-003, Issue Code: I
See General Response 4.7.

Commenter 105 – William E. Deegans

(d) A transmission corridor will have to be built to serve the plant. An alternate location could place the plant close to an existing corridor and reduce both the cost and environmental disturbance.

105-004

(2) At the outset, the developers of the project indicated they would incorporate state of the art emissions control technology. As the project is described in the EIS, the developers will no longer do this. In a county with a high level of lung diseases, it is imperative that the project include the best available emissions control technology.

105-005

(3) The project developers initially presented the eco-park as a component of the project to offset some of the environmental deficiencies of the plant. However, as noted in the EIS, there are no plans to develop the eco-park.

105-006

The EIS has not given much attention to the impact that air emissions will have on vegetation. As noted in the EIS, the timber industry is a major component of Greenbrier County's economy. The impact the propose plant will have on the future growth of trees must be carefully studied. I am the principal owner of a tree farm in Charmco, approximately five miles from the proposed plant location. I am very concerned about the impact the plant's emissions and resultant acid rain will have on our soils.

105-007

RESPONSES

Comment: 105-004, Issue Code: O

Due to factors as discussed in Sections 2.2.7 and 2.4.8 (Volume 1), WGC has evaluated all transmission corridor options and has determined that Option C is their preferred option (new transmission corridor segment).

Comment: 105-005, Issue Code: D1

See General Response 4.3.1.

Comment: 105-006, Issue Code: D4

See General Response 4.1.2.

Comment: 105-007, Issue Code: F2

See General Response 4.3.3.

Commenter 105 – William E. Deegans

As presented, the risks of the proposed co-generation plant are too great for the sizeable investment required by the Department of Energy and other government agencies. I recommend that the DOE direct the developers of the project to find a more suitable site and resubmit a revised plant for review.

Respectfully submitted,

William E. Deegans
Box 564
Lewisburg, WV 24901
(304) 645-1566
deegans@charter.net

RESPONSES

Commenter 106 – John C. Neely

>>> "John Neely" <johnneely18@yahoo.com> 1/17/2007 4:06 PM >>>
Dr. Mr. Spears;

My name is John Neely. I am a life long resident of West Virginia and am currently a second year medical student at Marshall. I am writing this email in regards to the proposed Western Greenbrier Co-Gen (WGC) Power Plant.

I am gravely concerned about this issue. While I understand the potential economic benefits of building this plant, we must proceed cautiously. West Virginia's natural beauty and unspoiled environment is one of its greatest resources. It is the duty of every concerned citizen to protect it.

I am part of the Marshall University Whitewater club. We are intamently familiar with the Meadow river because we kayak it on a regular basis. You must understand that this river is one of only a few kayak-able river in the state. Kayaking, once an obscure sport, is exploding. West Virginia is host to Gully Fest in the Fall, Cheat Fest in the Spring, and a number of smaller festivals at other points in the year.

West Virginia is an outdoor lovers paradise. The tourism that comes to West Virginia brings in millions of dollars of revenue each year to the state. We must protect our natural beauty and the health of our environment. It is not only the right thing to do, but it is in the best economic interest of West Virginia. Thank you for taking the time to read this letter. Please do not hesitate to contact me at my email address if you would like to discuss this further.

Best Wishes, A Concerned Citizen
-John C. Neely, MS II

RESPONSES

Comment: 106-001, Issue Code: G1

Regarding impacts to the Meadow River, see General Response 4.4.1 and new text in Section 4.4 (Volume 1).

106-001



Commenter 107 - Kelly Kemp

U.S. Department of Energy
National Energy Technology Laboratory
Western Greasbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Kelly Kemp
Name (Please Print):
112 Skyline Dr. Lewisburg, WV 26041
Address:
Representing:
Email:

*I am writing to ask that the DOE deny funding
of the Western Greasbrier Co-plant, based on the
following:
It is not appropriate for the plant to be funded with
clean coal money as that project does not use
innovative pollution control technology, the
resulting pollution will have a negative impact
on quality of life and property values for all
of Greasbrier County and the surrounding area.
West Virginia already produces oil the extracted it-
nuds and more. We don't need to contribute to
global warming! To pay for should not have to
pay for cleaning up old gas wells when the coal
industry has had an inherent and previous knowledge
are already allocated to clean up these sites. There
is a Special Reclamation Fund available to clean up
DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider
comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:*

Ray G. Speers
National Energy Technology Laboratory
U.S. Department of Energy
M/S NO-3
P.O. Box 0890
Morgantown, WV 26507
Email: ray.speers@netl.doe.gov
Voice: (304) 285-5480
Fax: (304) 285-4403
Toll-free: (800) 432-6330, x3400

RESPONSES

Comment: 107-001, Issue Code: D1
See General Response 4.1.1.
Comment: 107-002, Issue Code: K
Impacts to property values are discussed in Section 4.9 of Volume 1.
Comment: 107-003, Issue Code: D3
See General Response 4.1.3.
Comment: 107-004, Issue Code: F1
See General Response 4.3.2.
Comment: 107-005, Issue Code: E1
See General Response 4.1.4.

Commenter 108 – Charles Szasz

>>> "Charles Szasz" <wildbillyus@yahoo.com> 1/17/2007 4:54 PM >>>

Mr. Spears, my name is Charles Szasz. Even though I am a currently a resident of Montana, I was born and raised in WV. I just recently learned of this coal plant proposal and disagree with it's creation. If there is anything that WV does not need it's air pollution, and water degradation all in the name of energy for people that live out of the state. How long will we continue to harm WV's unreplaceable resources until enough is enough?! I disagree with the project for the logical reasons listed below:

I'm against the U.S. Department of Energy (DOE) plan to provide \$107 million in matching cost share dollars for the construction of a coal-fired power plant in Greenbrier County, WV that is likely to dramatically affect the flow of the Meadow River and harm the health of the river. I ask the DOE to deny this funding.

108-001

Mr. Spears, and DOE representatives, I believe that it is inappropriate to use federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices. Indeed, the plant would not even meet minimum Clean Air Act requirements. The project seems destined to harm the environment of the Meadow River and area.

108-002

The plant will need hundreds of gallons of water per minute to operate. WGC plans to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining the river and lowering the water table, which would affect local wells. Consultants admit that there may not be enough groundwater. Also WGC didn't count the water withdrawal from the newly proposed prep plant wells.

108-001
(continued)

Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the River.

108-003

108-004

RESPONSES

Comment: 108-001, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.
Comment: 108-002, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 108-003, Issue Code: G3
See General Response 4.4.3.
Comment: 108-004, Issue Code: H1
See General Response 4.5.

Commenter 108 – Charles Szasz

The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches - caused by displacement of floodplain.

Many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the projects will never be realized.

One of the claimed project benefits is to clean up mine waste (gob piles). But, the coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund for clean up. Current and past landowners are also responsible for cleanup. Taxpayers should not pay for the cleanup.

West Virginia already produces more electricity than it needs and citizens of southeastern WV should not be forced to breathe the pollution generated from yet another coal-fired power plant.

Because coal gob has a relatively low BTU content, many more tons of CO2 and other pollutants are released per unit of electricity generated than from other fuels. DOE failed to consider the plant's contribution to global warming.

The project will add much noise, dust and traffic to the area. If the Plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.

The project may actually increase AMD from fuel sites like Anjean during extraction of the fuel.

I ask the DOE to deny funding for this wasteful and dirty project.

Sincerely,

Charles Szasz
PO Box 503
Gardiner, MT
59030

RESPONSES

Comment: 108-005, Issue Code: H2
See General Response 4.6.

Comment: 108-006, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 108-007, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Comment: 108-008, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

Comment: 108-009, Issue Code: F1
See General Response 4.3.2.

Comment: 108-010, Issue Code: I, J
See General Response 4.7.

Comment: 108-011, Issue Code: E3
See General Responses 4.2.2 and 4.2.3.

Commenter 109 – Mikala Shremshock

>>> "Mikala Shremshock" <mshremshock@gmail.com> 1/17/2007 5:47 PM >>>
Dear Mr. Roy Spears,

I write today in response to the proposed construction of a coal-fired power plant in Greenbrier County, West Virginia. I **resolutely request that the DOE deny this funding.** My reasons for such a request are as follows:

- 109-001 { > It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money if it will not meet minimum Clean Air Act requirements.
- 109-002 { > The water supply for the plant WGC will be drawn from nearby wells and the Meadow River. Lowering the water table will significantly affect local water supply and safety.
- 109-003 { > The water discharged into the river will be at an elevated temperature which will negatively impact the river environment.
- 109-004 { > The proposed plant would increase upstream flooding in Sewell Creek by increasing water elevation for a 100 year flood by 6 inches.
- 109-005 { > Many of the originally touted auxiliary benefits of the plant, such as an "eco" industrial park, production of ash based by-products, production of cement and sale of hot water and steam have no current funding mechanism and/or market.
- 109-006 { > One of the claimed project benefits is to clean up mine waste; however, mining sites and/or landowners are obligated to clean up these sites. Taxpayers should not pay for the cleanup.
- 109-007 { > West Virginia already produces more electricity than it needs, and the state's citizens should not be forced to endure water and air pollution to provide excess energy for the US populous.
- 109-008 { > Because coal gob has a relatively low BTU content, many more tons of CO₂ and other pollutants are released per unit of electricity generated than from other fuels.
- 109-009 { > The DOE has failed to study the proposed plant's contribution to global warming.
> The project will increase noise, dust, and traffic to the area. To service the proposed plant, at least one additional coal truck will pass through the town of Rainelle every five minutes, twenty-four hours a day, seven days a week.

Thus, I request that the DOE deny funding for this wasteful, harmful, and ill-planned project.

Sincerely,
Mikala Shremshock
mshremshock@gmail.com
(304) 919-0773

RESPONSES

Comment: 109-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.

Comment: 109-002, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Comment: 109-003, Issue Code: H1
See General Response 4.5.

Comment: 109-004, Issue Code: H2
See General Response 4.6.

Comment: 109-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 109-006, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Comment: 109-007, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

Comment: 109-008, Issue Code: F1
See General Response 4.3.2.

Comment: 109-009, Issue Code: I, J
See General Response 4.7.

Commenter 110 – Michael Mullins

>>> <mikemull@charter.net> 1/17/2007 8:07 PM >>>
The Meadow River is a scenic treasure in West Virginia and has been recognized as the same. I believe that allowing the installation of a Gob Pile on the river and the resulting dewatering of this gem is an extremely short sighted proposal. I believe that a realistic and objective environmental impact assessment will clearly establish the intense adverse effects that such a project would have on this ecosystem. I also believe that from a monetary view, the adverse impacts caused to the recreational areas surrounding the proposed site would outweigh any economic benefits to the proposal. For instance, just a few miles downstream of the proposed project, the Meadow joins the Gauley River, which provides significant employment, tax base and other untold economic benefits to Fayette and Nicholas County.

110-001

If you have any questions or responses, please do not hesitate to contact me at this address.

Michael Mullins
Charleston, West Virginia

RESPONSES

Comment: 110-001, Issue Code: G1
Comment noted.

111-001

Commenter 111 – Barry L. Williams

>>> "Barry Williams" <vw_blw@verizon.net> 1/17/2007 9:03 PM >>>
Dear Mr. Spears,

First of all, I am 100% in favor of the project. I live in Rainelle where it will be located. I will be able to look out my window and see where it will be built and am still in favor of it. I was at the public hearing Thursday January the 4th at the Western Greenbrier Jr. High School. I heard many things that evening. Most of the people that was against it was from more the 20 miles from where it will be built, some from out of state even, most will never be in this area in the next 10 years. Most of the people that are in favor of it are right here locally. They would like to see some business come to this area and help the local economy that will help generate other spin off businesses. I have lived in Rainelle all of my 42 years, except two years that was spent away for higher education. But I returned because I like it here. I could not find work in my field of education locally and now drive 30 miles one way to my job that I have had now for almost 20 years. I graduated from High School in 1984 with 153 other students. At that time work was available for most that did not go on to college. But as times got harder and mines closed, businesses closed. Most of that graduating class is now out of state working because there was no choice. I am sure you have had many comments about the project, but I hope this will help you and the proper people make the right choice to help this community and the next generation have a future.

Sincerely

Barry L. Williams
521 Kanawha Ave.
Rainelle, WV 25962
(304) 438-6542

RESPONSES

Comment: 111-001, Issue Code: A1
Comment noted.

Commenter 112 – Jeremy Styles

>>> "Jeremy Styles" <jswu@yahoo.com> 1/17/2007 9:17 PM >>>
this email is primarily written for Mr. Spears at the department of energy but I felt that others may be interested. Please review my comments on the proposed power plant for Rainelle, WV in Greenbrier County. I feel that WV has been targeted for environmental abuse based on its high volumes of natural resources. The people of WV have not benefited from this abuse and the environment has taken the greatest toll. please take the time to read my comments on this plan.

thank you
Jeremy Styles
Lewisburg, WV

RESPONSES

(Comments begin on next page.)

Commenter 112 – Jeremy Styles

To Whom It May Concern,

My name is Jeremy Styles and I currently reside just outside of Lewisburg, WV in the small town of Caldwell, West Virginia. I am 27 years old and I work in Lewisburg, WV. I spent a majority of my life in Putnam County West Virginia along the banks of the Kanawha River.

So, needless to say, I am very aware of the effects of coal fired power plants on our environment. As a kid I would spend a lot of time outdoors hiking, fishing, and hunting. As I grew older I began to wonder just what was really coming out of those towers at the John Amos sight. I was very disgusted upon discovering all of the harmful chemicals that were being released into the environment. I felt that this was not acceptable and someone should be held liable for this behavior.

Many of my most memorable trips from my home town were to Greenbrier County. I remember thinking what a beautiful place this is. Endless mountain vistas and trout filled streams. I thought it doesn't get much better than this. The air in the mountains seemed so much cleaner than what I was used to in the Charleston area. I remember being saddened when it was time to pack up and head back into the Kanawha Valley. I felt that I really needed to leave the area as in order to get away from the pollution.

This brought me to Lewisburg shortly after graduating college in 2001. I was in what I felt to be heaven after moving to Lewisburg. I was a short drive away from some of the best outdoor experiences the Eastern United States has to offer. The rivers and mountains were at my back door step and I was immersed in their beauty. I finally found a place where I can take deep breaths of cool mountain air and feel somewhat confident that the air was clean (although Charleston is upwind of Greenbrier County). Nonetheless, I was very satisfied with my decision to move to the area.

I had lived in Greenbrier County for about 4 years or so when I found out that a coal fired power plant was in the planning stages for Western Greenbrier County. I was immediately saddened upon hearing this news. This sadness and disgust brought me to the public hearing held on January 4th, 2006. I am in total opposition to this co gen plant especially after learning more about the project. This supposed "cutting edge" technology is not so cutting edge. I request that the if this project were funded, it be re examined and that if this project is to receive federal funding, this funding be used to include all possible technological advances to increase the plants pollution control techniques. Based on current design, this plant DOES NOT MEET these standards. This plant must meet or exceed current standards, or it should not be operated. Greenbrier County is a gem of our state and should not be heavily polluted. Tourism is the #2 money maker for the state and Greenbrier County is a big contributor. People travel here to be surrounded by natural beauty, not to breath countless pounds of air pollution.

My other major concern on the development of this project comes from a quick cost and benefit analysis that I conducted. The energy produced by this plant will not benefit a single Greenbrier County resident. All of the power produced will be transported OUT OF STATE and will not power one light in this community. This is very troubling to me. We have to live downwind of this plant and breath all of the toxins yet we do not receive a single watt of its power. How is this fair to our community? Many of the counties residents in the western part of the County seemed to be excited about the jobs this plant may create.

112-001

112-002

RESPONSES

Comment: 112-001, Issue Code: D1, F4
See General Responses 4.1.1 and 4.3.1.
Comment: 112-002, Issue Code: D3
See General Response 4.1.3.

Commenter 112 – Jeremy Styles

They feel that this plant will transform western Greenbrier County into a more desirable location for their kids to live and raise families. Many residents complain about the lack of jobs and that their children are leaving because of this. I can honestly say that I have had little trouble finding jobs in Greenbrier County and I don't plan on leaving. These people leave because they want to. I regretfully say that this plant will not have this effect. In fact, it is estimated the plant will produce a minimal amount of jobs, somewhere around 55 full time employees. Of these jobs many will be filled by out of towners. Most of the construction of this plant will also be completed by out of town contractors. Greenbrier County is left with a minimal amount of jobs and a huge burden on the surrounding environment, including massive amounts of air pollution and increased levels of mercury in our streams and aquatic life. The costs, by far outweigh the benefits. Our \$107 million of taxpayers money should be used in better ways. This plant will not be a benefit to our community.

112-003

I think the Department of Energy should invest this money in development of cleaner forms of energy. Japan far exceeds the United States in production of solar energy and continues to invest money into expansion of this endless and clean energy resource. We need to step up to the plate and get a little more serious about clean energy production. This \$107 million of taxpayers money could be used to produce solar energy panels to be used by businesses and homes in our communities. This money could also be used to inform our people on methods for reducing energy consumption, which would have a dramatic effect on the amount of power we are in many cases, wasting. The Department of Energy also needs to recognize that Global Warming is real and that funding more sub par coal generated power plants isn't exactly helping reduce this.

112-004

Please take my comments into account when examining this project further. I would prefer this plant not be allowed to dirty up this beautiful valley. The costs of this project far outweigh any possible benefits and it makes no sense to continue with development. Use this money wisely, perhaps for solar and other clean energy solutions. Inform the community on methods for reducing energy use in their homes and businesses. I think it is time to be a little more proactive with our development of energy solutions. Coal will not be around for ever and now is the time to protect and cleanup the environment. We only have one planet earth and we have to reverse the harmful environmental effects we are placing upon it.

Thank you for your time,

Jeremy Styles, Concerned Tax Paying Citizen

RESPONSES

Comment: 112-003, Issue Code: D4, F2
See General Responses 4.1.4 and 4.3.3.
Comment: 112-004, Issue Code: D2, F1
See General Response 4.1.4.

Commenter 113 – Chris Gorman

>>> "Chris Gorman" <cdgorman@vt.edu> 1/17/2007 9:21 PM >>>
Roy Spears,

I use the Meadow river quite a bit when I kayak it. Putting a Power plant on it will worsen the water quality. It will also worsen the water quality of the Gauley river, and a lot of people raft the Gauley, that is one great resource WV is known for. I urge you to stop the Construction..

Thank You,
Chris Gorman

113-001

RESPONSES

Comment: 113-001, Issue Code: G1
See General Response 4.4.1.

Commenter 114 – Jeff Slagle

>>> "Jeff Slagle" <jeffslagle@hotmail.com> 1/17/2007 9:59 PM >>>
Dear Mr. Rahall,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons.

114-001 { I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

114-002 { I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

114-003 { Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

114-004 { I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please oppose the funding of this project.

Sincerely yours,
Dr. Jefferson D. Slagle

RESPONSES

Comment: 114-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2 and 4.5.

Comment: 114-002, Issue Code: I
See General Response 4.7.

Comment: 114-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.

Comment: 114-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.

Comment: 114-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 114-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.

Comment: 114-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.

Commenter 115 – Alexander Clayden

>>> "Alexander Clayden" <acc7f@virginia.edu> 1/18/2007 12:10 AM >>>
Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement (EIS)

Dear Mr. Spears,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using funds allocated for clean coal development.

I cannot support the construction of this power plant for several reasons and urge you to take these significant issues into your consideration.

115-001 { I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

115-002 { I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

115-003 { Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality.

115-004 { Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will

RESPONSES

Comment: 115-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2 and 4.5.
Comment: 115-002, Issue Code: I
See General Response 4.7.
Comment: 115-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.
Comment: 115-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.
Comment: 115-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Commenter 115 – Alexander Clayden

RESPONSES

115-006 {
â??cleanâ?? up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

Comment: 115-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.
Comment: 115-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.

115-007 {
I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project.

Sincerely yours,

Alexander Clayden

Commenter 116 – Logan Bockrath

>>> <sl0thnchunk34@aol.com> 1/18/2007 1:21 PM >>>

Dear Mr. Spears,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will "clean" up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop technology to reduce electricity use instead of encouraging more use and pollution. Please vote against the funding of this project.

Sincerely yours,

Logan Bockrath

RESPONSES

Comment: 116-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2 and 4.5.

Comment: 116-002, Issue Code: I

See General Response 4.7.

Comment: 116-003, Issue Code: D4, E2

See General Responses 4.1.2, 4.1.4, and 4.2.1.

Comment: 116-004, Issue Code: F1, F2, F4

See General Responses 4.3.1 and 4.3.3.

Comment: 116-005, Issue Code: D4

See General Responses 4.1.2 and 4.1.4.

Comment: 116-006, Issue Code: E1, E4

See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.

Comment: 116-007, Issue Code: D1, F4, G1

See General Responses 4.1.4, 4.3.1, and 4.4.1.

Commenter 117 – Eric Pories

WVPRO
West Virginia Professional River Outfitters
Representing America's Best Whitewater



PO Box 32, Fayetteville, West Virginia 25840
304.574.2343 www.americasbestwhitewater.com

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

01/19/07

Subject: Western Greenbrier Co-Gen Project

Mr. Spears,

The West Virginia Professional River Outfitters represents the whitewater rafting outfitters operating on the New & Gauley Rivers.

The Meadow, as the major tributary to the Gauley, is an important resource to our industry as its flows and health directly impact the water levels and health of the Gauley River. In addition, the Meadow provides for outstanding outdoor recreation for our citizens as well as visitors to the region. Tourism is our region's primary economic driver.

It is my understanding that the current Environmental Impact Study for the Western Greenbrier Co-Gen Project does not define actual impacts to the Meadow. The absence of such impact research is unacceptable.

Our industry finds it difficult to support a project that does not ensure continues flow and aquatic health of the Meadow River.

Thank you for accepting these comments.


Eric Pories
Executive Director

Cc: Congressman Nick Rahall
Senator Robert C. Byrd
Senator John D. Rockefeller

RESPONSES

Comment: 117-001, Issue Code: G1
See General Response 4.4.1.

117-001

Commenter 118 – Phyllis Tuckwiller

>>> "Phyllis Tuckwiller" <phyllis.tuckwiller@stonehillrealty.com> 1/18/2007 1:59 PM >>>
Hello! My name is Phyllis H. Tuckwiller I live in Greenbrier County.

have you done enough sleuthing to determine that the Western Greenbrier Co. Generation Plant is really good for the area? have you thought about what it will do to Greenbrier County as a whole? I understand there is to be no screens for containing the emission from the plant...is this common practice? I do not think so. Do you not think it best to look into all aspects of the effect this plant will have upon the county and upon its emissions into the air of the county without having one of those screens, etc to prevent emission of pollutants into the air of the area and the county? Just because it offers JOBS doesn't mean its a good thing for the county. Yes, we need jobs, but at the risk of the health of the inhabitants of the area?

118-001

RESPONSES

Comment: 118-001, Issue Code: F4
See General Response 4.3.1.

Commenter 119 – Martha B. Wilson

>>> "Martha Wilson" <jinretrospect@charter.net> 1/18/2007 2:10 PM >>>
To Whom It May Concern:

Please deny funding for the Western Greenbrier Co-Gen Project—it will be an environmental nightmare for the community—we do not need it!!!

Lewisburg, Greenbrier County

Martha B. Wilson,

RESPONSES

Comment: 119-001, Issue Code: B
Comment noted.

119-001

Commenter 120 – Tamara Russell
RESPONSES
Comment: 120-001, Issue Code: B
Comment noted.

>>> "Antique Cabins and Barns" <tamara@antiquecabinsandbarns.com> 1/18/2007 2:15 PM >>>

Dear Sir,
Could you please deny the funding for the Western Greenbrier Co-Production Demonstration Project?? Thank
you for your time.

Tamara Russell, Office Manager
Antique Cabins and Barns, LLC
Vandalia Group, INC
Personal Assistant to Mark & Cindy Bowe
Phone: 1-888-941-9553
Email: Tamara@AntiqueCabinsAndBarns.com
Web: <http://www.AntiqueCabinsAndBarns.com>

120-001

121-001

Commenter 121 – Kyle Heeter

> > > "kyle heeter" <kylerae@citynet.net> 1/18/2007 2:15 PM > > >
I am writing concerning the proposed GCO Power Plant on the Meadow River. Please vote against this project. The water and air pollution created by this type of plant is unacceptable in ours or any other community. The Meadow River cannot handle this type of violation. Thankyou for your time and efforts. Kyle Heeter

RESPONSES

Comment: 121-001, Issue Code: B, G1

Regarding impacts to the Meadow River, see General Response 4.4.1 and new text in Section 4.4 (Volume 1). See Sections 4.3 and 4.14 (Volume 1) on air-related impacts.

Commenter 122 – Christopher Eads

>>> "Chris Eads" <chriseads@gmail.com> 1/18/2007 2:28 PM >>>
Mr. Spears,

122-001 { The WGC plant is a bad idea for a number of reasons. The typical NIMBY expression of outrage is certainly appropriate in this case, as in many others. However, this particular plant is to be built with "clean coal" special funding, and there is nothing "clean" or technologically advanced about it. It will emit far more pollutants than a regular coal-fired plant, and the gob pile source of fuel is a responsibility of the coal operators to properly dispose of, not to profit from its sale to a third-party. This cost of doing business should not be irresponsibly passed on to the residents of Greenbrier County, and indeed all residents of the region. The Meadow River, which will be **severely** impacted by the project, is a priceless resource for the entire community. It is a beloved river for many reasons, and its natural preservation is a top priority for lovers of nature from across the state. I strongly urge you to deny federal funding to this misguided boondoggle effort. Thank you.

122-002 {

Sincerely,

Christopher Eads
102 E. Maple Ave., Suite 1
Fayetteville, WV
304-574-2999

RESPONSES

Comment: 122-001, Issue Code: D1, E1, F4
See General Responses 4.1.1, 4.1.4, 4.2.2, and 4.3.1.
Comment: 122-002, Issue Code: G1
See General Response 4.4.1.

Commenter 123 - Mary Moore Jacoby



U.S. Department of Energy
National Energy Technology Laboratory

Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)

PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Mary Moore Jacoby
Address: 100 Chestnut St.
Representing: GEHLE
Email: old.one@charter.net

123-001

Comment: Please accept this request to deny
the Western Greenbrier Co-Production
Project. The environment consequences of
such a project will be significant and
unacceptable. West Virginia deserves
better.

Sincerely,
Mary Moore Jacoby

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to the following moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NC-3
P.O. Box 0880
Morgantown, WV 26507

Email: roy.g.spears@nrel.doe.gov
Voice: (304) 285-5480
Fax: (304) 285-4403
Toll-free: (800) 412-8330, x5460

RESPONSES

Comment: 123-001, Issue Code: B
Comment noted.

Commenter 124 – Deva Wagner

Message-id: <13295707.367243:160155328036.4.levaMail.roci@vms075.mailsrvcs.net>
Date: Thu, 16 Jan 2008 15:22:18 -0600 (CST)
From: <wolfcreek3@verizon.net>
To: roy.spears@net.doe.gov
Subject: Western Greenbrier Co-Production Demo Project

Your message cannot be delivered to the following recipients:

Recipient address: roy.spears@net.doe.gov
Reason: illegal host/domain name found

Reporting-MTA: dms.vms045.mailsrvcs.net (tcp-daemon3)
Original-recipient: rfcb22roy.spears@net.doe.gov
Final-recipient: rfcb22roy.spears@net.doe.gov
Action: failed
Status: 5.4.4 (Illegal host/domain name found)

Dear Sir,
I am writing because I am seriously concerned of the negative impact Co-Gen will have on our area. As a business owner in
Lewisburg and living resident of Greenbrier County I urge you to deny funding for this project.

Sincerely,
Deva Wagner
Wolf Creek Gallery

RESPONSES

Comment: 124-001, Issue Code: B
Comment noted.

124-001 {

125-001

Commenter 125 – John W. Bell IV

>>>> "John W. Bell IV" <jwb4@johnbellco.com> 1/18/2007 3:49 PM >>>

Dear Mr. Spears,

I am writing to urge you to deny funding for this project due to its negative environmental impact to the environment of Greenbrier County and the surrounding areas.

Sincerely,

John W. Bell IV

Vice President, General Manager

John Bell Company, Inc.

v: 304.645.3230

f: 304.645.7203

www.johnbellco.com

RESPONSES

Comment: 125-001, Issue Code: B
Comment noted.

Commenter 126 – Gary Roper

RESPONSES

126-001

>>> "GARY ROPER" <twsgallery@verizon.net> 1/18/2007 3:49 PM >>>
I would like to express my strong opposition to the Western Greenbrier Co-Production Project. I am requesting that the DOE deny funding for this wasteful and dirty project.

Sincerely
Gary Roper
Greenbrier County Business Owner

Comment: 126-001, Issue Code: B
Comment noted.



Commenter 127 - Helge Kaehler

U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Helge Kaehler
Address: Wash Street, Lewisburg
Representing: Old Bank Building
Email: Sailor's Graft Sale

Comment:

127-001

The whole project is faulty and
does more damage than good to
this beautiful valley. Air
and water quality are more
important. The money should
be used to save energy

DOE will consider all comments received by DOE of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0860
Martinsburg, WV 25807
Email: roy.g.spears@nrel.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x6480

RESPONSES

Comment: 127-001, Issue Code: B
Comment noted.



Commenter 128 - Shannon Murphy

U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Shannon Murphy Representing: Self
Address: Hc75 Box 48A
Jinks Grove WV 249376 Email: westvirginia.willow@
notnetl.com

128-001

Comment: I and my family are strongly opposed to the co-gen plant in Greenbrier county. Our air and water quality will suffer greatly and as a result in time our health. It will also negatively impact business and tourism in the area - which is a big part of how we make a living. The project is wasteful and dirty and I implore the DOE to deny funding. I also think that the money and health of tax payers should not be used and/or compromised for the sake of Big Coal.

DOE will consider all comments received by close of business, January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to the following moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NC-3
P.O. Box 61860
Morgantown, WV 26507
Email: roy.g.spears@netl.doe.gov
Voice: (304) 285-4660
Fax: (304) 285-4663
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 128-001, Issue Code: B
Comment noted.



Commenter 129 – Edith McKinley Gibson

U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Edith McKinley Gibson Representing: Ediths Store Self
Address: 214 Lee St E-mail: wisestore@aol.com
Greenbrier, WV 26030
Comment: I have several concerns regarding the proposed so called CO2 gas plant scheduled to be built in Greenbrier, WV.
1) The air quality in Greenbrier is currently one of the worst in the state. The pollution from this plant will seriously impact the economic growth and health of this county.
2) Water used for this plant will be used to decrease both quantity and quality of drinking water for all who depend on wells, springs and the Greenbrier River.
3) For the future, we should not have to pay to remediate the waste and pollution while individuals can compare operations profit at our expense.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to the following moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
M/S NC-3
P.O. Box 0880
Martinsburg, WV 26007
E-mail: roy.spears@nrel.doe.gov
Voice: (304) 285-5400
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 129-001, Issue Code: F
See General Response 4.3.2. Also, air and health impacts are discussed in Sections 4.3 and 4.14 (Volume 1), respectively.
Comment: 129-002, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.
Comment: 129-003, Issue Code: E1
See General Response 4.1.4.

129-001

129-002

129-003

Commenter 130 - Robert W. Foster



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project --
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): ROBERT W. FOSTER
Representing: SELF
Address: RR-1 BOX 3
RANCEVERTE, WV 24970

Comment:

I strongly oppose this new plant. I live on a well. Have
educated my family on protecting the environment and this is not
where West Virginia needs to head the way.

Thanks -
Robert Foster

130-001

RESPONSES

Comment: 130-001, Issue Code: B
Comment noted.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider
comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0860
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-4330, x5460

Commenter 131 – E. Dale Adams

>>> "Dale Adams;" <dmcadams@citynet.net> 1/18/2007 4:22 PM >>>

Dear Senator Byrd,
I am writing in regard to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. This plant would be built in Rainelle, WV, close to the Meadow River, and off Rt. 60, The Senic Midland Trail. It is designed to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It has been stated that the United States Department of Energy (DOE) has committed \$107 million for construction of the power plant, using "Clean Coal" money.

I am against the construction of this power plant for the following reasons:

The air and water pollution that would be created are unacceptable. The amount of "permitted" pollutants would have a serious effect on the immediate environment, as well as the health of citizens in a multi county area. The pumping of water from the Meadow river and the subsequent release of warm water back into the Meadow, as well as the pollutants which would be released into the river, would be very harmful for the aquatic life and could have a large impact on the whitewater industry (approx. \$20 million per year) established on the Gauley River (the Meadow River is the largest tributary of the Gauley River and enters the Gauley at approximately 5 miles along the 23 mile section used by the whitewater industry).

The Meadow River and the Gauley River are both known for their fisheries and the Gauley is well known for trout fishing.

The Meadow River is also used for whitewater recreation and its three whitewater sections are well documented in Whitewater guide books.

The lower five mile section of the Meadow River is part of the Gauley National River Recreation Area. Again I state this area is part of an existing recreation economy and should be protected from pollution.

I am very skeptical of the longevity of this project. The plant is designed to burn coal waste from nearby abandoned "gob" piles. As these piles are depleted, "fuel" for the plant will have to come from sources further and further away. The plant will quickly become too expensive to continue to operate. Additionally the by products created (which were touted as marketable products) have no immediate market. At the very least the market should exist before the product is created (I believe this is a basic bussiness strategy!).

Groundwater will be depleted by the proposed wells needed to operate and possible polluted by the plants operation. If heavy metal pollution of the groundwater (mercury, chromium, and lead) occurs, the remediation and years involved to correct this pollution and the health risk to this areas citizens would far outweigh the benefits.

The ash created by the plant has more pollution potential than the existing gob piles. The possibility of water leaching through the ash and contaminating groundwater and/or surface water is much more likely.

The funding of this plant by Clean Coal Funding seems a oxymoron. This is not clean coal technology! The life expectancy vs cost cannot be rationalized. When the cost to remediate (some of the potential problems may not be repairable!) the environment is factored in it becomes embarrassing. Do the Math!

This is a short sighted project that will benefit very few and could become another "flag" on West Virginia's list of bad ideas.

I urge you to vote against this project.

Sincerely yours,
E. Dale Adams
HC 65, Box 46
Edmond, WV 25837

RESPONSES

Comment: 131-001, Issue Code: F

See General Response 4.3.2.

Comment: 131-002, Issue Code: G1, H1

See General Responses 4.4.1 and 4.5.

Comment: 131-003, Issue Code: D4, E2

See General Responses 4.1.2 and 4.2.1.

Comment: 131-004, Issue Code: E4, G2

See General Responses 4.3.3 and 4.4.2.

Comment: 131-005, Issue Code: E4

See General Responses 4.2.2 and 4.2.3.

Comment: 131-006, Issue Code: D1

See General Response 4.1.1.

131-001

131-002

131-003

131-004

131-005

131-006



Commenter 132 - Laura Ferguson

U.S. Department of Energy
National Energy Technology Laboratory
Western Greengrass Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print):	Representing:
Laura Ferguson	
Address:	Em:
PO Box 1028	
Green Sulphur Springs 25966	
Comment:	
I am extremely disagree with the intent of WGC. It is an environmental hazard and in my opinion we as human beings need to stop being ignorant to the fact that with the pollutants we put into the atmosphere we are destroying the place that allows us to live.	

132-001

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NC-3
P.O. Box 0880
Morgantown, WV 26507

Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 132-001, Issue Code: F
See General Response 4.3.2. Also, Air and Health impacts are discussed in Sections 4.3 and 4.14 (Volume 1), respectively.

Commenter 133 - Ann Tate Bell



U.S. Department of Energy
National Energy Technology Laboratory
Western Greengrifer Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)

PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA

COMMENT FORM

Name (Please Print): Ann Tate Bell
Address: 2803 Park 7
Representing: Self
City/State/Zip: Severastown WV 24901

Comment: We prepared a plant that does not seem
to have sufficient air quality controls.
Don't fund. Environmental issues
indicate more study is necessary.

133-001

DOE will consider all comments received by date of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments by mailing moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
Mrs. NO-3
P.O. Box 10886
Martinsburg, WV 25807
E-mail: roy.spears@nrel.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-4330, x5460

RESPONSES

Comment: 133-001, Issue Code: D1
See General Responses 4.1.1 and 4.3.1.

Commenter 134 – Harvey M. Cohen

Western Greenbrier Co-Production Demonstration Project
Comments on Draft Environmental Impact Statement (EIS)

Harvey M. Cohen
Representing myself
POB 1669,
Lewisburg, WV 24901
e-mail: OMC01359@MAIL.WVNET.EDU

I have been a resident of Monroe County since 1975. I own and operate a real estate asset management company in with an office in Lewisburg. I am also a founder and principal shareholder of the Sweet Springs Valley Water Company, a locally owned company which bottles and delivers Monroe County spring water to homes and businesses in West Virginia and Virginia.

I am not opposed to the construction of "clean coal" power plants in principle, but I am writing to ask the Department of Energy (DOE) to DENY THE FUNDING for the Western Greenbrier Co-Production Demonstration Project at Rainelle, WV on the following grounds:

The DOE proposes to provide 50 per cent (approximately \$ 107.5 million) of the total estimated funding of this project through the Clean Coal Power Initiative. Since there is nothing new or innovative about the pollution control devices that will be used by this plant this is an inappropriate use of these funds, which are legally required to be used solely for projects that utilize innovative pollution control technology. The plant as designed will not even meet the minimum requirements of the Clean Air Act. The fact that the proposed boiler system has a "40 per cent smaller footprint than a conventional boiler system of similar capacity" has nothing to do with producing electrical power with clean coal technology..

The proposed facility is designed to burn waste coal, the primary source of which would be the 4 million ton coal refuse site in Anjean, WV, but this site may not be available, and in any case "blending with quality coal" would be required for additional heating value requirements. Clearing up the coal waste piles with Clean Coal Power Initiative funds from taxpayers is an inappropriate use of this money since the coal industry as well as current and previous landowners are already obligated under law to pay into the State's Special Reclamation Fund to clean up these coal waste piles and remediate acid mine drainage discharges.

The EIS did not consider the plant's contribution of tons of CO2 to the problem of global warming. Coal gob has a low BTU content relative to other fuels and coal fired power plants in general are some of the worst culprits in the emission of CO2 as well as other pollutants per unit of electricity generated. West Virginia produces more electricity than it requires and we do not need to breathe the pollution generated by another coal fired power plant or the several additional ones planned for the area in addition to the Demonstration Plant.

RESPONSES

Comment: 134-001, Issue Code: D1, F4
See General Responses 4.1.1 and 4.3.1.
Comment: 134-002, Issue Code: E1, E2
See General Response 4.1.4.
Comment: 134-003, Issue Code: D3, F1
See General Responses 4.1.3 and 4.3.2.

134-001

134-002

134-003

Commenter 134 – Harvey M. Cohen

There are serious water quantity and quality problems raised by the proposed WGC Demonstration Project. The plant will require hundreds of gallons of water per minute to operate. The WGC plans to take this water from nearby wells, the Meadow River and the treated effluent from the Rainelle Sewage Treatment Plant. The WGC plant could potentially drain the river and lower the water table, which would affect local water supplies. Consultants for the WGC have admitted that there may not be enough groundwater. The WGC project will discharge heated effluent into the Meadow River as well as withdraw water from the river, which will have significant harmful impact on the aquatic life in the river. Unless the WGC project can be shown to have NO serious adverse impacts on water quantity and quality the DOE is required to deny funding.

134-004

The WGC Demonstration Project was presented and "sold" to the community with the promise of several auxiliary benefits, i.e. an attached "eco" industrial park, production of ash based by products, e.g. Woodbrk products, production of cement, sale of hot water and steam for agricultural activities and greenhouses. These proposed enterprises have no current funding and/or market. Current indications are that most, if not all, of these auxiliary enterprises will never materialize. Therefore, they are just window dressing to sell the project and without clear proof of their financial viability the DOE should not consider them as a factor in evaluating the WGC Demonstration Project

134-005

The future viability and profitability of this plant will also be impacted negatively if taxes or fees are imposed in future years on industrial operations that are huge carbon emitters. The only thing that the citizens of Greenbrier County need less than a dirty-burning, coal-gob fired plant is the "white elephant" of one that is non-operational because even with the huge subsidies proposed it makes no economic sense. The likelihood of fees, taxes or other regulatory issues affecting the continued operation of the proposed plant therefore needs to be considered along with a full review of the true economic impact of the proposed plant.

134-006

If there is to be a "Clean Coal Initiative" demonstration project, the citizens of the Greenbrier Valley are entitled to have a truly clean and innovative project, with the latest and best available technology and not a second class, dirty, wasteful project. West Virginians and residents of the Greenbrier Valley should not be treated worse than citizens of other states. We deserve the best, not the same old dirty coal fired power plants that are already ruining our health and our environment. Only a truly clean, cutting edge technology plant will help coal and coal fired power plants survive the challenges posed by global warming and be an economic boon to the community for many years to come.

134-007

For the above reasons, DOE should deny funding to this project until all of these problems and issues have been fully considered and resolved.

Sincerely,

Harvey M. Cohen

RESPONSES

Comment: 134-004, Issue Code: G1, G2, H1
See General Responses 4.4 and 4.5.
Comment: 134-005, Issue Code: D4
See General Response 4.1.2.
Comment: 134-006, Issue Code: D4, F1
See General Responses 4.1.2 and 4.3.2.
Comment: 134-007, Issue Code: D1
See General Response 4.1.1.

135-001

Commenter 135 – Pervis C. Major III

>>> "Pervis C. Major III (Watershed LHC)" <pmajor3@yahoo.com> 1/18/2007 7:53 PM >>>
To Whom It May Concern:

My name is Pervis Major. I own 300 acres of land along the Meadow River in Fayette County. I have invested close to 3 million dollars into this property developing a Luxury Resort on this property.

I am concerned that the proposed Western Greenbrier Co-Gen (WGC) Power Plant and the effects on the Meadow River. The flow of this river is critical to the success of my business investment as well as the value of the entire Meadow River for recreational uses.

Ripple effects of pollution stand to harm the land values and recreational resources. The assets should not be undervalued.

We in Fayette county stand at a cross roads, it is a matter of public record that land values are on the rise, especially waterfront and wilderness lands bordering park lands. The land is very valuable and in my opinion will have a greater positive economic impact than a gob fired coal plant. If we protect the rivers and wilderness the increased value of our lands will also be protected.

West Virginia is a special place, an undervalued place. Families want to live here to escape the metro areas, we must protect our resources or we will lose the opportunity to attract these people and businesses to our beautiful state.

Please consider the options carefully,

Pervis C. Major III

The Confluence
1 Summerfield Court
Fayetteville, WV 25840
email - pervis@confluenceresort.com
http://www.ConfluenceResort.com

Office (304) 663-2523
Home (304) 574-4636

RESPONSES

Comment: 135-001, Issue Code: B, G1
See General Response 4.4.1.

Commenter 136 – Caleb Paquette

>>> "Paquette, Caleb Joseph" <ZCJP1@mail.etsu.edu> 1/18/2007 9:57 PM >>>
Dear Mr. Spears,

I am writing in reference to the proposed Western Greenbriar Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, West Virginia. The plant would be located close to the Meadow River, off of Route 60 and is designed to burn waste coal. West Virginia's Division for Air Quality issued a permit for the plant on April 26, 2006 and the United States Department of Energy is planning to provide \$107 million for construction of the power plant using clean coal money. I am writing to express my opposition to the construction of this plant.

I am opposed to the construction of this plant for several reasons. I am concerned about the air and water pollution that would be produced by the plant. I am also concerned about draining the Meadow River and lowering the water table, which would affect local wells. The project would also discharge heated effluent into the river, which could significantly harm aquatic life in the river. Because waste coal has a relatively low BTU content, many more tons of CO2 and other pollutants are released per unit of electricity generated than from other fuels. This increase of carbon dioxide will contribute to the current global warming crisis.

Not only am I concerned with the potential adverse effects of the plant on the environment and the health of the citizens of Greenbriar County, but many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all of the projects will never be realized. One of the claimed project benefits is to clean up mine waste (gob piles). But, the coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund for clean up. Current and past landowners are also responsible for cleanup. Taxpayers should not pay for the cleanup. Because of these reasons, I ask the DOE to deny funding for this project. Thank you for you time.

Sincerely Yours,
Caleb Paquette

RESPONSES

Comment: 136-001, Issue Code: G1, G2, H1
See General Responses 4.3.1, 4.4.1, and 4.4.2.
Comment: 136-002, Issue Code: F1
See General Response 4.3.2.
Comment: 136-003, Issue Code: F, D4
See General Responses 4.1.2 and 4.3.
Comment: 136-004, Issue Code: E1
See General Response 4.1.4.

Commenter 137 – Rebecca Raye Smith

>>> "Rebecca Raye Smith" <smith524@marshall.edu> 1/19/2007 12:10 AM >>>

Dear Senator Byrd,

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using clean coal money.

I am against the building of this power plant for several reasons.

I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted.

I am skeptical of the promised jobs. How many jobs will be filled by local residents and how long will they last? It can take up to twice as much waste coal to produce the same amount of electricity as normal coal. It is not economical to haul the waste coal long distances and therefore once the local gob piles are gone the power plant will follow.

Legally I do not think the permit for this power plant should have been issued in the first place by the West Virginia Division of Air Quality. Over 6 times as much mercury, 4 times as much chromium, and 3 times as much lead must be fed into a waste coal burner to produce the same amount of energy as a traditional coal power plant. Some things that may have initially made the plant look attractive such as production of ash based products, production of cement and sale of hot water and steam have no current funding and/or market. It is claimed that the project will clean up the gob piles. Ash is more dangerous than gob, in that water leeches out the pollutants more easily from ash. If the ash is not used to make these products, how is anything being cleaned up? Also, it is the responsibility of the coal industry, current and previous landowners to clean up and to pay into the Special Reclamation Fund.

I see absolutely no reason for the federal government to provide funding for this project. It certainly does not seem like clean coal technology. The Clean Air and Water Act will certainly be violated. Also the Meadow River is a Navigable Water Way that will no longer be navigable in order for a power company to make money. Surely there is a more appropriate way to spend federal money, maybe to develop

RESPONSES

Comment: 137-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2 and 4.5.

Comment: 137-002, Issue Code: I
See General Response 4.7.

Comment: 137-003, Issue Code: D4, E2
See General Responses 4.1.2, 4.1.4, and 4.2.1.

Comment: 137-004, Issue Code: F1, F2, F4
See General Responses 4.3.1 and 4.3.3.

Comment: 137-005, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 137-006, Issue Code: E1, E4
See General Responses 4.1.4, 4.2.2, 4.2.3 and 4.2.4.

Comment: 137-007, Issue Code: D1, F4, G1
See General Responses 4.1.4, 4.3.1, and 4.4.1.

137-001

137-002

137-003

137-004

137-005

137-006

137-007

137-007 {
(continued)

Commenter 137 – Rebecca Raye Smith
technology to reduce electricity use instead of encouraging more use
and pollution. Please vote against the funding of this project.

Sincerely yours,
Rebecca R. Smith

Rebecca R. Smith
217 Fayette Ave
Fayetteville, WV 25840
(304)-617-5664

RESPONSES

Commenter 138 – John Petretich

>>> "John Petretich" <johnnymobile@iqmedia.tv> 1/19/2007 6:50 AM >>>
Mr Spears:

I am writing to you this morning about the proposed Western Greenbrier Co-Gen (WGC) Power Plant. It is my understanding that in the near future, you will be deciding whether to appropriate \$107 million in "clean coal" money towards this project.

138-001 { I don't think that this particular plant is an appropriate use of these funds. It is my understanding that "clean coal" money is to be directed towards new and innovative processes that lessen the environmental impact of coal power production. The proposed Western Greenbrier Co-Gen (WGC) Power Plant does not fit in to this category. It stands to drastically reduce the region's air quality, and adversely affect the water table and quality of the waters in the Meadow and Gauley Rivers. Recreation on these rivers brings millions of tourism dollars to our area's undernourished economy.

138-002 { Please save this \$107 million to help improve our air quality instead of funding this project that seems to be out of the intentions of "clean coal" money. Thank you for your consideration of these comments.

Sincerely,

John Petretich
303 Pierce Street
Fayetteville, WV 25840

RESPONSES

Comment: 138-001, Issue Code: D1
See General Response 4.1.1.

Comment: 138-002, Issue Code: F1, G1
See General Responses 4.3.2 and 4.4.1.

Commenter 139 – Ken Dubel

>>> "Ken Dubel" <kendubel@gmail.com> 1/19/2007 1:20 PM >>>

Dear Mr. Spears,

News of this proposed power plant came to me through my interest in whitewater paddling. I'm a big fan of the Meadow river and travel to the area as an adventure tourist whenever I can.

I'm not particularly well-versed in all things coal but have spent quite a bit of time over the last few days trying to educate myself. After wading through multiple arguments from both sides of the issue, most of them impassioned and, frankly, seeming rather biased, I find myself landing on the side which opposes the construction of this plant.

To their credit, the folks proposing the plant did a fine job of selling the idea but there are just too many negatives to justify the positives as currently designed. Beyond the air pollution, beyond the problems associated with disturbing the gob piles, beyond the creation of jobs, and beyond enjoying the electricity powering my computer, in my little world I wonder what will happen to the Meadow River if this project moves forward.

I found it startling to learn that in a project of this magnitude a basic requirement for operating the plant, sufficient water for cooling, got at least partially overlooked. As I understand it the conclusion that water would have to be withdrawn from the river was a recent one, the data is scarce, and the environmental impact has not been studied as thoroughly as required.

This point alone was enough to tip the scales for me, to the point of asking you to refuse to permit the construction of this plant as designed.

Thank you for your attention,

Ken Dubel
215 Jackson Avenue
Elkton, VA 22827

RESPONSES

Comment: 139-001, Issue Code: G1

See General Response 4.4.1.

139-001

Commenter 140 – Cheri Bailey

>>> "Cheri Bailey" <baileyh2@yahoo.com> 1/19/2007 1:57 PM >>>

Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880
Ref: Western Greenbrier Co-Gen

Gentlemen:

We ask that the DOE deny funding of the Western Greenbrier Co-Gen plant, for the following reasons:

- 140-001 { There is nothing new or innovative about the plant's pollution control devices. In fact, there is NO SCRUBBER!
- 140-002 { There is money in the Federal Abandoned Mine Land Fund (AML) to pay for the cost of moving and treating the gob piles to eliminate the acid mine drainage.
- 140-003 { DOE has failed to consider the plant's contribution to GLOBAL WARMING.
- 140-004 { There is insufficient water to run the plant without seriously depleting the groundwater and KILLING MEADOW RIVER! Meadow River is an important fishery and is very popular with whitewater enthusiasts.
- 140-005 { The pollution will result in a decrease in real estate values.
- 140-006 { The plant's materials handling system does not take into account the size consist and moisture content of the coal to be recovered from the gob piles.
- 140-007 { The gob piles are on fire.
- 140-008 { The citizens will be forced to breath polluted air and the plant will add mercury poisoning to an area that already has a fish consumption advisory.

There is no argument against an economic revitalization of Western Greenbrier County. However, this proposed power plant is just the wrong way to do it. For many good reasons, we respectfully ask and pray that the DOE *deny funding* for this wasteful and dirty project.

Sincerely,

Cheri Bailey
Rt.4, Box 57B
St. Albans, WV 25177
304 722 2002

RESPONSES

Comment: 140-001, Issue Code: D1
See General Responses 4.1.1 and 4.3.1.

Comment: 140-002, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Comment: 140-003, Issue Code: F1
See General Response 4.3.2.

Comment: 140-004, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Comment: 140-005, Issue Code: K
Impacts to property values are discussed in Section 4.9 of Volume 1.

Comment: 140-006, Issue Code: E2, F1
See General Responses 4.2.1 and 4.3.2.

Comment: 140-007, Issue Code: E
See General Responses 4.2.1 and 4.2.2.

Comment: 140-008, Issue Code: F2, F3
See General Responses 4.3.2 and 4.3.3.

Commenter 141 – Doug Proctor

>>> "Doug Proctor" <doug.proctor@800classvi.com> 1/19/2007 3:12 PM >>>

Dear Mr. Spears,

It is my understanding that the current Environmental Impact Study for the Western Greenbrier Co-Gen project

does not define actual impacts to the Meadow River. The Impact to the Meadow River, which flows into the

Gauley River and the Gauley River National Recreation Area MUST ABSOLUTELY BE ACCESSED before this

project starts.

A de-watering of the river and heating the of the water flow could be very detrimental to the aquatic life and health of the river. Tourism is the economic driver in this area and the health of all streams and rivers is very important.

I find it very hard to support this project without a study done on the impact to the Meadow River.

thank you for accepting these comments, Doug Proctor

Class VI

PO Box 78 Lansing WV 25862
(304) 574-4909 Ext 15

www.800classvi.com

RESPONSES

Comment: 141-001, Issue Code: G1, H1
See General Responses 4.4.1 and 4.5.

141-001

Commenter 142 – Patrick Myers

>>> "Patrick Myers" <boofw@charter.net> 1/28/2007 6:50 PM >>>

I am writing in reference to the proposed Western Greenbrier Co-Gen (WGC) Power Plant. The WGC would be built in Rainelle, WV close to the Meadow River and off of Route 60, The Scenic Midland Trail. It is to burn only gob pile waste coal. West Virginia's Division for Air Quality issued a permit for this plant on April 26, 2006. It seems that the United States Department of Energy (DOE) is planning to provide \$107 million for construction of the power plant, using "clean coal" money.

I am against the building of this power plant for several reasons. I am concerned about the air and water pollution that would occur. I am afraid that the beautiful Meadow River will dry up to a trickle most of the year and also what water that is put back into it will be too warm and not conducive to aquatic life. The local water table may also be depleted from the planned wells. The increased large truck traffic will make the roads more dangerous and the air more polluted. And the Gauley River water levels could be reduced in such a way as to compromise the whitewater rafting industry.

I am skeptical of the promised jobs, and the economic viability of this plant. Further, I have been told that the concentration of heavy metals in the ash waste from burning waste coal is significantly higher than traditional coal fuel. I am not quite clear how this fits the denotation of "clean coal."

I see absolutely no reason for the federal government to provide funding for this project. It appears that the Clean Air and Water Act may be violated. Please closely review the facts of this proposal and reject the funding for it's construction.

Sincerely yours,

Patrick Myers

5327 Stranahan Drive

Cross Lanes, WV 25313

RESPONSES

Comment: 142-001, Issue Code: F1, G1, G2, H1
See General Responses 4.3.2, 4.4.1, 4.4.2, and 4.5.

Comment: 142-002, Issue Code: I
See General Response 4.7.

Comment: 142-003, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Comment: 142-004, Issue Code: E4
See General Responses 4.2.2, 4.2.3, and 4.2.4.

Commenter 143 – Autumn Bryson

February 3, 2007

Mr Roy Spears
USDOE, NETL
3610 Collins Ferry Rd
PO Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears,

I am writing in regards to the Western Green River Co-Gen Power Plant. I believe this project may have adverse environmental impacts. This project is not using the newest and most effective "clean coal" technologies.

In a time when global warming is upon us, we need to build only the most technologically advanced and efficient power plants if we're to build any. The air pollution from this power plant will contribute to acid deposition in an area that is already experiencing some of the highest deposition loadings in the U.S.

The Co-Gen Power Plant would impact the under quarry issues in underground aquifers, the Meadow River, and Sewell Creek. This could contribute to flooding, dewatering of residents water wells, as well as potential harm to the aquatic ecosystem. For these reasons I encourage you to deny funding for this project until these issues are addressed.

Sincerely,

Autumn Bryson
414 Pennsylvania Ave
Morgantown, WV 26501

143-001

143-002

143-003

RESPONSES

Comment: 143-001, Issue Code: D1, F1
See General Response 4.1.1.

Comment: 143-002, Issue Code: F1, F2
See General Responses 4.3.1, 4.3.2 and 4.3.3.

Comment: 143-003, Issue Code: G1, G2, H2
See General Responses 4.4 and 4.6.

Commenter 144 – Julian Arbaugh



U.S. Department of Energy
National Energy Technology Laboratory
Western Greengrass Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CHARLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Julian Arbaugh
Address: 892 Group Rd Shady Spring WV 26318
Representing: Member INCE 132 and my family
Email: sandstone.mtn@usa.com

Comment: Mc Spens
I believe industries in this country have
the experience and the ability to safely operate such a
river plant. Also they should be able to produce electricity
without having any large environmental impact.
It's plant can be constructed, produce electricity
at a fair cost, and not be a environmental nightmare
then it should be built.
The western end of Greenbrier County and the
surrounding areas need the benefits that this project
can produce. Therefore it should be constructed but
closely monitored.
Thank you for hearing my opinion Julian

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.apaana@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-5460
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 144-001, Issue Code: A1
Comment noted.

Commenter 145 – Mellie L. Bleau

 U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Mellie L. Bleau Commented on:
Address: 2398 Dumas Rd. Meadows Bridge, WV
Representing: _____
Email: _____

145-001 { Having lived most of my 88 years in this area I
am very familiar with the history of Peppers
Plant in Rainelle and the water the "gub"
Plant. Why Rainelle? there is plenty of space
between Rupert & Chease with trees to protect
River for other supply.
The town of Rainelle will be totally disrupted
and unfavorably affected in many ways.

145-002 { Since the location will be in the main
residential properties the dust elevated
emission systems should be installed & used.
At least the value of properties will be affected
and environmental damage will occur.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider
comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:
Roy G. Spiers
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0680
Morgantown, WV 26507
Email: roy.spiers@netl.doe.gov
Voice: (304) 285-5500
Fax: (304) 285-5500
Toll-free: (800) 432-4330, x5460

RESPONSES

Comment: 145-001, Issue Code: B
Commented noted.

Comment: 145-002, Issue Code: F3, I, J, K
Aesthetic, property value, traffic, health, and noise impacts to sensitive
receptors are discussed in Sections 4.2, 4.9, 4.13, 4.14, and 4.15, respectively,
in Volume 1.

Commenter 146 – Julie Wingard

RESPONSES



Dear Mr. Spens:

— please excuse the handwritten plea— printer problems...
lack of time as I just found out about this proposal.

In regards to the Greenbrier project...

Please think clearly about this decision for the whole power plant.

Most of what West Virginia has to offer is in its beauty and recreation, and yes — coal.

But please do not allow this plant to come to fruition. Aside from the population that live along the watershed to be affected, I can only assume it's going to affect the tourism industry that depends on the watershed, its quality, its flora and fauna.

Really— we cannot afford to lose this asset.

As a native Pennsylvanian, I moved to West Virginia a decade ago, and I still love the enchanting environment. Amazingly, West Virginia has recovered from many exploitations, and is still doing so. Please do not let it back even more!

I strongly urge you to reconsider plans for such an environmental embarrassment to be forever permanently tied to those whose ended it, through clandestine means so that those, whom it means the most to, have no time to react.

Jan 15, 2007

Comment: 146-001, Issue Code: G1
See General Response 4.4.1.

146-001

Commenter 146 – Julie Wingard



Every citizen in Southern West Virginia will be affected by this plant. I really don't think that this is what the universe wants. We are all connected. Think about that —

And reconsider this decision to carry on.

It's wrong and You all know it.
Thanks for listening

Lover of West Virginia —

Julie Wingard — Jwingard@hotmail.com
Videographer Class VI River Runners
Manager New River Park

RESPONSES

Commenter 147 – Ron Shonbery



MR. Roy Spears

This is a picture I took last year at Jack next to my home in Pocahontas Co. Believe me some heart felt thought & concerns.

This is what it should look like at this time of year in Pocahontas County - Global warming? Place your bets!

When the wind is right we smell coming and all the toxic smells of the paper mill or other industry there. Add a co-gen plant to our west of hills (bore) and you've got us surrounded.

Pocahontas County is where the water issue from - now it's don't eat the fish very much. I live on the line between Greenbrier & Pocahontas counties - let's put wild & wonderful back on the sign - open for clean & green business would be OK too. Ron Shonbery 304 497-3607

147-001

147-002

147-003

RESPONSES

Comment: 147-001, Issue Code: F1

See General Response 4.3.2. Potential impacts to air quality are also discussed in Section 4.3 of Volume 1.

Comment: 147-002, Issue Code: F3

See General Response 4.3.1. Impacts to public health are also discussed in Section 4.14 of Volume 1.

Comment: 147-003, Issue Code: F2

See General Response 4.3.3.

Commenter 148 – William Bowes



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): William J. Bowes	Representing: For the cogeneration plant
Address: HC 40 Box 22K Crawley, WV 24931	Email:
Comment: I would like to see the Cogeneration plant be constructed. I think that there is risk in the environment, but the risks are fewer when compared with the knowledge that people have today to overcome them. I would rather see the water scrubber in use than the dry ones. Thank you William J. Bowes	

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Sparks
National Energy Technology Laboratory
U.S. Department of Energy
MS NC-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.sparks@nrel.doe.gov
Voice: (304) 285-5400
Fax: (304) 215-4403
Toll-free: (800) 432-8530, x5400

RESPONSES

Comment: 148-001, Issue Code: A1
Comment noted.

Commenter 149 – April Crowe

JAN. 7, 2007

DEAR MR. SPEARS:

IN REGARDS TO THE SUPPOSEDLY
BENEFICIAL CO-GEN PLANT THAT IS BEING
PROPOSED FOR RAINELLE, I AND MY FAMILY
ARE APPALLED THAT ANOTHER DIRTY COAL
BURNING PLANT COULD ACTUALLY BE BUILT IN
THIS DAY AND AGE WHEN WE ARE ATTEMPTING
TO DEAL WITH GLOBAL WARMING.

WE (FAMILY & NEIGHBORS) LIVE DIRECTLY
DOWNWIND OF THE POLLUTION THAT IS TO BE
EMITTED, AND ALREADY WE HAVE SIGNIFICANT
AIR QUALITY STREAM/RIVER/GROUNDWATER
POLLUTANTS FROM EXISTING POWER PLANTS.

I HOPE YOU HAVE THE ABILITY TO STOP
THIS PLANT FROM BEING BUILT UNTIL AND IF
IT CAN BE BUILT WITH THE LATEST & BEST
TECHNOLOGIES TO PRODUCE CLEAN AIR & WATER.

ALSO, I THINK IT WOULD BE TERRIBLE TO
USE THE MEADOW RIVER AS A WATER SOURCE.

Sincerely, April (Jeff) Crowe
a family

RESPONSES

Comment: 149-001, Issue Code: F1

See General Response 4.3.2.

Comment: 149-002, Issue Code: F2, F3

See General Responses 4.3.1 and 4.3.3. Impacts to public health are also
discussed in Section 4.14 of Volume 1.

Comment: 149-003, Issue Code: D1

See General Responses 4.1.1 and 4.3.1.

Comment: 149-004, Issue Code: G1

See General Response 4.4.1.

149-001

149-002

149-003

149-004

Commenter 150 – Dallas Davis

To Mr. Roy Spears

My Name is Dallas Davis I am a Boiler maker out of Local 667 in Winfield West Virginia. I am in support of the Greenbrier County Generation LLC project.

It will improve the states economy and help the environment. It will give jobs to alot of people in West Virginia, not only people working on the project but also the people around the area, working in the public service. It will help clean up the environment by cleaning up the old slag piles left by the coal companies. It will also recycle the flyash to make concrete materials. I think the project will help the West Virginia economy in many ways.

Thank you
Dallas Davis

150-001

RESPONSES

Comment: 150-001, Issue Code: A1
Comment noted.

Commenter 151 – Marshall Wooten

To Mr. Roy Spears

Marshall Wooten LU 667

151-001 { *I support the Greenbrier Co Generation LLC project.
I feel keeping our Environment clean is very important. I
feel also it would help the economy in West Virginia.*

Marshall Wooten 667

RESPONSES

Comment: 151-001, Issue Code: A1
Comment noted.

Commenter 152 – Anthony Reynolds

DATE: January 6, 2007
TO: Mr. Roy Spears
FROM: Mr. Anthony Reynolds, BOILERMAKERS LOCAL #667.

152-001 { This letter is my cheer of support for The Greenhse Co. Conversion, LLC.
Project. This is a time when jobs and people are leaving the area,
and this is one of the many steps towards a better state we need to
take. On another note, this project also secures a safer environment
for those who presently live in West Virginia and those who will
reside here later, when work returns to us from overseas.

Very Respectively,
Anthony W. Reynolds
BOILERMAKERS LOCAL # 667

RESPONSES

Comment: 152-001, Issue Code: A1
Comment noted.

Commenter 153 – Anthony Kibbe

TO MR. ROY SPEARS,

I SUPPORT THE GREENBRIER
CO GENERATION LLC PROJECT. THIS WILL BENEFIT
THE ENVIRONMENT BY CLEANING SLAG PILES.
CREATE JOBS FOR UNION CRAFTSMEN. CREATE
TAX REVENUE AND LOWER UNEMPLOYMENT RATE, SO
AROUND A POSITIVE FOR THE STATE OF
WEST VIRGINIA AND ITS CITIZENS.

153-001

RESPONSES

Comment: 153-001, Issue Code: A1
Comment noted.

THANK YOU

ANTHONY KIBBE

MEMBER OF BOILERMAKERS LOCAL 667

Commenter 154 – Joshua Whitecotton

6 Jan 07

Dear Mr. Roy Sprou,

My name is Joshua Whitecotton, a boilermaker from local 667, and I am writing you this letter to express my support of the Greenbrier Cr. Generation LLC Project. I feel strongly about the cleaning up of our great state, and anything that does that plus helps boost the economy is a good thing in my mind. West Virginians working in West Virginia to clean up West Virginia, and making to be spent in West Virginia sounds like a win win win. Vote yes for West Virginia and our people.

154-001

Very Respectfully
Joshua Whitecotton

RESPONSES

Comment: 154-001, Issue Code: A1
Comment noted.

Commenter 155 – Mark Hager

TO: MR. ROY SPEARS

FROM: MARK A. HAGER LOCAL: BOILERMAKERS 667

DEAR MR. SPEARS,

I'M WRITING TO YOU TO LET YOU KNOW
I SUPPORT THE GREENBRIER COUNTY GENERATION LLC
PROJECT. NOT ONLY WOULD THE PROCESS THAT WOULD
BE USED HELP CLEAN WEST VIRGINIA'S ENVIRONMENT,
BUT THE JOBS BROUGHT IN WOULD REALLY HELP THE
STATE'S ECONOMY.

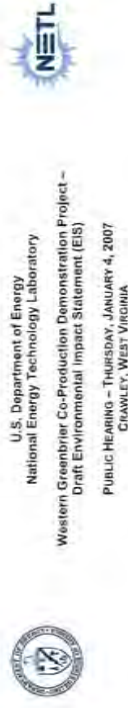
SINCERELY,
Mark Hager

155-001

RESPONSES

Comment: 155-001, Issue Code: A1
Comment noted.

Commenter 156 – Harry Fletcher



COMMENT FORM

Name (Please Print) Harry E Fletcher
Representing HCC&BorgIA Williamsburg WV
Address 34991
Email: 34991

Comment: I strongly protest the proposed Westend Greenbrier Co-Production Demonstration Project. West Virginia has the highest per capita death rate in America from health problems related to coal-powered energy plants. Coal industry, current and past land owners are responsible for cleanup of WV's largest garbage To use \$10.7 million in tax payers dollars so they can get a free would be a great injustice to the citizens of the United States. Out of state industry and absentee land-owners have a long history of raping WV Mountains and leaving sickness and spoiled land for my people and culture. To have Roy G Speers and Department of Energy contribute in this raping of Appalachia would be a terrible injustice

Roy G. Speers
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 0680
Morgantown, WV 26507
Email: roy.speers@netl.doe.gov
Phone: (304) 285-5460
Fax: (304) 285-5460
Toll-free: (800) 422-0330, 45460
1-5-07

156-001

156-002

RESPONSES

Comment: 156-001, Issue Code: F3
Impacts to public health are discussed in Section 4.14 of Volume 1.
Comment: 156-002, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.

Commenter 157 – Janet Bleau

Janet Bleau, PTA

204 Glade Street
Rainelle, WV 25962
304 484-7414
Jeb258@yahoo.com

01/04/07

Roy G. Spears
National Energy Technology Laboratory
U. S. Dept of Energy
M/S NO-3
P. O. Box 0880
Morgantown, WV 26507

Comment on Public Hearing held Thursday, 1/4/07, Crawley, WV

157-001

I remain unconvinced that the proposed Co-Gen Power Plant is actually going to have the most stringent emission controls available. I don't see how it can be a demonstration model without being equipped with the best technology. When you complete the final EIS on this project, I hope you will bear one question in mind. Would you, personally, want to live within a 1 to 5 mile radius of this plant?

Sincerely,

Janet Bleau, PTA
Janet Bleau, PTA

RESPONSES

Comment: 157-001, Issue Code: D1

The risk assessment conducted for this EIS concluded that the Total Risk and the Hazard Index values at nearby receptor locations are well below the U.S. EPA criteria. None of the risks attributable to individual chemicals exceeded 1×10^{-6} for any of the receptors, nor did total risks attributable to all chemicals combined exceed 1×10^{-4} for any receptor, which is well below the U.S. EPA criteria of 1. Discussions on the impacts to public health and tables for the chemical-specific risks and hazards for each receptor are included in Section 4.14 of Volume 1 and Appendix I of Volume 2, respectively. See also General Responses 4.1.1 and 4.3.1.

Commenter 158 – Gary McClanahan

January 8, 2007

Gary McClanahan
705 Dunford Lane
Rainelle, WV 25962

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
M/S NO-3
P.O. Box 0880
Morgantown, WV 26507

Dear Mr. Spears:

My name is Gary McClanahan and I am writing to express my opposition to the proposed power plant location in Rainelle. In 1981 I bought property, and in 1996 I built a new home on this property, investing a substantial amount of money. In 2003 I became aware of the building of a "clean coal" plant in Greenbrier County and learned soon afterwards that its location would be approximately a 1,000 feet from my home. Thus, I am writing to express my concerns that the DOE's ESI report states that, "most adverse impacts on residential property values would affect the nearest residential properties located within 1,500" feet of the proposed plant site. This would include my property.

Since first learning of the building of the co-generation plant, I have had several conversations about my concerns with plant representatives, Mr. Bill Shiffer and Mr. Wayne Brown, and I have been assured by both individuals that there will be "no pollution" coming from the plant. For example, in a 2003 conversation with Wayne Brown, I was told that I wouldn't have to worry about any pollution except for maybe a little bit of CO². Furthermore, Mr. Shiffer has made numerous statements in the press that the plant will be using the latest technology available and residents shouldn't worry. These statements appear to clearly contradict the findings of the ESI draft report and similar "clean coal" plant technologies available.

Therefore, I am writing to expect the promises made by Brown and Shiffer to be kept. I expect this plant to use the latest technology available as promised to the residents of Western Greenbrier County and not just simply what they are told is the latest technology. Furthermore, I expect if my property is de-valued that I will be justly compensated for it. If not, then I will be forced to pursue legal action.

Sincerely,



Gary McClanahan

RESPONSES

Comment: 158-001, Issue Code: D1, F3

The risk assessment conducted for this EIS concluded that the Total Risk and the Hazard Index values at the receptor locations (including residential areas within 1,500 feet from the proposed plant) are well below the U.S. EPA criteria. None of the risks attributable to individual chemicals exceeded 1×10^{-6} for any of the receptors, nor did total risks attributable to all chemicals combined exceed 1×10^{-4} for any receptor, which is well below the U.S. EPA criteria of 1. Discussions on the impacts to public health and tables for the chemical-specific risks and hazards for each receptor are included in Section 4.14 of Volume 1 and Appendix I of Volume 2, respectively. See also General Responses 4.1.1 and 4.3.1.

158-001

Commenter 159 – Mike Matthews

CHARLESTON BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO

Serving these Counties:

BOONE • BRAXTON • CLAY • FAYETTE • GREENBRIER • KANAWHA • LINCOLN • NICHOLAS • POCAHONTAS
PUTNAM • ROANE • WEBSTER • McDOWELL • MERCER • MONROE • RALEIGH • SUMMERS • WYOMING



600 LEON SULLIVAN WAY – CHARLESTON, WV 25301
PHONE (304) 343-6952 • FAX (304) 343-3930

GREG MINCAID
President

January 9, 2007

C. M. (Mike) MATTHEWS
Business Representative

Mr. Roy Spears
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 880
3610 Collins Ferry Road
Morgantown, WV 26507-0880

Re: Western Greenbrier Co-Generation Project

Dear Mr. Spears,

The Charleston Building and Construction Trades Council, AFL-CIO, is in support of the Western Greenbrier Co-Generation Project. This project should be built for the economic growth and welfare of the surrounding towns and counties in the western part of Greenbrier County which has lost local jobs and revenue due to the closing of businesses in that area. We can see the "light" at the end of the tunnel for future growth in Greenbrier Co. and are planning on doing our part to make it work.

We have worked with the Western Greenbrier Co-Generation, LLC Management team since the project was first introduced to the public and have secured a project labor agreement for approximately 11,000 union construction workers that live and work in the surrounding counties of Greenbrier Co. and in Southern West Virginia.

We need your support for moving this project and other future projects forward in Southern West Virginia.

Sincerely,

Charles M. (Mike) Matthews
Bus. Mgr. / Executive Secretary / Treasurer
CMM/jm

159-001

RESPONSES

Comment: 159-001, Issue Code: A1
Comment noted.

Commenter 160 – Carli Mareneck

Carli Mareneck
1394 Sweet Springs Valley
Sweet Springs, WV 24941

January 7, 2007

Roy Spears
US DOE, NETL
PO Box 880
Morgantown, WV 26507

Dear Mr. Spears and D.O.E. Staff,

I write as a property owner in Greenbrier County with concerns regarding the proposed Western Greenbrier Cogeneration Plant. It never ceases to amaze me how such corporate schemes entice West Virginians with much needed jobs while actually undermining both the state economy and our environment. The Department of Energy should deny matching funds for construction of this proposed plant for many reasons.

160-001 { First, the "job piles" this plant is supposed to utilize are pollution that the coal industry is responsible to clean up. It is absurd that our tax dollars would be spent to fund what companies are legally obligated to pay for.

160-002 { Second, using these "job piles" would not clean them up. Instead it will cause much more pollution. Air pollution will be heightened as more CO₂ and other pollutants are released due to the low BTU content.

160-003 { Water will be polluted through discharge of heated effluent water into Meadow River. In addition, water usage will impact local residents supply of groundwater because the plant will require hundreds of gallons of water each minute. Another element that will degrade the environment is the increase in coal truck traffic.

160-004 { This is a plainly absurd and wasteful project. I urge you to deny funding for this hoax which has nothing to do with clean coal. It is time for West Virginia to stop destroying the very environment that could, if protected, provide a new tourist economy for our state. There will be no hope for such a transformation if we can only offer polluted air and water to our residents and visitors!

Sincerely, Carli Mareneck

RESPONSES

Comment: 160-001, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 160-002, Issue Code: E4, F1
See General Responses 4.2.3, 4.2.4, and 4.3.2.
Comment: 160-003, Issue Code: G2, H1
See General Responses 4.4.2 and 4.5.
Comment: 160-004, Issue Code: I
See General Response 4.7.

Commenter 161 – Peter Mareneck

P.A. Mareneck
1400 Sweet Springs Valley
Sweet Springs, WV 24941

Jan. 6, 2007

Roy Spears
United States Dept. Of Energy, NETL
P.O. Box 880
Morgantown, WV 26507

Dear Mr. Spears and DOE staff:

I write as a property and business owner of Greenbrier County, downwind from the proposed Western Greenbrier Co-generation coal-fired power plant. My family and co-workers urge you to deny funding to this mis-labeled project for the following reasons:

1. WGC is being represented as innovative clean-coal technology. Yet WGC's proposed equipment and technologies are in no way innovative or compliant with BACT: e.g. only dry scrubbers which remove far less SO₂ than the wet scrubbers already in use at numerous coal-fired plants; no carbon sequestration system; non-catalytic reduction technology rather than catalytic which will result in unacceptable NO_x and mercury emissions.
2. The Green Valley and Anjean gob piles would not be remediated or removed by this project. Monitoring and remediation of these coal wastes is already the legal responsibility of the coal mining companies and the present landowners, not DOE and not the taxpayers. Since neither gob pile has enough BTU-content material to provide suitable fuel, even the WGC sponsors admit it would need to burn newly mined coal. Thus the waste from processing this new coal and the token gob material would be going back to the same containment area, though now mixed with fly ash. What a cruel joke. A continuous shuttle of overweight coal trucks on sub-standard roads only to perpetuate an environmental nightmare.
3. Use of acrilimide to prep the coal and use of alkaline fly ash to "neutralize" the old gob waste would greatly mobilize the leaching of arsenic and heavy metals into the surrounding soils, aquifer, and Meadow River watershed.
4. There is not enough water in the immediate watershed to service the preparation and power plants. Drying up people's domestic wells and spraying sewage plant effluent for cooling is certainly not state-of-the-art technology worthy of DOE.
5. The proposed "eco-park" is a complete bust. There are no "co-generation" businesses on board, no prospective tenants, no fly-ash "eco-bricks", no commitment from Marshall University, and no mitigation of greenhouse gases. The "eco-park" is not even included in the draft EIS. This alone disqualifies WGC from CCPI program funding.
6. The emissions from this old-technology power plant would pollute the air, soil, and water

RESPONSES

Comment: 161-001, Issue Code: D1, F2, F3, F4

See General Response 4.1.1 and responses under General Response 4.3.

Comment: 161-002, Issue Code: E1, E2, E3, E4, E5, I

WGC's air permit requires that only waste coal be combusted in the CFB during normal operations and, therefore, it is expected that WGC would be limited to using coal refuse during the operational phase as required under the permit. As discussed in Section 2.2.2 of Volume 1, there is a large number of waste sites within a 25-mile radius of the proposed facility and WGC intends to have a 15-20 year reserve of coal refuse under contract before financial closing. See also General Responses 4.1.4, responses under General Response 4.2, and General Response 4.7.

Comment: 161-003, Issue Code: E4, E5

See General Responses 4.2.3, 4.2.4, and 4.2.5.

Comment: 161-004, Issue Code: G1, G2

See General Responses 4.4.1 and 4.4.2.

Comment: 161-005, Issue Code: D4, P

See General Response 4.1.2. The third-party ash byproduct facility (also referred to as a facility for the production of building products using cement from the kiln) would be a principal tenant of the EcoPark, which was evaluated in Section 4.16.2, Cumulative Impacts, in Volume 1. The ash byproduct facility is considered as a connected action and respective impacts were also described elsewhere in Chapter 4 of Volume 1, including Sections 4.5, 4.7, 4.8, 4.9, 4.10, 4.11, and 4.13.

Comment: 161-006, Issue Code: F1, F2, F3

See General Responses 4.3.2 and 4.3.3.

Commenter 161 – Peter Mareneck

RESPONSES

p.2

161-006 { both in the Rainelle-Rupert area and to the east, where a thriving resort, tourist, and 2nd-
(continued) home/recreation industry would be severely harmed. When you turn our blue skies sooty grey,
kill the fish in our River, and blanket our pastures, yards, and gardens with mercury-laden
fallout, you are taking away our livelihoods and destroying the future of this area.

We wholeheartedly urge DOE to deny funding to this project.

Sincerely,



Peter Mareneck

Commenter 162 – Rodney Marsh



Local Union No. 132
2310 South Fayette Street
Beckley, WV 25801
Office (304) 253-6898
Fax (304) 253-6899
Rodney L. Marsh, Business Agent

January 9, 2007

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
M/S NO-3
P.O. Box 0880
Morgantown, WV 26507

Re: Western Greenbrier Co-Production Demonstration Project

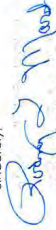
Dear Mr. Spears,

I am excited that the Western Greenbrier Co-Gen Project may soon come to fruition. As you are no doubt aware West Virginia in general, and southern West Virginia in particular, is littered with abandoned state dumps. These sites are an environmental nightmare that has plagued our state for many years.

Now, we are told, with today's technology we can remove these hazardous dumps from our midst while, at the same time, help solve our country's growing energy problem. I am certain that if this project proves to be profitable, other such facilities will be built.

I see this as a win-win situation. We will rid ourselves of these unsightly dumps that pollute our streams, while providing good-paying jobs for the citizenry. I am certain that with proper oversight from federal and state agencies, this project can truly benefit the people our state and the country.

Sincerely,


Rodney L. Marsh

RESPONSES

Comment: 162-001, Issue Code: A1

Comment noted.

162-001

Commenter 163 – David & Rose Buhrman

Re: Western Greenbrier Co-Gen Project

Mr. Spears,

While this co-generation project looks good on paper we do have concerns when respected members of our community insist that the pollution controls will not be "best available technology."

Colonization of West Virginia wealth and resources is not new, and broken promises of a better life for our citizens have left us somewhat distrustful. Add to that the global climate change we have witnessed first hand on our Greenbrier County vegetable farm over the last 33 years, and the need for SMART projects becomes even more important.

If this "demonstration project" can sequester carbon, or reduce MTR mining, or result in the shutdown of an older dirtier facility, then the special treatment and taxpayer supported grants will have been put to good use.

If, on the other hand, it will increase air pollution, land destruction, and exacerbate the problems of global warming, then the creation of jobs alone does not justify DOE's involvement.

We remain hopeful that the Department of Energy will use its money and its muscle to oversee a "demonstration project" in western Greenbrier County that truly meets the strictest standards that available technology can provide to our air and water.

Sincerely,

David Buhrman 1/10/07
David Buhrman date

Rose Buhrman 1/10/07
Rose Buhrman date

Half-Mountain Farm
HC 67 Box 533
Renick, WV 24966

RESPONSES

Comment: 163-001, Issue Code: D1, F1

See General Responses 4.1.1, 4.1.4, and 4.3.2.

Comment: 163-002, Issue Code: D1

Sequestration technology is currently not sufficiently mature and site characterization would be required to determine feasibility for implementation at the Co-Production Facility; thus, CO₂ sequestration is not a feasible option for this project (see Sections 4.3.3.2 and 4.16 of Volume 1 for further discussions on sequestration). WGC's air permit requires that only waste coal be combusted in the CFB during normal operations and, therefore, it is expected that WGC would be limited to using coal refuse during the operational phase as required under the permit. As discussed in Section 2.2.2 of Volume 1, there is a large number of waste sites within a 25-mile radius of the proposed facility and WGC intends to have a 15-20 year reserve of coal refuse under contract before financial closing. Thus, no impact to mountain top removal mining is expected as a result of this project. See also General Response 4.1.4.

Comment: 163-003, Issue Code: F1, M

See responses under General Response 4.3. Impacts to air quality and soil are also discussed in Section 4.3 of Volume 1.

Commenter 164 – Maura Kistler

RESPONSES

Jan 12, 2007

Dear Mr Spears,

I am deeply concerned about the proposed Western Greenbrier Co-Gen. Plant. There is no doubt in my mind that it will have tremendous negative impacts on the Meadow River. I have paddled the Meadow, hiked along its banks and over the years have fought to protect it. It is gorgeous and as close to pristine as you'll find in this area. IT DESERVES PROTECTION. Please reconsider this extremely problematic co-gen plant. Ultimately, the benefits will not come close to outweighing the drawbacks.

Just say NO to thermal pollution
Just say NO to heavy metals pollution

Please reconsider.

Thanks for listening.

MAURA KISTLER

maura@mountain.net 304 674-2021

Comment: 164-001, Issue Code: G1, H1, H3
See General Responses 4.4.1 and 4.5. Impacts to air quality and public health are also discussed in Sections 4.3 and 4.12, respectively.

164-001

Commenter 165 – Barbara Reyes



U.S. Department of Energy
National Energy Technology Laboratory
Western Greentriar Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Barbara Reyes Representing: 8118 Freshness Ct., Midlothian Va 23112
Address: Email:

Comment: My Mother and father who born and
educated in family illia. I visit my
relative often time. I would love to
see this plant come to Knoxville. It
would boost the economy and create
for all the people in that town.

165-001

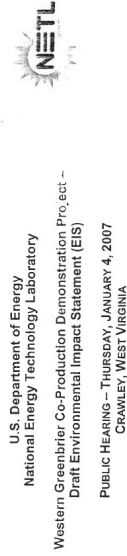
RESPONSES

Comment: 165-001, Issue Code: A1
Comment noted.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS ND-3
P.O. Box 0080
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5400
Fax: (304) 285-5400
Toll free: (800) 432-8330, x6460

Commenter 166 – Frank Berry



PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA

COMMENT FORM

Name (Please Print): Frank D. Berry
Address: 729 German School Rd. Richmond, VA 23225
Representing: _____
Email: _____

I am a retiree living in Richmond I was born and raised in Rainelle. I worked on the Georgia and Pacific many years ago in Rainelle. I left here to seek employment after their closing. At that time Rainelle was a booming town. As the years went by Rainelle became a ghost town. It would be a great asset to bring this plant to Rainelle. Especially to create jobs, not only in the plant but to build more stores, restaurants, etc.

166-001

RESPONSES

Comment: 166-001, Issue Code: A1
Comment noted.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS. 606
P.O. Box 0680
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 452-9330, x5460

Commenter 167 – Bonnie Gifford

*Bonnie D Gifford, M.D.
HC 64 Box 167
Hillsboro, WV 24946
* 304-653-4338 **

January 13, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

Re: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement (EIS)

Dear Mr. Spears:

167-001 { I ask the Department of Energy to deny funding for the Western Greenbrier Co-Gen power plant. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. *There is nothing new or innovative about this plant's pollution control devices. This plant would not even meet minimum Clean Air Act requirements.*

167-002 { In addition to releasing unacceptable levels of greenhouse gases, this plant will also threaten groundwater levels and discharge heated effluent into Meadow River, which may significantly harm aquatic life in the river.

Taxpayers should not fund this environmentally hazardous project.

Sincerely,



Bonnie D. Gifford, M.D.

RESPONSES

Comment: 167-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 167-002, Issue Code: F1, G2, H1
See General Responses 4.3.2, 4.4.2, and 4.5.

Commenter 168 – Laura & Donald Ketchum

LAURA KETCHUM
DONALD KETCHUM
211 Keller Avenue
Fayetteville, WV 25840
(304)574-3653

September 13, 2006

Roy Spears
USDOE, NREL
PO Box 880
Morgantown, WV 26507-0880

Re: Western Greenbrier Co-Gen Draft Environmental Impact Statement

Dear Mr. Spears:

We are writing as concerned citizens of Fayette County regarding the Western Greenbrier Co-Gen power plant.

There is nothing new or innovative about the plant's pollution control devices and the plant's contribution to global warming was not considered. Taxpayers should not pay for the cleanup and citizens of southeastern WV should not be forced to breathe the pollution generated from yet another coal-fired power plant. There may not be enough ground water as the plant will need hundreds of gallons of water per minute to operate. The project will add noise, dust and traffic to the area and, if the plant is built, at least one additional coal will pass through the area every minute, twenty-four hours a day, seven days a week.

Thus, we respectfully ask that the Department of Energy deny funding for this polluting and wasteful project. Thank you for taking the time to read our letter and we look forward to hearing from you.

Thank you.

Sincerely,


Laura Ketchum


Donald Ketchum

168-001
168-002
168-003
168-004

RESPONSES

Comment: 168-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 168-002, Issue Code: F3
See General Response 4.3.2.
Comment: 168-003, Issue Code: G2
See General Response 4.4.2.
Comment: 168-004, Issue Code: I, J
See General Response 4.7.

Commenter 169 – Thomas Key

Mr. Roy Spears
USDOE, NETL
P O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement (EIS)

January 12, 2007

The DOE is planning to provide \$107 million in matching cost share dollars for the construction of the WGC power plant. My family and I are asking the DOE to deny this funding based on the arguments below.

• Global warming is the biggest problem facing humankind today and will prove to be the biggest human-caused environmental disaster of all time. It is our moral obligation to change our government and industry policies to ensure we and future generations have a healthy environment in which to live. Because coal gob has a relatively low BTU content, many more tons of CO₂ and other pollutants are released per unit of electricity generated than from other fuels. *DOE has failed to consider the plant's contribution to global warming.*

• My tax dollars, along with "clean coal" money, should not be used to fund the WGC power plant. Our government has decreed that "clean coal" funding may only be used for projects that employ cutting-edge and innovative pollution control technologies and/or techniques. *According to the EIS and other sources, the proposed plant will not employ cutting-edge or innovative pollution control technologies and/or techniques.* In fact, the proposed plant would not even meet minimum Clean Air Act (CAA) requirements. Our government enacted the CAA in 1990 to protect citizens and their property from unhealthy air pollution, and should not be circumvented for the sake of energy or jobs. The pollution from this plant will negatively affect the health of local residents...particularly those who live downwind or downstream from the plant, and significantly degrade or ruin the environment and watershed.

• *Previous and current business and landowners, and not the taxpayer, should be held accountable for cleaning up the gob piles and their residual effects on our environment.* For far too long, our government has allowed the coal industry and others to shirk their responsibility to clean up the Anjean and other sites throughout the state, which in turn has gradually ruined some of the most beautiful country in the United States by wrecking the environment and endangering its inhabitants. Under no circumstances should the taxpayers of this state pay for the cleanup.

• Acid rain is another serious problem in West Virginia brought on by industrial pollution such as that spewed by coal-fired power plants. Scientists have already

RESPONSES

Comment: 169-001, Issue Code: F1
See General Response 4.3.2.
Comment: 169-002, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 169-003, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 169-004, Issue Code: F2, F3
See General Responses 4.3.2 and 4.3.3.

Commenter 169 – Thomas Key

identified acid rain as the culprit in the overall decline of forests in the region due to tree stress, altered soils, and massive environmental damage to lakes, streams, and groundwater. According to a recent U.S. Geological Survey (USGS) PH Distribution Map, the PH of rain in southern West Virginia is about 4.8. Should the water in our rivers and streams reach this level of acidity, it would devastate our aquatic ecosystems by killing all the mayflies, frogs, and crayfish...and then the fish. *The citizens of West Virginia should not be forced to breathe the pollution or suffer the environmental consequences of another coal-fired power plant.* West Virginia already suffers from some of the most acidic rain in the United States...mostly because of coal-fired power plants like this one.

169-004
(continued)

• As with most industrial facilities, this plant needs huge amounts of water to operate. According to the EIS, the WGC plans to use water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. Pumping this volume of water would drain the river and consequently lower the water table, which would in turn affect local wells. "City Water" is not available in most of this area and area residents would be forced to purchase and truck in water. *Even the experts admit that there may not be enough groundwater.* In addition, the groundwater that remains will most likely be unfit to drink due to contamination by the plant and its activities. This is a widespread problem in this state, so much so that the WV Division of Environmental Protection (WV DEP) is in the first stages of a study to examine the negative effects of the coal industry on our state's drinking water supply. Our state and federal government officials should take heed of the massive environmental and human health disaster brought on by coal-fired plants and under-regulated coal mining in southern Illinois lest they repeat these mistakes.

169-005

• Besides removing water from the Meadow River and increasing its acidity and heavy metal content, the project will discharge heated effluent into the river, which *will significantly harm aquatic life in the river.* It is unimaginable that our elected officials and state bureaucrats would allow industrial activity in the state that negatively affects the very revenue sources the WV State Chamber of Commerce promotes...tourism and retirement communities, which are two of the largest and cleanest revenue producers in southeastern West Virginia. Who would want to retire in southeastern West Virginia knowing their health was at risk and the beauty of the mountains was just a façade?

169-006

• The project may actually increase Acid Mine Drainage (AMD) from fuel sites like Anjean during the fuel extraction process. In addition, it is common knowledge that the ash left over from the combustion process will be more poisonous than the original gob coal since the toxins will be in concentrated form. There appears to be no viable plan to deal with this new toxic material just as there was not a plan to deal with the gob coal. *Please do not let this project degrade and/or ruin yet another West Virginia watershed with AMD.* Again, our federal and state officials should heed the lessons learned in western

169-007

RESPONSES

Comment: 169-005, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.
Comment: 169-006, Issue Code: H1
See General Response 4.5.
Comment: 169-007, Issue Code: E3, E4
See General Responses 4.2.2, 4.2.3, 4.2.4, and 4.2.5.

Commenter 169 – Thomas Key

Pennsylvania and other parts of West Virginia before repeating the same mistakes.

- 169-008

- The proposed plant would *affect flooding upstream in Sewell Creek by increasing water elevation for a 100-year flood by about 6 inches* – caused by the displacement of floodplain. More flooding in southern West Virginia, particularly preventable flooding caused by human activities, is the last thing residents need. Let us not repeat the same mistakes made by the leaders of southwestern West Virginia.
- 169-009

- The proposed project *will also create high levels of noise, dust and traffic in the area*. Experts predict that at least one additional coal truck every five minutes 24/7 will use our public highways to transport gob to and remove ash from the plant. Huge trucks used by the mining and timbering industries already use these roads, and adding more vehicles that are oversized would undoubtedly exacerbate an already unsafe situation for motorists and pedestrians alike.
- 169-010

- I highly doubt that many of the originally proposed auxiliary benefits of the plant *will ever come to fruition since they have no financial support or market to make them sustainable*. In my opinion, these benefits were only included in the initial plan to sway public opinion in favor of building the plant.

In light of these arguments, we ask that the DOE deny funding for this unsustainable, unhealthy, and environmentally unfriendly project.

Sincerely,

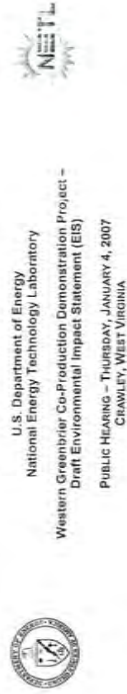


Thomas L. Key and Family (Kathie, Tyler, Joshua, Tawny, and Nicholas)
Old Otter Holler Farm
HC 73, Box 24
Pence Springs, WV 24962

RESPONSES

Comment: 169-008, Issue Code: H2
See General Response 4.6.
Comment: 169-009, Issue Code: I, J
See General Response 4.7.
Comment: 169-010, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Commenter 170 – Richard Adkins



COMMENT FORM

Name (Please Print): Richard L. Adkins Representing: NEETL
Address: P.O. Box 619 Foubham, VA 23139
Email: _____

Comment:

I AM A RET. SEC I HAVE A HOME
IN RICHMOND, VA. AND RAINELLE W. VA.
I LOVE RAINELLE I WOULD LIKE TO SEE
THE POWER PLANT COME TO RAINELLE
I THINK IT WOULD BE GOOD FOR
YOUNG PEOPLE TO HAVE JOBS
I HAD TO LEAVE MY HOME TOWN
MENDOCINO CALIF. TO GET WORK
I AM ONE LUCKY PERSON I GOT
COME BACK TO RAINELLE AND I LOVE IT.

170-001

DOE will consider all comments received by close of business January 18, 2007 in preparing the final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Squares
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0860
Morgantown, WV 26507
Email: roy.squares@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-4330, x6460

RESPONSES

Comment: 170-001, Issue Code: A1
Comment noted.

Commenter 171 - Janet Adkins



U.S. Department of Energy
National Energy Technology Laboratory
Western Greasbrier Co-Production Demonstration Project -
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING - THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): JANET B. ADKINS
Representing: P.O. Box 619 FOWHATAN, VA 23139
Address: _____
Email: _____

Comment: I was born and raised in Fawcettville. I left Fawcettville in 1960 to seek employment in Richmond VA. I am now retired and returned to Fawcettville to buy a retirement home. I am real excited about the plant coming to Fawcettville. I think this town needs economy to create jobs. Every people are getting out of school and looking to find work. I believe had a lot of potential. I we could get this plant up and running.

171-001

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
M/S NO-3
P.O. Box 0680
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x6460

RESPONSES

Comment: 171-001, Issue Code: A1
Comment noted.

Commenter 172 – Christopher Danz

Christopher Danz
465 Nickelville Rd
Fayetteville, WV 25840

January 15, 2007

Roy Spears
USDOE, NETL
PO Box 880
Morgantown, WV 26507

Dear Mr. Spears,

It has come to my attention that there are plans to allow a coal fired power plant in western Greenbrier County. I am writing to let you know that I am vehemently opposed to this. Citizens of West Virginia should not be forced to breathe any more pollution from power plants, drink any more polluted water, have our beautiful mountains ruined by yet another dirty power plant. Many communities, many families, depend on the tourist industry downstream of the proposed plant. If you let it go forward, you are damaging our livelihood and our health.

Sincerely,



Christopher Danz

172-001

RESPONSES

Comment: 172-001, Issue Code: F2, F3

See General Responses 4.3.2 and 4.3.3. Impacts to public health are also discussed in Section 4.14 of Volume 1.

Commenter 173 – Cristina Opdahl

Roy Spears
USDOE, NETL
PO Box 880
Morgantown, WV 26507

Dear Mr. Spears,

It has come to my attention that there are plans to allow a coal fired power plant in western Greenbrier County, I and my family just moved to Fayetteville, West Virginia, where we are very happy and want to stay except that I am worried about pollution effects on my two young children, ages 1 1/2 and 3. We are already close to another coal fired power plant in Glasgow (near Charleston). In addition to this hazard, West Virginia receives pollution from the Ohio Valley. West Virginia also has a number of older power plants that emit particles and other pollution into our air and water. The state citizens are already beleaguered by poverty, poorly performing schools, and so many other pollution related health risks. Why oh why are you considering adding another power plant to all this?
My dental hygienist's daughter, age 3, just was diagnosed with asthma. She wakes up in the middle of the night and can't breathe. Another hygienist at the office has a son with asthma. Both told me it seems like every other kid who comes into their office has asthma. This I know--and you should too--is a direct result of coal fire power plants in our midst.

Please deny the company the right to pollute our air more!!!

Cristina Opdahl

Cristina Opdahl
PO Box 7
Fayetteville, WV 25840

January 15, 2007

RESPONSES

Comment: 173-001, Issue Code: F2, F3

See General Responses 4.3.2 and 4.3.3. Based on the health risk assessment conducted for the EIS (see Section 4.14 of Volume 1), the predicted concentrations of the criteria air pollutants would not exceed the National Ambient Air Quality Standards (NAAQS) and would not significantly contribute to existing background levels. Therefore, potential increased asthma-related health effects are considered minor. Potential human health impacts from air pollution are also described in Section 4.14 of Volume 1.

173-001

Commenter 174 – Stephanie Danz

Stephanie A. Danz
P.O. Box 76
Danese, WV 25831

January 15, 2007

Mr. Roy Spears
USDOE, NETL
P. O. Box 880
Morgantown, WV 26507

Re: Proposed Coal Fired Power Plant, Greenbrier County

As a resident of Danese, I am appalled at the plans to build yet another coal fired power plant in West Virginia. It seems to me that this is another example of big business, and the breakdown of communication with the present administration, taking advantage of a population already affected by poverty, pollution and so many other political ills.

I want to voice my opinion that I most strongly oppose said power plant. It puts everyone at a higher health risk, especially small children and the elderly. I am reaching retirement age myself and I have three grandchildren, ages 3 and under. I worry about our future and don't want to hear "that by 2013 our air quality will improve". I want our todays to have clean air thereby insuring that by 2013 it will be the norm!

Please do not clear the way for more disregarding of the human race! Stand up and be counted on the moral side!

Sincerely,



Stephanie A. Danz

174-001

RESPONSES

Comment: 174-001, Issue Code: F3

See General Response 4.3.2. Impacts to public health are also discussed in Section 4.14 of Volume 1.

Commenter 175 – Mariah Hibarger

201 Keller Avenue
Fayetteville, WV 25840
(815)560-0679

Mariah Hibarger

January 15, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

Re: Western Greenbrier Co-Gen Draft Environmental Impact Statement

Dear Mr. Spears:

I am writing as a concerned citizen of Fayette County in regards to the proposed Western Greenbrier Co-Generation Power Project.

The proposed plant's pollution control devices are neither new nor innovative. Additionally, the plant would not even meet minimum Clean Air Act requirements. It will harm the environment of Greenbrier and surrounding counties, affecting the health of residents on an unprecedented scale. One of the project's "benefits" is to clean up gob piles. Releasing gob pollutants into our air and water does not qualify as a benefit or as "cleaning up gob piles." The proposed project plans to get necessary water from wells and the Meadow River, an invaluable natural resource which is currently a very healthy riparian environment. Decreased water quantity and quality in the Meadow River will devastate the riparian populations and environment, and decrease the water table. Consultants even admit that there may not be enough groundwater for this project. Besides water reduction, the used water will also increase water temperature, further devastating the river environment.

The plant will fill our air and water with 5 million tons of new pollutants every year, add additional truck traffic to the area, and is not a viable example of sustainable economic investment. Thus, I respectfully ask that the Department of Energy deny funding for this polluting and wasteful project.

Thank you for taking the time to read my letter and I look forward to hearing from you.

Thank you.

Sincerely,
Mariah Hibarger



RESPONSES

Comment: 175-001, Issue Code: D1, F3, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1. Impacts to public health are also discussed in Section 4.14 of Volume 1.
Comment: 175-002, Issue Code: E4, F1
See General Responses 4.2.3 and 4.3.2.
Comment: 175-003, Issue Code: G1, G2
See General Responses 4.4.1, and 4.4.2.
Comment: 175-004, Issue Code: H1
See General Response 4.5.
Comment: 175-005, Issue Code: F1, F2, F4, I
See General Responses 4.3.1, 4.3.3, and 4.7.

175-001

175-002

175-003

175-004

175-005

Commenter 176 – Jarrett Lambright

January 16, 2007

Roy Spears
USDOE, NEIL
P.O. Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears:

I wanted to take a few minutes to voice my opposition to the construction of a coal-fired power plant in Greenbrier County, WV that is likely to dramatically affect the flow of the Meadow River and harm the health of the river. I come to this area to enjoy the scenery and wonderful rivers. If the Meadow River was to be dewatered, I am not sure if I would continue to come to this unique region and spend money at the local establishments. West Virginia is such a wonderful place to so many people in and out of the state. I spent four great years in Morgantown, and I learned to love the people and mountains. Please consider denying the funding for this terrible project. It is my understanding that the citizens of West Virginia already have their energy needs met, and thus this project is not needed. Please consider keeping West Virginia Wild and Wonderful, deny the funding for this dirty project. Thank you for your time and consideration.

Best,


Jarrett Lambright
324 Georgetown Road
Beaver Falls, PA 15010
412-417-4417
jarrettlambright@hotmail.com

176-001 {

176-002 {

RESPONSES

Comment: 176-001, Issue Code: G1
See General Response 4.4.1.
Comment: 176-002, Issue Code: D3
See General Response 4.1.3.

Commenter 177 – Martin Saffer

MARTIN V. SAFFER
ATTORNEY AT LAW

P.O. BOX 207
820 TENTH AVENUE, MARLINTON, WEST VIRGINIA 24954-0207
email: martin@saffer@madusafer.com
TELEPHONE & FAX (304) 799-7388

January 15, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact
Statement (EIS)

Dear Mr. Spears:

My successful campaign for Office of County Commissioner in
Pocahontas County focused on honoring and protecting our
heritage and environment.

I believe that great caution should be exercised in
considering this project and that the United States Department
of Energy (DOE) must consider all past, present and future
direct and indirect environmental impacts of this power plant.

It is my belief that Greenbrier and Pocahontas Counties are
unique and any adverse impact on the environment must be
carefully weighed against the strong economic foothold of
tourism and recreation. At the end of the day, far greater
value will come from maintaining a clean and well managed
environment than from polluting air and water sacrificed for
few jobs. I understand that West Virginia already produces
more electricity than it needs and citizens of southeastern
West Virginia should not be forced to breathe the pollution
generated from yet another coal-fired power plant.

Sincerely,

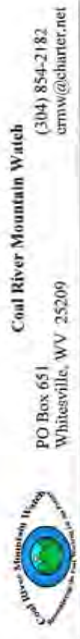

Martin V. Saffer

RESPONSES

Comment: 177-001, Issue Code: D3, F1, F3
See General Responses 4.1.3 and 4.3.2.

177-001

Commenter 178 – Julia Bonds



Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gas (WGC) Draft Environmental Impact Statement (EIS)

Dear Mr. Spears,

It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. *There is nothing new or innovative about the plant's pollution control devices.* Indeed, the plant would not even meet minimum Clean Air Act requirements. This plant is purely a "pork barrel" project funded by the federal government that will harm the environment of Greenbrier County.

Many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the projects will never be realized.

One of the claimed project benefits is to clean up gob piles. This claim is nothing more than a diversion as the coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean.. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund to clean it up. Current and past landowners are also responsible for cleanup. *Taxpayers should not pay for the cleanup.*

West Virginia already produces more electricity than it needs and *citizens of southeastern WV should not be forced to breathe the pollution* generated from yet another coal-fired power plant.

RESPONSES

Comment: 178-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 178-002, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 178-003, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 178-004, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.

178-001

178-002

178-003

178-004

Commenter 178 – Julia Bonds



Coal River Mountain Watch
PO Box 651
Whitesville, WV 25209
(304) 854-2182
crmw@charter.net

178-005

Because coal gob has a relatively low BTU content, many more tons of CO₂ and other pollutants are released per unit of electricity generated than from other fuels. *DOE failed to consider the plant's contribution to global warming.*

178-006

The plant will need hundreds of gallons of water per minute to operate. WGC plans to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining the river and lowering the water table, which would affect local wells.

Consultants admit that *there may not be enough groundwater*. Also WGC didn't count the water withdrawal from the newly proposed prep plant wells.

178-007

Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the River.

178-008

The project will add much noise, dust and traffic to the area. If the Plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.

178-009

The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100-year flood by about 6 inches – caused by displacement of floodplain.

178-010

The project may actually increase AMD from fuel sites like Anjean during extraction of the fuel.

Thus, we ask the DOE to deny funding for this wasteful and dirty project.

Julia Bonds

Julia Bonds
Outreach Coordinator

Coal River Mountain Watch

RESPONSES

Comment: 178-005, Issue Code: F1

See General Response 4.3.2.

Comment: 178-006, Issue Code: G1, G2, G3

See responses under General Response 4.4.

Comment: 178-007, Issue Code: H1

See General Response 4.5.

Comment: 178-008, Issue Code: I, J

See General Response 4.7.

Comment: 178-009, Issue Code: H2

See General Response 4.6.

Comment: 178-010, Issue Code: E3

See General Responses 4.2.2 and 4.2.3.

Commenter 179 – Josh Lipton

Josh Lipton
PO Box 194
Frankford, WV 24938

To: Roy Spears
USDOE, NETL
PO Box 880
Morgantown, WV 26507-0880

Dear Roy Spears,

I am writing concerning the proposed western Greenbrier Co-Gen power plant. I live in Greenbrier County West Virginia.

179-001 { I think this Plan is a foolish one. There are too many ways it would negatively impact our community and the environment. The questionable supply of water and probable degradation of the Meadow River is one grave concern. The absence of best possible technology in design of the pollution control equipment is inexcusable and for this reason alone the project should be stopped. Please consider all of the impacts.

179-002 {

Sincerely



Josh Lipton

RESPONSES

Comment: 179-001, Issue Code: G1
See General Response 4.4.1.
Comment: 179-002, Issue Code: D1
See General Responses 4.1.1 and 4.3.1.

Commenter 180 – Tommy Adkins



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Tommy A. Adkins
Representing: _____
Address: 9238 TALL PINE LN. MECHANICSVILLE, VA 23116
Email: _____

Comment: I WAS BORN IN HINTON, W.VA. AND
WENT TO SANDSTONE HIGH SCHOOL
I WAS IN THE NAVY FOR 4 YEARS
AND MOVED TO RICHMOND FOR WORK.
I COME TO WVA. THREE OR FOUR
TIMES A YEAR TO VISIT MY
MOTHER AND DAD. GRAVE AT SANDSTONE
AND WHEN I DO I VISIT WITH MY
BROTHER AT RAINEVILLE AND I
LIKE RAINEVILLE. I HOPE THE PLANT
COMES TO RAINEVILLE TO HELP
THE TOWN.
THANK YOU

180-001

DOE will consider all comments received by close of business January 16, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 0860
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-5460
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 180-001, Issue Code: A1
Comment noted.

Commenter 181 – Gregory Adkins



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Gregory L. Adkins Representing: _____
Address: 210 Skyview Dr., Beckley, WVA 25801-2152 Email: _____

Comments: I was born in Hunter, WVa. My family
Moved to Richmond VA when I was 7
3 months old. I still have a lot
of relatives in Rainelle. I moved back
to WVa 2 years ago. My parents
own a vacation home in Rainelle.
They are really excited and interested
about the plant coming to Rainelle.
Hopefully this dream can become a
reality for all the people living there.

181-001

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x5460

RESPONSES

Comment: 181-001, Issue Code: A1
Comment noted.

Commenter 182 – Helen Harris



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA



COMMENT FORM

Name (Please Print): Helen Harris Representing: Richmond VA 23237
Address: 9701 Jefferson Davis Hwy Email:

Comment: I was born and raised in Randell. My husband worked on the Medford River Lumber Co. in the same location where the plant was he built hopefullly back in those days business took turning it over for C.C. Murphy Co. there at the time they building it. Now vacant. I would like to see the plant come to Randell. And maybe some of the vacant buildings there can be utilized.

182-001

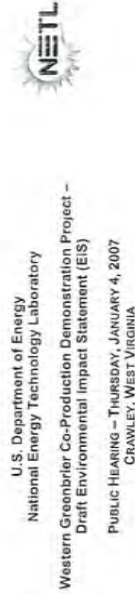
RESPONSES

Comment: 182-001, Issue Code: A1
Comment noted.

DOE will consider all comments received by close of business, January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5480
Fax: (304) 285-4403
Toll-free: (800) 432-8330, x5460

Commenter 183 – Robert Taylor



COMMENT FORM

Name (Please Print) Robert H. Taylor Representing: 959 Eastview Ridge Ct. Wpsley, Va 23120
Address: 959 Eastview Ridge Ct. Wpsley, Va 23120 Email: _____

My best friend has a vacation home in Rainelle. We visit there and fish Ang. White water raft in that New River W.Va. say a beautiful state. I would like to see the plant. Come to Rainelle, it would help the economy and create jobs.

183-001

RESPONSES

Comment: 183-001, Issue Code: A1
Comment noted.

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Roy G. Spears
National Energy Technology Laboratory
U.S. Department of Energy
MS NO-3
P.O. Box 0880
Morgantown, WV 26507
Email: roy.spears@netl.doe.gov
Voice: (304) 285-5460
Fax: (304) 285-4403
Toll-free: (800) 432-3330, x5460

Commenter 184 – Ken Koth

January 16, 2007

Roy Spears
USDOE, NETL
PO Box 880
Morgantown, WV 26507-0880

I am writing to submit comments concerning DOE partial funding of the Greenbrier County coal co-gen plant. This is an inappropriate use of taxpayer money. The coal companies and customers who need coal for energy are the right place to find this funding. DOE should limit their efforts to finding truly new and innovative technologies for cleaning coal for use in industrial and municipal power consumption. I formerly managed a small industrial power plant and repeatedly resisted temptations to use tax credited SYNFUEL for much the same reasons. The tax credits for SYNFUEL were created by Congress to find clean technologies for using coal. The coal suppliers and utilities found loopholes in the law and perverted it such to create what amounts to the oft referred to "corporate welfare". Funding for disposal of coal wastes that involves new and innovative technology is justifiable, but this "demonstration project" is simply a power plant using conventional technology. To make matters worse, the plant's proposed location is in an environmentally and recreationally sensitive area and it is not possible for this power plant to exist in harmony with these other uses. I am a proponent of mixed use, but this is not possible in this case. The water resources of the Meadow River are specifically not able to provide the needed cooling for this power plant. There is no need for additional electric power in this area. The economic benefits of a power plant are not balanced by the risk of damaging the economic benefits derived from the recreational users in this area.

Please deny funding for this project.



Ken Koth
1716 Blackwood Lane
Ridgeway, SC 29130

RESPONSES

Comment: 184-001 , Issue Code: D1
See General Responses 4.1.1 and 4.1.4.
Comment: 184-002 , Issue Code: D3, G1
See General Responses 4.1.3 and 4.4.1.

184-001

184-002

Commenter 185 – Lauren Wadsworth

Lauren R. Wadsworth
HC 68 Box 2A
Renick, WV 24966

Roy Spears USDOE, NETL
PO Box 880
Morgantown, WV 26507-0880

Dear Mr. Spears,

January 15, 2007

I am a citizen of Greenbrier County. I understand that the Department of Energy is planning to provide funding for a Co-Gen plant in Rainelle, WV, which will be burning coal gob.

The funding from the DOE is supposed to be provided to projects using innovative pollution control technology. There is nothing innovative about this proposed plant. It will be contributing significant air pollutants to the already compromised air quality in Greenbrier County, including emissions of mercury, a serious neuro- toxin.

The plant will require hundreds of gallons of water to operate. It plans to withdraw water from nearby wells and the Meadow River. The Meadow is a small river which often widens out into marshy wetlands, providing habitat to many creatures. There are concerns about draining the Meadow, as well as lowering the overall water table in the area. Consultants already admit that there may not be enough water to adequately run the proposed plant.

For the health of my family and all the families of Greenbrier County, as well as Monroe County, which will also be suffering from the air pollution this plant will produce, I ask you to DENY FUNDING OF THIS WASTEFUL AND DIRTY PROJECT.

Thank you very much.

Sincerely,



Lauren R. Wadsworth

RESPONSES

Comment: 185-001, Issue Code: D1, F1, F2
See General Responses 4.1.1, 4.1.4, 4.3.2, and 4.3.3.

Comment: 185-002, Issue Code: G1, G2
See General Responses 4.4.1 and 4.4.2.

Comment: 185-003, Issue Code: F3
See General Response 4.3.2. Impacts to public health are also discussed in Section 4.14 of Volume 1.

185-001

185-002

185-003

Commenter 186 – Jo Weisbrod

JO WEISBROD, MA, LPC, ADTR
HC 40 BOX 41
LEWISBURG, WV
24901
304-647-3311
email: oma00356@mail.wvnet.edu

January 13, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV
26507-0880

RE: Proposed Co-Gen Plant in Western Greenbrier County

Dear Mr. Spears,

I am seriously concerned regarding the proposed Co-Gen Plant in Western Greenbrier County.

My concerns at this time fall into two categories:

1 – The amount of nitrous oxide and mercury which may be spewed into the air could possible create an extremely hazardous situation to our health. Asthma, black and brown lung are serious health problems in our area. These noxious substances would greatly impair the health of many of our citizens.

2 – The issue of accessibility of a water supply is a great concern. One part of the plan is to draw water from the Meadow River, however having lived in this county for over 30 years and having observed the seasons of drought, I gravely question this element of the plan. There are times when the Meadow River is extremely low. I hear that wells could be dug far from the towns of Rupert and Rainelle so as not to draw down their water table and in order to add to the water supply necessary for this plant. Where would these be dug? How would the water be transported to the plant? What is the effect of these other wells on the water table of the people who live there? Our foundation of karst is a delicate and fragile ecosystem. How will this proposed plant affect the health of karst?

There just seems to be too many questions yet unanswered. I strongly urge you to seriously study on the various components of this proposed plant. As the Western End of Greenbrier has discovered, once beauty is destroyed, it is very hard to reestablish it.

Sincerely,



LICENSED PROFESSIONAL COUNSELOR
STATE OF WEST VIRGINIA # 850

RESPONSES

Comment: 186-001, Issue Code: F2, F3

See General Responses 4.3.2 and 4.3.3. Impacts to public health are also discussed in Section 4.14 of Volume 1.

Comment: 186-002, Issue Code: G1, G2

See General Responses 4.4.1 and 4.4.2. Areas of significant groundwater drawdown are not expected to occur within karst regions; thus, no impacts to karst ecosystems are anticipated. Impacts to groundwater are also discussed in Section 4.6 of Volume 1.

186-001

186-002

Commenter 187 – Ruth Murphy

Ruth Murphy
509 South Court Street
Lewisburg, WV 24901-1517

1/15/07

Roy Spears
USDOE NETL
P.O. Box 880
Morgantown, WV 26507-0880

Dear Sir:

I am writing to comment on the WGC Draft EIS.

Coal production and electric power generation from coal have been and are important industries in West Virginia. In view of the current state of scientific knowledge regarding the greenhouse effect and carbon dioxide as well as that regarding the local and regional health and environmental effects of other coal-caused pollution, and in view of the rapid and accelerating pace of climate change, these industries are doomed to be outlawed in the fairly near future. This statement will be true until and unless clean coal technology, which permits the production of power from coal without the production of these pollutants, is developed.

In view of these facts, the Western Greenbrier Co-Gen project is a monumental example of short-term greed and long term stupidity. Burning coal slag to generate power in this project involves no new pollution control technology. It simply allows the industry to profiteer through avoiding responsibility for past misconduct -- in dumping the slag -- by further damaging the public health, the environment and the economy.

For myself and for my family, I urgently ask that DOE deny funding to this dirty, corrupt and predatory project.

Sincerely yours,


Ruth W. Murphy

cc: Senator Robert C. Byrd
Senator Jay Rockefeller
Congressman Nick Joe Rahall
State Senator Jesse O. Guills
Delegate Tom Campbell
Delegate Ray Canterbury

RESPONSES

Comment: 187-001, Issue Code: D1, F1, F3
See General Responses 4.1.1 and 4.3.2.
Comment: 187-002, Issue Code: E5
See General Response 4.2.5.

187-001

187-002

Commenter 188 – Kara Ware

Dear Mr Spears, 1/16/07

I am writing to please ask you to deny funding for the proposed coal plant in Rainette.

Our country is making some wonderful actions towards cleaning our environment, thus improving our health.

Please be another leader in the effort of us growing stronger and healthier as a nation. Please invest in clean energy that will be around when our children are our age.

188-001

The impact this plant will have on our beloved environment and the beloved health of ourselves: children is devastating. Living with heavy metal toxicity is horrifying!

Please help move forwards Acts like the US Mayors Climate Control Act and the Clean Air of Mercury of 2005.

188-002

RESPONSES

Comment: 188-001, Issue Code: D2

See General Responses 4.1.4 and 4.1.5.

Comment: 188-002, Issue Code: F1, F2, F3

See General Responses 4.3.2 and 4.3.3. Impacts to public health are also discussed in Section 4.13.

Commenter 188 – Kara Ware

RESPONSES

Please Mr. Spears,
This affects all of us! Please help
put a stop to destroying our air, water
and health of our children.

Increase rates of Autism, birth defects,
Cancer, Asthma, cardiovascular disease,
nervous disorders and others not mentioned
are not acceptable! Please help stop this
Madness!!!

I choose not to pay for my demise!

Thank you,
Kara Ware

karaWare@hotmail.com

Sorry for the handwritten letter - my printer
didn't work!

188-002
(continued)

Commenter 189 – Glenn Singer

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement (EIS)

Dear Mr. Spears,

My name is Glenn Singer and I sit on the Lewisburg Planning Commission. All the points below underscore good reasons for denying the funding for this project. My understanding is that blending gob with limestone sand away from watersheds and planting long grass above it, stands to clean up the problem much better than burning it. Please stop this dangerous project.

The Points:

All major federal actions are subject to the National Environmental Policy Act (NEPA). Under NEPA, the United States Department of Energy (DOE) must consider all past, present and future direct and indirect environmental impacts of a proposed action. The action is that DOE is planning to provide \$107 million in matching cost share dollars for the construction of the power plant. ***We ask the DOE to deny this funding.***

189-001 { It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. ***There is nothing new or innovative about the plant's pollution control devices.*** Indeed, the plant would not even meet minimum Clean Air Act requirements. This plant is purely a "pork barrel" project funded by the federal government that will harm the environment of Greenbrier County.

189-002 { Many of the originally touted auxiliary benefits of the plant (i.e. a related "eco" industrial park, production of ash based by products,

RESPONSES

Comment: 189-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 189-002, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.

Commenter 189 – Glenn Singer

RESPONSES

- 189-002** { production of cement and sale of hot water and steam) have no
(continued) { current funding mechanism and/or market. These were proposed to
boost the initial attractiveness, but all indications are that most, if
not all, of the projects will never be realized.
- 189-003** { One of the claimed project benefits is to clean up gob piles. This claim
is nothing more than a diversion as the coal industry as well as
current and previous landowners are already obligated to clean up
these sites. The coal industry is currently obligated to pay money into
the State's Special Reclamation Fund sufficient to remediate in
perpetuity acid mine drainage discharges like the one at Anjean.. If
the Special Reclamation Fund is not sufficient to remediate the site,
the coal industry is legally obligated to pay more money into the fund
to clean it up. Current and past landowners are also responsible for
cleanup. ***Taxpayers should not pay for the cleanup.***
- 189-004** { West Virginia already produces more electricity than it needs and
citizens of southeastern WV should not be forced to breathe the
pollution generated from yet another coal-fired power plant.
- 189-005** { Because coal gob has a relatively low BTU content, many more tons
of CO2 and other pollutants are released per unit of electricity
generated than from other fuels. ***DOE failed to consider the plant's***
contribution to global warming.
- 189-006** { The plant will need hundreds of gallons of water per minute to
operate. WGC plans to withdraw water from nearby wells and the
Meadow River and pipe the treated effluent from the Rainelle Sewage
Treatment Plant to the power plant. There are concerns about
draining the river and lowering the water table, which would affect
local wells. Consultants admit that ***there may not be enough***
groundwater. Also WGC didn't count the water withdrawal from the
newly proposed prep plant wells.
- 189-007** { * Besides removing water from the Meadow River, the
project will discharge heated effluent into the river, which may
significantly harm aquatic life in the River.

Comment: 189-003, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 189-004, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.
Comment: 189-005, Issue Code: F1
See General Response 4.3.2.
Comment: 189-006, Issue Code: G1, G2, G3
See responses under General Response 4.4.
Comment: 189-007, Issue Code: H1
See General Response 4.5.

Commenter 189 – Glenn Singer

- 189-008** { The project will add much noise, dust and traffic to the area. If the Plant is built, *at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.*
- 189-009** { The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches – caused by displacement of floodplain.
- 189-010** { The project may actually increase AMD from fuel sites like Anjean during extraction of the fuel.

Thus, we ask the DOE to deny funding for this wasteful and dirty project.

Thank you.

Glenn Singer
208 Feamster Rd.
Lewisburg WV 24901



RESPONSES

Comment: 189-008, Issue Code: I, J
See General Response 4.7.
Comment: 189-009, Issue Code: H2
See General Response 4.6.
Comment: 189-010, Issue Code: E3
See General Responses 4.2.2 and 4.2.3.

Commenter 190 – Wendy Young

Roy Spears
US DOE
PO Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen Draft Environmental Impact Statement

Dear Mr. Spears,

I write you today discouraged and concerned over plans to build a waste-coal generator in western Greenbrier County. I am a bleeding heart in this case. From the plans of construction, internal processes to the removal of toxic waste; plans involving this waste-coal generator are sure to be unsafe and dangerous to the health of those that will be living in and around this area.

190-001 { Sure coal is a natural resource that is readily available to help our nation depend less on foreign energy sources. But if we are to use it, why do so at the cost of others suffering. I'm asking that we go the extra mile, the extra dollar, and the extra hour to build a facility that can guarantee it will not cause harm to wildlife and to the health of those living near it. Make sure the facility is to code and is continuously following proper emission processes.

190-002 { Sooner than later our nation will have to face the truth that our future regarding energy needs cannot lay in irreplaceable natural resources. Our push should be toward developing sustainable energy sources such as nuclear power. I believe that we would all be surprised at how many would be willing to make sacrifices in order to assure a healthy and reliable energy source that assures our nation is independently sustainable. We just need to be given the opportunity.

Thanks so much for your time.

Sincerely,



Wendy Young
217 King Avenue
Fayetteville, WV 25840

RESPONSES

Comment: 190-001, Issue Code: D1, F1
See General Responses 4.1.1, 4.1.4, and 4.3.2.
Comment: 190-002, Issue Code: D2
See General Responses 4.1.1, 4.1.4, and 4.1.5.

Commenter 191 – Jason Young

Roy Spears
US DOE
PO Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen Draft Environmental Impact Statement

Dear Mr. Spears,

I write to you today as two people. One, the environmentalist, is discouraged over plans to build a waste-coal generator in western Greenbrier County. This part of me knows that coal can never truly be "clean burning," only cleaner than it was before.

But don't mistake me for the garden-variety bleeding heart. I am not. Because perhaps most importantly, this part of me has come to believe that the USA's destiny is tied indisputably to our energy choices. The health of our economy and the robustness of our ongoing security will be determined by what we do now. I can't help but wonder why we continue to choose those options that are most expedient over those that will secure a longer future.

West Virginia is at a crossroads. It is here where we will decide either to continue down a path that is viewed uniformly as a dead end – fossil fuels – or embrace another future. The environmentalist in me asks, why not lead the way for others? Why not build West Virginia's future on *sustainable* power?

Please do not misunderstand me. I'm not anti-energy. In fact, the other me – the one who wants power plants to be easier to build and cheaper to run in the short term – doesn't want to write this letter at all. He wants an affordable power bill right now.

But it comes down to my comfort and my worries over the future. I have the latter, but unfortunately, when it comes to WGC, not the former. We live in uncertain times. I believe this uncertainty stems almost entirely from our energy choices. And, I urge you to keep this in mind as West Virginia chooses the path it will walk for the foreseeable future.

Lastly, since I hate people who complain without explaining what they would support... nuclear energy. I would back nuclear power wholeheartedly, even in my own backyard. Hell, *especially* in my own backyard.

Thank you for your time and consideration. I'm certain you'll back the choices you feel are best for West Virginia and the country.

Sincerely,



Jason Young
217 King Avenue
Fayetteville, WV 25840

191-001

RESPONSES

Comment: 191-001, Issue Code: D2

See General Responses 4.1.1, 4.1.4, and 4.1.5.

Commenter 192 – Sharon Bleau



U.S. Department of Energy
National Energy Technology Laboratory
Western Greenbrier Co-Production Demonstration Project –
Draft Environmental Impact Statement (EIS)
PUBLIC HEARING – THURSDAY, JANUARY 4, 2007
CRAWLEY, WEST VIRGINIA

COMMENT FORM

Name (Please Print): Sharon Bleau
Representing: Community/Concerning Area
Address: 2598 Denree Rd.
Meadow Bridge, WV 25976
Email: Sherryb2us@yahoo.com

192-001 { Comment: *I am very concerned about the impact this power plant will have on the groundwater in the area. Many people rely on wells for their water. If the water table is impacted by this plant, their wells may go dry. If that happens, their property will be worthless and their lives will be very difficult.*

192-002 { *I am also concerned about air pollution. The plant should be built with the most stringent air pollution safeguards available.*

192-003 { *The trucks that haul the coal waste should be required to have covers over their loads so that small particles and dust are not blown into the air as they travel to the plant.*

Roy G. Spauls
National Energy Technology Laboratory
U.S. Department of Energy
MS NC-3
P.O. Box 0880
Martinsburg, WV 25907
Email: roy.spauls@netl.doe.gov
Voice: (304) 226-5960
Fax: (304) 226-5960
Toll-free: (800) 412-8330, x5460

DOE will consider all comments received by close of business January 18, 2007 in preparing the Final EIS and will consider comments received after this date to the extent possible. Please submit comments to meeting moderator or send to:

Comment: 192-001, Issue Code: G2

See General Response 4.4.2.

Comment: 192-002, Issue Code: F1

See General Response 4.3.2.

Comment: 192-003, Issue Code: I

As a mitigation measure (see Table 4.19 of Volume 1), coal trucks would be covered with tarps during operations. Transportation-related impacts to air quality are discussed in Section 4.3 of Volume 1.

RESPONSES

Commenter 193 – Kimberly Maxwell

Attn: Roy Spears
USDOE, NETL
PO Box 880
Morgantown, WV 26507-0880

Mr. Spears;

The proposed power plant project in the Greenbrier Valley has been recently brought to my attention. Some of the concerns voiced in the included summary seem very valid and disturbing. My family lives only a few miles outside of the town of Rainelle and we urge you to please take into consideration both the environmental impacts of this decision as well as the impacts -present and future- on the people in the surrounding areas.

West Virginia has suffered its fair share of environmental degradation due to coal mining and logging in the state. We are struggling to clean up and repair this past damage, and to make amends to current regulations to protect our watersheds and our homes, as well as the health of our people.

As a mother and a resident of the area, I am very, very concerned about the impacts of this facility.

As an American citizen, I believe that this country has the means and the ability to pursue clean energy and stop building power plants that are killing our planet and our children.

Please, please do not let this project proceed as it is currently laid out. There must be other options. I understand the need for energy. I understand the desire for an economic boost in the area. I do not understand the rationale behind a facility that will further poison our land, our water, and our children.

I would be happy to talk further with you about this project, or to participate in whatever way I can with this decision-making process.

Thank you so much for your time and your consideration.

Sincerely,
Kimberly Maxwell
HC 82 Box 35A
Rainelle, WV 25962
Phone: 304-438-7246
Email: kimriver2000@yahoo.com

Encl: Summary of Major Points of Contention with Western Greenbrier Co-Gen

RESPONSES

Commenter 193 – Kimberly Maxwell

Western Greenbrier Co-Gen

The Project

All major federal actions are subject to the National Environmental Policy Act (NEPA). Under NEPA, the United States Department of Energy (DOE) must consider all past, present and future direct and indirect environmental impacts of a proposed action. The action is that DOE is planning to provide \$107 million in matching cost share dollars for the construction of the power plant. *We ask the DOE to deny this funding.*

Main Points

193-001 { * It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. *There is nothing new or innovative about the plant's pollution control devices. Indeed, the plant would not even meet minimum Clean Air Act requirements. This plant is purely a "pork barrel" project funded by the federal government that will harm the environment of Greenbrier County.*

193-002 { * Many of the originally touted auxiliary benefits of the plant (i.e., a related "eco" industrial park, production of ash based by products, production of cement and sale of hot water and steam) have no current funding mechanism and/or market. These were proposed to boost the initial attractiveness, but all indications are that most, if not all, of the projects will never be realized.

193-003 { * One of the claimed project benefits is to clean up gob piles. This claim is nothing more than a diversion as the coal industry as well as current and previous landowners are already obligated to clean up these sites. The coal industry is currently obligated to pay money into the State's Special Reclamation Fund sufficient to remediate in perpetuity acid mine drainage discharges like the one at Anjean.. If the Special Reclamation Fund is not sufficient to remediate the site, the coal industry is legally obligated to pay more money into the fund to clean it up. Current and past landowners are also responsible for cleanup. *Taxpayers should not pay for the cleanup.*

193-004 { * West Virginia already produces more electricity than it needs and citizens of southeastern WV should not be forced to breathe the pollution generated from yet another coal-fired power plant.

193-005 { * Because coal gob has a relatively low BTU content, many more tons of CO2 and other pollutants are released per unit of electricity generated than from other fuels. *DOE failed to consider the plant's contribution to global warming.*

RESPONSES

Comment: 193-001, Issue Code: D1, F4
See General Responses 4.1.1, 4.1.4, and 4.3.1.
Comment: 193-002, Issue Code: D4
See General Responses 4.1.2 and 4.1.4.
Comment: 193-003, Issue Code: E1
See General Responses 4.1.4 and 4.2.2.
Comment: 193-004, Issue Code: D3, F3
See General Responses 4.1.3 and 4.3.2.
Comment: 193-005, Issue Code: F1
See General Response 4.3.2.

Commenter 193 – Kimberly Maxwell

- 193-006 {
• The plant will need hundreds of gallons of water per minute to operate. WGC plans to withdraw water from nearby wells and the Meadow River and pipe the treated effluent from the Rainelle Sewage Treatment Plant to the power plant. There are concerns about draining the river and lowering the water table, which would affect local wells. Consultants admit that *there may not be enough groundwater*. Also WGC didn't count the water withdrawal from the newly proposed prep plant wells.
- 193-007 {
• Besides removing water from the Meadow River, the project will discharge heated effluent into the river, which may significantly harm aquatic life in the River.
- 193-008 {
• The project will add much noise, dust and traffic to the area. If the Plant is built, at least one additional coal truck will pass through the area (including the town of Rainelle) every five minutes, twenty-four hours a day, seven days a week.
- 193-009 {
• The proposed plant would impact flooding upstream in Sewell Creek by increasing water elevation for a 100 year flood by about 6 inches – caused by displacement of floodplain.
- 193-010 {
• The project may actually increase AMD from fuel sites like Anjean during extraction of the fuel.
• Thus, we ask the DOE to deny funding for this wasteful and dirty project.

RESPONSES

Comment: 193-006, Issue Code: G1, G2, G3
See responses under General Response 4.4.
Comment: 193-007, Issue Code: H1
See General Response 4.5.
Comment: 193-008, Issue Code: I, J
See General Response 4.7.
Comment: 193-009, Issue Code: H2
See General Response 4.6.
Comment: 193-010, Issue Code: E3
See General Responses 4.2.2 and 4.2.3.

Commenter 194 – Robert Handley

Robert H. Handley
HC 67 Box 508
Renick, WV 24966
gbrhat@mtelos.net
304-497-2276

Mr. Roy Spears
USDOE NETL
3610 Collins Ferry Rd.
P. O. Box 880
Morgantown, WV 26507-0880

Subject: Comments Draft EIS DOE – EIS-0361

Dear Mr. Spears:

I am opposed to any DOE money being spent on the Western Greenbrier Co-Gen Project (WGC). Especially not the \$107.5 million proposed matching grant of Clean Coal Power Initiative (CCPI) money authorized to encourage innovative technology. My reasons are as follows:

- 194-001

1.

As proposed, it isn't a clean plant but a dirty one because the SO₂ and NO_x emissions are not reduced nearly as much as better "available" technology. The Flash Dryer Absorber will remove only half the SO₂ that some Wet Scrubbers will (WGC should use only the best scrubbers available). Selective Non-Catalytic Reduction can't remove nearly as much NO_x as some Selective Catalytic Reduction units. Since CCPI funding is meant to create new, innovative, "CLEAN" ways to use coal, it should not be used to fund this inefficient, "dirty", project.
- 194-002

2.

The Gob Piles on Briery Knob and Green Valley (up Little Clear Creek from Rupert) are in the process of being reclaimed by the WV DNR using Abandoned Mine Land funds. The piles are also IN THE WAY of the Oxford Mining Company removing undisturbed coal from the area. Wouldn't it be great (for OMC) to have WGC remove the usable gob and replace it with "treated" toxic waste and then have it all declared "neutralized" – COLLUSION??? Some other parts of the project have an odor also – in my mind.
- 194-003

3.

Most people who live in the Rainelle area seem to have no clue as to what WGC will mean to them. All they can hear is JOBS – some of which would materialize, but most would not. What they don't hear (or don't want to hear) is the very loud, erratic, incessant noises associated with a coal fired Co-Gen plant - or the noises
- My main concern though, is that **no public money** be used to move, or treat, gob that is the basic responsibility of the coal industry... They created the piles. They must be responsible for cleaning it up. Please do not provide any funds for WGC.

Comment: 194-00, Issue Code: D1

See General Responses 4.1.1, 4.1.4, and 4.3.1.

Comment: 194-00, Issue Code: E1, E4

See General Responses 4.1.4, 4.2.2, and 4.2.3.

Comment: 194-00, Issue Code: F1, F4, I, J

See General Responses 4.3.1, 4.3.2, and 4.7. Impacts to air quality and public health are also discussed in Sections 4.3 and 4.14 of Volume 1, respectively.

RESPONSES

Commenter 194 – Robert Handley

194-003
(continued)

of 40 ton, diesel, coal trucks rumbling through their neighborhoods every five minutes – 24/7. The dust, diesel fumes, their broken roads, and on foggy mornings (now they get just due on everything outside) they will get a heavy coat of gritty, black, soot on everything as the heavier fine particles of soot drop out on properties closest to WGC – you can't catch it all. Their Meadow River Valley which is now sometimes a foggy valley will become a smoggy valley. Ground fog was one of the concerns in locating the Greenbrier Valley Airport at Maxwelton – it's a problem at times. A coal fired WGC 22 miles – up the prevailing wind (to the northwest) can't help but compound their fog (will be smog) problems. I live 22 miles almost due east of the proposed WGC and I don't want to have the SO₂, NO_x, mercury, arsenic, and other crud blowing my way either. Our air is too dirty now from Ohio Valley coal fired power plants – don't add more pollution to it. Please don't provide grant funds for the WGC.

194-004
194-005
194-006
194-007
194-008

Briefly, I'm concerned that there is no prohibition on burning tires, medical waste, and other exotic crud. That there were no studies done on the flood characteristics changes that will occur on Sewel Creek from filling in the flood plane for the plant and access road (any flood plane change will cause unplanned changes in flooding both up and down stream). That wetland replacement was not mentioned for wet areas lost at the plant site (cat tails don't grow on dry ground). That there's not enough usable gob to run the plant for the period planned (but it may move enough gob to achieve the collusive efforts noted in Item 2). That there was no effort to evaluate alternatives other than BUILD/NO BUILD. An innovative project (though this one is really not very large) should look at different equipment and operating techniques. If any of this was done it was done off the record – why? Since the stated goal was to demonstrate new, "innovative - CLEAN" technology and WGC does not do this – PLEASE do not provide CCPI funds for this project.

Thank you for the opportunity to comment.

Sincerely,



Robert H. Handley.

Cc: Senator Robert C. Byrd
Senator Jay Rockefeller
Congressman Nick J. Rahall II

RESPONSES

Comment: 194-004, Issue Code: H2
See General Response 4.6.

Comment: 194-005, Issue Code: L2
To date, WGC has prepared and submitted state and federal wetland encroachment permit applications (401 and 404) associated with unavoidable wetland impacts. New text has been added to Sections 4.7.3 and 4.7.4 of Volume 1, which discusses wetlands impacts and mitigation plans.

Comment: 194-006, Issue Code: E2
See General Response 4.2.1.

Comment: 194-007, Issue Code: D5
See General Response 4.1.5.

Comment: 194-008, Issue Code: D1
See General Responses 4.1.1 and 4.1.4.

Commenter 195 – Janeal Quinnett

RESPONSES

Comment: 195-001, Issue Code: F1, F2
See General Response 4.3.2.

JANEAL QUINETT
PO Box 573
Lewisburg, WV 24901

Don Swans
U.S. Dept. of Energy, NETL
P.O. Box 8801
Martinsburg, WV 26507

Dear Mr. Swans & DOE staff:

Please DELY funding to the proposed
Western Generation Co. generating coal-fired
power plant. The emissions from this power
plant would pollute the air, soil and
water both in the Rainelle impact area and
to the east, where a thriving resort, tourist
and second home/recreation industry would
be severely harmed.

Let's keep WV wild, wonderful and attractive.

Sincerely,
Janeal Quinnett

195-001

Commenter 196 – Larry Dadisman

MR. LARRY B. DADISMAN
912 Greendale Dr.
Charleston, WV 25302
ldadisman@yahoo.com
304-343-1156

January 17, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact
Statement (EIS)

Dear Mr. Spears,

It is an inappropriate use of federal tax money to fund the WGC power plant with "clean coal" money. "Clean coal" funding is intended to be used only for projects that will use innovative pollution control technology. There is nothing new or innovative about the plant's pollution control devices. Indeed, the plant would not even meet minimum Clean Air Act requirements. This plant funded by the federal government will harm the environment of Greenbrier County.

196-001

It seems more appropriate that the entire State of West Virginians should have a say in using their monies for this project. I would ask for an extension of the filing date for comments and that the proper notice to all our citizens be given about this undertaking.

196-002

Many citizens of West Virginia are working to clean up, make healthier, and stop damaging pollution of our State and this project is a slap in the face to these efforts and a great regression. I would hope and pray that we do not take this back woods approach to our problem of removing coal waste.

Sincerely,

Larry Brent Dadisman

RESPONSES

Comment: 196-001, Issue Code: D1, D4

See General Responses 4.1.1, 4.1.4, and 4.3.1.

Comment: 196-002, Issue Code: C

The Draft EIS was made available for public review for 45 days. According to 40 CFR 1506.10(c), "the public review and comment period on a draft EIS shall be no less than 45 days." Officials and citizens were notified of this project as part of the EIS scoping process, as described in Chapter 1 in Volume 1. A DOE decision on the Proposed Action will not be made until completion of the Final EIS.

Commenter 197 – Keith Doherty

HC 66 Box 106A
Hico, WV 25854
January 15, 2007

Roy Spears
USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

Re: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement

Dear Mr. Spears:

I have just recently become aware of the Western Greenbrier Co-Gen Draft Environmental Impact Statement. This project proposal is so wrong on so many levels that I am not sure where to start.

Anyone who has ever spent time on the Meadow River can tell you it is one of the most beautiful treasures of the state. The Meadow has three distinct whitewater sections that include Class I-III rapids for beginners and Class IV-V rapids for experts. The run is a whitewater classic, known by river runners all over the country and abroad. It is also a favorite fishing destination for both locals and tourists, boasting one of the healthiest populations around. If this project is approved, all of this will be destroyed.

The coal company has not accounted for the effects of warm water on aquatic or riparian habitats. They have also not accounted for what effect a polluted Meadow River will have on the Gauley River, one of the greatest economic generators our area has. In addition, the coal company's own consultants have admitted that even with diverting the Meadow and pumping the ground water they may not have enough water to cool the WGC plant.

The coal company is responsible for cleaning up their own mess. There is no reason that taxpayers should have to pay for something that the coal company is already responsible for. And taxpayers certainly should not pay for a project that is destructive as this. The estimated effects acid rain, Mercury, and Fly Ash could be catastrophic to the surrounding habitats. The Greenbrier County area is already near federal health standards for air pollutants. Why would anyone approve a project that is going to make this situation worse?

Please do not approve funding for the Western Greenbrier Co-Gen plant. This project is a waste of tax dollars and dangerously irresponsible to the environment and the people that live there.

Sincerely,



Keith B. Doherty

RESPONSES

Comment: 197-001, Issue Code: G1, G2, H1
See General Responses 4.4.1, 4.4.2, and 4.5.

Comment: 197-002, Issue Code: E1, E4, F2
See General Responses 4.1.4, 4.2.2, 4.2.3, and 4.3.3.

197-001

197-002

Commenter 198 – Karen Childers

200 High Street
Fayetteville, WV 25840
January 13, 2007

USDOE, NETL
P.O. Box 880
Morgantown, WV 26507-0880

RE: Western Greenbrier Co-Gen (WGC) Draft Environmental Impact Statement (EIS)

Dear Roy Spears:

198-001 { Please do not allow the DOE to support the funding of the construction of the Greenbrier Co-Generator Plant. This project is a disgrace to West Virginia and the United States. Not only will it degrade the health and wellbeing of West Virginia's citizens and children but it will contribute to Global Warming and environmental destruction.

198-002 { The power plant would not even meet minimum Clean Air Act requirements. Taxpayers should not pay for the cleanup. West Virginia already produces more electricity than it needs and citizens of WV should not be forced to breathe the pollution generated from yet another coal-fired power plant. It is estimated that 5,000,000 pounds of pollution emissions will be released annually. We know these pollutants cause cancer and respiratory illnesses such as asthma, and increase the incidence of heart disease and other illnesses. Many of these substances are toxic, persistent, and bio-accumulative, and adversely impact humans, animals, and plants.

198-003 { The removal of water from the Meadow River will drain local wells and damage its fragile eco-system; the project will also discharge heated effluent into the river, which may significantly harm aquatic life in the River.

Thus, I ask the DOE to deny funding for this wasteful and dirty project.

Let's make West Virginia a model state for energy efficiency not a disgrace and major contributor to Global Warming and Environmental Health Hazards. Please help make the world a better place. It's not too late!

Sincerely,

Karen Childers

RESPONSES

Comment: 198-001, Issue Code: F1

See General Responses 4.3.2.

Comment: 198-002, Issue Code: D3, F2, F3, F4

See General Responses 4.1.3, 4.3.1, 4.3.2, and 4.3.3. Impacts to public health are also discussed in Section 4.14 of Volume 1.

Comment: 198-003, Issue Code: G1, G2, H1

See General Responses 4.4.1, 4.4.2, and 4.5.

Commenter 199 – Luke Begovich

United Brotherhood of Carpenters & Joiners of America

Local Union 1911 Building West Virginia



Wayne Rabich
President

2308 South Fayette St Beckley WV 25801
Phone: 304-254-9911 Fax: 304-254-9931

Luke Begovich
Service Rep.

January 11, 2007

Roy G. Spears
National Energy Technology Laboratory
U.S. Department Of Energy
M/S NO-3
P.O. Box 0880
Morgantown, WV 26507

Re: Western Greenbrier Co-Production Demonstration Project

Dear Mr. Spears,

I am truly excited that the Western Greenbrier Co-Gen Project may soon become to fruition. As you are no doubt aware West Virginia in general, and southern West Virginia in particular, is littered with abandoned slate dumps. These sites are environmental hazards that have plagued our state in many years.

Now, we are told that with today's technology we can remove these hazardous dumps from our midst while, at the same time, help solve our country's growing energy problem. I am certain that if this project proves to be profitable, others such facilities will be built.

I see this as a win-win situation. We will rid ourselves of these unsightly dumps that pollute our streams and cost West Virginia taxpayers millions of dollars. This project could provide good paying jobs for the citizenry. I am certain that with proper oversight from federal and state agencies, this project can truly benefit the people our state and the country.

Sincerely

Luke Begovich
Service Representative
Carpenters Local 1911

RESPONSES

Comment: 199-001, Issue Code: A1
Comment noted.

199-001

INTENTIONALLY LEFT BLANK

6. REFERENCES

- Bennett, Danny and McDonald, Brian (Bennett et al.) 2006. Riparian Conditions of the Gauley and Meadow Rivers in Gauley River National Recreation Area, West Virginia. Wildlife Resources Section, West Virginia Division of Natural Resources. June 2006.
- Bowman, Ray. 2006. Meeting Minutes for WGC Meeting at WV DEP. Attendees: Wayne Brown (WGC), Brian Neely (WGC), Jerry Joseph (URS), Ray Bowman (PHE), Lyle Bennett (WVDEP), Yogesh Patel (WVDEP), Chad Board (WVDEP), and Danny Bennett (WVDEP). Meeting Date: June 28, 2006 (1 p.m. to 4:15 p.m.).
- Environmental Protection Agency (EPA). 1985. Compilation of Air Pollutant Emission Factors Volume I: Stationary Point and Area Sources, AP-42 Fifth Edition. Office of Air Quality Planning and Standards. January 1995.
- Environmental Protection Agency (EPA). 1998. Methodology for Assessing Health Risks Associated With Multiple Pathways of Exposure to Combustor Emissions. EPA600/R-98/137. National Center for Environmental Assessment. Cincinnati, OH. Update to EPA/600/6-90/003, Methodology for Assessing Health Risks Associated With Indirect Exposure to Combustor Emissions.
- Environmental Protection Agency (EPA). 2005. Examination of Multiplier Used to Estimate PM_{2.5} Fugitive Dust Emissions from PM₁₀, presented at EPA's 14th International Emission Inventory Conference, "Transforming Emission Inventories – Meeting Future Challenges Today", April 2005. Accessed on June 14, 2007 from <http://www.epa.gov/ttn/chief/conference/ei14/session5/pape.pdf>.
- Environmental Protection Agency (EPA). 2007. National Coal-Fired Utility New Source Review (NSR) Spreadsheet. Last Updated: April 2007.
http://www.epa.gov/region07/programs/artd/air/nsr/spreadsheets/national_coal_projects.xls.
- Jones, C.A.; Inskeep, W.P.; and Neuman, D.R. (Jones et al.). 1997. Arsenic Transport in Contaminated Mine Tailings Following Liming. *Journal of Environmental Quality*, 26:433-439 (1997).
- Kania, T.C. and Tarantino, J.M. (Kania et al.). 2004. Coal Ash Beneficial Use on Bituminous Mine Sites. In: Pennsylvania Department of Environmental Protection, 2004, Coal Ash Beneficial Use in Mine Reclamation and Mine Drainage Remediation in Pennsylvania. Accessed online at http://www.dep.state.pa.us/dep/deputate/minres/bmr/beneficial_use/13%20CHAPT%205/Chapter%205.pdf.
- Menghini, M.J.; Hornberger, R.J.; Owen, T.D.; Hill, S.; and Sheetz, B.E. (Menghini et al.). 2005. Beneficial Use of FBC Coal Ash for Mine Reclamation in the Anthracite Region at the Wheelabrator Frackville and Mount Carmel C-Gen Sites. Accessed online at <http://whocares.caer.uky.edu/wasp/AshSymposium/AshLibraryAgenda.asp>.
- Murarka, I. and Erickson, J. (Murarka et al.). 2006. Use of Coal Combustion Products in Mine-Filling Applications: A Review of Available Literature and Case Studies. Accessed online at <http://wvri.nrcce.wvu.edu/programs/cbrc/reports/99-EC-W05.pdf>.
- Pennsylvania General Assembly (PGA). 2004. Report on a Proposed Moratorium on the Use of Fly Ash in Mine Reclamation Projects. Report is a result of a public hearing held by the Joint Legislative Air and Water Pollution Control and Conservation Committee on July 09, 2003. February 2004.
- S.S. Papadopoulos & Associates, Inc. (SSP&A). 2005. Evaluation of Groundwater Pumping in Rainelle, West Virginia. December 23, 2005.

- S.S. Papadopoulos & Associates, Inc. (SSP&A). 2007. Model Development to Evaluate Groundwater Pumping in Rainelle, West Virginia. June 05, 2007.
- Tennant, Donald Leroy. 1975. Instream Flow Regimens for Fish, Wildlife, Recreation and Related Environmental Resources. "Fisheries," Volume 1, No. 4.
- URS, Corporation. 2007. HCl and HF calculations spreadsheet (04/30/07) via email exchange between B. Neely (WGC) and J. Joseph (URS), April 30, 2007.
- U.S. Department of Health and Human Services (DHHS). 2005. Draft Toxicological Profile for Arsenic. Agency for Toxic Substances and Disease Registry, Public Health Service. September 2005.
- W&P NOISE PROTECTION (W&P). 2007. Venting Silencers / Blow Off silencers with / without expansion orifice. Website accessed on June 14, 2007 from:
http://www.noiseprotection.de/start/products_function/en_prod_gase/en_prod_gase.html.
- West Virginia Department of Environmental Protection (WVDEP). 2006. Final Report – Water Resources Protection Act, Water Use Survey. December 29, 2006.
- Wyrick, G.G. and Borchers, J.W. (Wyrick and Borchers) 1981, Hydrologic effects of stress-relief fracturing in an Appalachian valley: U.S. Geological Survey Water-Supply Paper 2177, 51p.