Virtual Public Meeting for TransGas Development System Proposed Air Quality Permit 13-3622 (2024-02-21 18:04 GMT-5) - Transcript

Attendees

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Transcript

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Terry A Fletcher: Alright, so I've got 605 on my clock here. So we're going to go ahead and get started and we can always catch anyone up who may be running late.

Terry A Fletcher: Alright, so good evening everyone. My name is Terri Fletcher. I'm the chief Communications officer for the West Virginia Department of Environmental Protection. I want to welcome everyone to the division of air qualities virtual public meeting regarding the permit application for transgas development system LLC application number r13-3622. With me tonight is staff from the depth division of air quality Laura Crowder news source review program manager Bev McKeon permit engineer Joe Kessler and environmental resource manager Nicole Ernest. The purpose for this public meeting is to provide information and answer questions and give you the opportunity to share your comments or information about the application with the dep. Please note that a decision on this application will not be made this evening.

Terry A Fletcher: All comments given this evening as well as any written comments submitted to the agency prior to the end of the comment period we'll be entered into the public record for this application and considered by deaq staff prior to the agency making its final determination. The agency will respond to comments and any questions that cannot answer this evening in a response to Common document which will be sent along with the agencies file determination. The official comment period ends at 5 o'clock on Wednesday, February 28th, 124 and comments can be emailed to Joseph r dot Kessler at wv.gov with R13-3622 comments in the subject line.

Terry A Fletcher: And hard copy comments can be sent via regular mail to the attention of Joe Kessler at the West Virginia Department of Environmental Protection division of air quality. 601 57th Street Southeast, Charleston, West Virginia 2 5 304 and that information has been included in the meeting chat so that you had that written down somewhere for you where you can reference and at any time. To ensure that we successfully achieve the purpose of this meeting. We ask that you keep your microphone muted when not in use and to be respectful and considering each other by refraining from using foul language and name calling and interrupting others while they are speaking. We also ask that you keep your comments or questions on the topic of this application so that our time together is used efficiently.

Terry A Fletcher: We've asked that everyone registered for the meeting tonight so that we have an accurate record of everyone in attendance if by some chance you do not register, please add your name and email address in the meeting chat and you can ask access the chat by clicking the text Bible icon in the bottom right corner of your screen.

Terry A Fletcher: This will also ensure that you receive a copy of the agency's final termination on the application. We will begin the meeting with a brief presentation from permit engineer Joe Kessler, which will touch on the daq's permitting process and information included in the application and relevant to the proposed facility. We will then open the floor for a question and answer segment before moving on to official comments. Again, any questions we cannot answer this evening? We'll be addressed in the agencies response to comment stock. Also, please be aware that once we start taking official comments. We will no longer be able to answer Any questions asked as part of your official comment again, we'll be addressed in During the comment portion each speaker will be given five minutes to speak. And we ask that you stay within this time frame to ensure everyone who wishes to participate has the opportunity to do so.

Terry A Fletcher: written comments can be submitted to the agency at any point until 5 o'clock on Wednesday, February 28th 2024. Alright, thank you for bearing with me through those opening remarks. I will now turn the floor over to permit engineer Joe Kessler Joe.

Nicole D Ernest's Presentation: Good evening. My name is Joe Kessler as noted and I am the reviewing engineer on the proposed construction of the ammonia production facility in Mingo County, West Virginia And I'm gonna be giving a presentation this Going over both the proposed facility itself and a little bit about the permitting process as well.

Nicole D Ernest's Presentation: So the presentation I'm give basically going to be in three sections. After this introduction, we're going to first go into the permitting process itself. Not specific really to transgaz, but just to give you an idea of what the permitting process is and why we're using this particular permitting program. and putting that program in context and we'll go specifically into the project itself and I'll give you information about the process. and the em Then we'll finish up with going over what documentation daq provides and what happens next. Presentation's probably going to last about 40 minutes.

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Nicole D Ernest's Presentation: Real quick before we dive into the specifics of the permitting process. I want to put that permitting process in the context of the larger rare regulatory scheme for air quality just to give you an idea that To show that permitting is really just one component one Link in the chain of how air quality.

Nicole D Ernest's Presentation: So we'll go through quickly this top-down process it starts. at the Congressional level with the Clean Air Act Which gives the mandate to protect Public Health and Welfare? With respect to air quality sets the national ambient air quality.

Nicole D Ernest's Presentation: these next standards often get litigated and there's a lot of debate about whether or not they've gone too far and not far enough. But the intent is to use science to set these standards to protect the Public Health and epidemiologists doctors scientists come together and they set these standards.

Nicole D Ernest's Presentation: So once these standards are in place. EPA requires states to come up with a series of rules. along with Federal air quality

Nicole D Ernest's Presentation: to implement and maintain these standards. And when areas exceed the standards to get them back in compliance. And so these State rules and federal regulations are accomplished through rulemaking through legislatures, and that's what happens in West, Virginia. Our series of air quality rules which we refer to as a sip. our past and written often with consultation from the dep by our legislature and this provides the scope and Authority for us.

Nicole D Ernest's Presentation: to regulate air quality ing rules that govern how and What makes up an air permit in West Virginia?

Nicole D Ernest's Presentation: And it's part of those air permitting rules. Specifically there's a minor Source program and we're going to get into that a minor Source program. which is what we are using. to review the transgas application so you can see this top-down system. That starts with this really high level Congressional Act. Within it, if you work your way down one of the components is a permitting room and that's what we're dealing with right now. And again, it's just one of a big Suite of rules that govern air quality.

Nicole D Ernest's Presentation: but even with permitting That's not where the process stops. There's another layer below. And that's the compliance and enforcement section. And of course that includes inspectors, they're actually on site to make sure that the permit. Requirements are being followed and that there's an enforcement potential if they're not. Boots on the ground so to speak actually at the source. So again, this gives you some idea of the context of Permitting within this regulatory. system of air quality

Nicole D Ernest's Presentation: So what are the permitting programs that are available? As we saw in that previous slide. they're broken up into two major parts. There's a pre-construction permit program and a post construction operating permit program often referred to as the title five process. I just put the second bullet point Up. We're not gonna be talking about that today. And I will point out the trans gas is not subject to that title 5 process, but I just want to make sure you see that there is also as part of that regulatory scheme. He'd post construction mit under the pre-construction permit programs. There are A minor Source program in two different major source programs whether or not you are entertainment with the cs. for that particular County

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Nicole D Ernest's Presentation: as transgas has applied for and we have preliminary determined that It was reviewed under the minor Source program, which is administered under 45 CSR 13, which is a West Virginia legislative rule will go into much more detail in the next slide about what that program entails.

Nicole D Ernest's Presentation: So let's discuss in detail this minor Source permitting program. As we said it is applicable obviously to new minor sources of air pollution. that definition of major minors depending on several things. In the case of the transgaz facility. It's a more strict definition based on the fact that this facility is defined as a chemical process plant. So the major minor threshold for this facility is a hundred tons a year per any regulated pollutant under rule 13, so it does not include greenhouse gases. The legislative rule that administers this particular program is 45 CSR 13.

Nicole D Ernest's Presentation: So what is the purpose? What does this minor Source permitting program do? what we do in our review is to determine compliance with all the state and federal air quality rules and regulations. We determine what the error emissions are proposed from the proposed facility. And then we write a permit to force. The facility to comply with those rules and regulations with those error missions. Also the rule 13 process provides importantly the framework of public notification and participation. So the legal ads this public meeting.

Nicole D Ernest's Presentation: the ultimately what is required in a permit application all these are provided for in Rule 13 also importantly. the rule lays out exactly the conditions for denying a permit and if those conditions are met Denial can't happen pursuant to rule 13. So that's what it does in a quick sketch. Almost important based on the comments we get during these comment periods is what it do what does this minor source? permitting program It does not require a full environmental impact statement. We don't bring in a review of water in any other environmental concerns for obvious reasons were the

Nicole D Ernest's Presentation: Division of air quality so we focus on the air quality rules and regulations. And that's all that rule 13 gives us the authority to do.

Nicole D Ernest's Presentation: Specific to this facility and in many others Rule 13 does not address greenhouse gases are specifically not a regulated pollutant under This permitting program. There are also other emissions. that are potentially sources of other air pollutants, but they're not regulated under rule 13 hydrogen and ammonia are to such and I'd list them years pollutants, but are two such emissions that are not regulated.

Nicole D Ernest's Presentation: Hydrogen itself wouldn't even be defined as a pollutant.

Nicole D Ernest's Presentation: 13 also does not require cumulative impact analysis for minor sources it does not require all the other sources. to be looked at in an area with the proposed news source or new modification to determine some sort of aggregate impacts that does occur on major sources. It doesn't on minor sources. and then finally It does not bring in all the other important but non-air quality issues and impacts and benefits jobs property values National energy issues. Economics of project viability of project archeology. None of these are part of the review under rule 13 It doesn't give us the authority to use these. metrics as a

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Nicole D Ernest's Presentation: manner of determining whether the permit should be Issued or denied? It's just not in there. And again, those are all important and they're all fall under usually other entities or bodies. For their review under different permitting and Processing so very important and understand what it does and what it does not do.

Nicole D Ernest's Presentation: Before we move on from Rule 13. However, I want to specifically talk about extending the comment period because we got several comments on that. during the 30-day

standard comment period never request to increase that we're extended by another 60 days. and I want to talk a little bit about how those determinations are made and of whether or not to Grant extensions when the director looks at it and they're really to controlling bits of code. The first is literally in the state code.

Nicole D Ernest's Presentation: And ultimately to determination is based on what we would say is reasonable interpretations of the statutory language because there's nothing that says exactly it gives you every scenario. So you have to take the existing statutory language and language And make the determination based on that so there are two. Again, controlling bits of code slash statute. The first is really in our daq that the air quality permit Turner are sort of founding principle. under the state code Article 5 and chapter 22 really just what it says the Declaration of our policy and purpose and there's a bunch of language there. But one part of that definition is what it says to assure the economic competitiveness of the state by providing for the timely processing of permit applications.

Nicole D Ernest's Presentation: So extending comment periods or extending review periods that are not necessarily statutorily.

Nicole D Ernest's Presentation: Based or don't raise to the level. We think that the director thinks that that is necessary.

Nicole D Ernest's Presentation: goes against that particular language in the code as the processing no longer becomes timely if we give an extended or a very long Comment period or review period that goes on when there's no justification for it. Secondly under the minor Source rule that we've just been talking about. There's language that talks about when the statutory review time can be extended and it specifically gives you 30 calendar days to allow for public comment. So again, that's not exactly

Nicole D Ernest's Presentation: Addressing the situation here and many cases when we get extension requests for comment periods, but taken together. We feel that it's really got to be a high justification for extending a comment period of which holding a public meeting. Is definitely one of those. It wouldn't make sense to close off public comment period and then have a public meeting. Several weeks later and accept comments. So using those two together. Generally, an extension by 30 days to accommodate a public meeting or some period to accommodate a public meeting. We feel it's Justified. And so going beyond that. I think we take a really high. bar of evidence that that is necessary and I think the director after determine if that's even statutorily

Nicole D Ernest's Presentation: if that's consistent with this language, so just wanted to go into that briefly because we did get some of those requests. Before we move on to the specifics of the transgas facility. I wanted to take a moment and just go over the two non-regulated emissions that we have received some comments on and the first are the greenhouse gases. with respect to the transgas facility the compound Of note is carbon dioxide. It's really the only emission of a greenhouse gas potentially from the facility So let's go quickly over greenhouse gases. Of course, the term greenhouse gases is a collective term various compounds including carbon. Dioxide and CO2 is the sort of the base compound for measuring the

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Nicole D Ernest's Presentation: the global warming potential of all other compounds included in ghgs and I know it seems silly to say most people understand but some people adult so I always always want to point out that CO2 is not directly harmful or toxic to humans. In fact, of course. Exhale CO2. So it's not what we consider a traditional. pollutant in that respect

Nicole D Ernest's Presentation: more importantly for this process as I said before it's not regulated under our minor Source program. It is regulated under certain conditions of not our minor Source program therefore. The daq we don't have the statutory Authority Under the minor Source to mandate ccs or Mission limits concerning CO2 so it's very important people say that there were

Nicole D Ernest's Presentation: the Republic pronouncements that this facility would use injection and CO2 capture and we've certainly support that but I know a lot of other issues before that can take place Regulatory and legal and so on. but in any event under our minds first program, we can't mandate that. And now we're respect to ammonia facility is manufacturing And ammonia is present in the very back end of the process. It is first synthesized in the gas form and then chilled into a liquid form. we haven't had ammonia leaks and Quantified. And that would be the only place you might get some emissions maybe from the piping

Nicole D Ernest's Presentation: there could be some from the tanks, but Importantly again. Ammonia is not regulated under the minor Source program or the major source program it's not regulated as far as I know in most States. As a regular pollutant importantly though. Ammonia does have a little bit of a different. status under our air quality rules and that it can be addressed after facility is up and running as the potential source of odor if warranted. So if it has a very strong odor. And so if we get complaints there are mitigation things aren't compliance enforcement section can do to address those sources of voter, but there's no indication on this facility.

Nicole D Ernest's Presentation: That the odor would be an issue especially with ammonia being chilled and liquid form as it's being transported. It can also be in some power plants and we can limit ammonia slip as a performance indicator of certain control devices. but in this case it just doesn't have the status as a regular pollutant to put limitations in this permanent some other facts here. You can see of course. Most people know the compound is NH3 and we'll see how that's created in the process here in a minute. It is a respiratory and I hear it and it's not defined as a hazardous air pollutant. there's no evidence that ammonia is carsonogenic.

Nicole D Ernest's Presentation: Many natural sources ammonia is a ubiquitous and there's also obviously commercial products sources. In your home when you use glass cleaner and so forth. The main Industrial Source is farming with these fertilizers vastly more than I think any other source, so

Nicole D Ernest's Presentation: So ammonia is not something to it is. Both naturally occurring and does come from industry and Commercial products. One of the thing it does. It is lighter than air and it disperses readily it's not highly flammable. So a little research there indicated different conditions. It can be flammable. and in similarly, it's not high explosive risk, although There can be a situations where it is, but again not regulated under rule 13. So it's not a compound that we include in our view.

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Nicole D Ernest's Presentation: So now moving into the specifics of the trans gas review. We'll just start out with some important dates the transgas application. Was originally submitted in June of last year. The application was revised several times.

Nicole D Ernest's Presentation: the final version being submitted in December Again, submitted as a minor source. the transgas legal advertisement ran in October so they have to run an ad when the submit the app location. And the difference between the original application when that was submitted as the original application came in. Then it was very quickly. Relayed to us that there was going to be some

significant changes and changes in the emissions. So we held off until that was completed. and then they ran their advertisement in October at coincided with a revised application

Nicole D Ernest's Presentation: our public advertisement ran on January 3rd, which we indicated that we had made a preliminary determination. To open the comment period and that we had available a draft permit in a fact sheet at that time. That starts a statutory 30 day comment period which is now been extended by another close to 30 days 25 days or so to get to the end of this month. that extension was granted to accommodate this public meeting. We did get various requests and probably meeting was granted. the comment period was extended until five o'clock one week from today. on January change on February 28th 2024

Nicole D Ernest's Presentation: so we'll start out with a couple of slides to show where the facility is proposed for. And we'll kind of get closer with each slide. So here's a slide taken from Google Earth. That's

Nicole D Ernest's Presentation: pretty wide shot to get an idea of where the facility would be located and here you can see State Route 52 just to the north. Town of Gilbert off to the East Warren Cliff to the South and you can see a large area of disturbance. That was the former Cobra Surface mine area down here is the Twisted gun Golf Course. And transgas is proposed to be located right in there.

Nicole D Ernest's Presentation: Here's a labeled satellite imagery. They're taking from Google Earth much closer up to give you an idea of the immediate vicinity of the plant. And here again is Route 52 to the North, Gilbert Creek. can see some of the homes there located to the southeast much better view of the Disturbed area the surface Moon activity this black outline represents about the plant boundary if all six modules are built

Nicole D Ernest's Presentation: and closest residents right down here. I believe these homes are still occupied along. a little Fork of Gilbert Creek down here this x will Mark the Spot of the picture taken from the next slide. And we'll go to that next.

Nicole D Ernest's Presentation: So here's a picture looking North West from about the X in the previous slide. This was taken of course obvious in 2011 when I was on the For the last proposed transgress facility that didn't come to fruition down there. But this gives you an idea the little flat bench area where it's gonna be located up on the hill above, Gilbert Creek It's probably a lot more overgrown since then the activity from my understanding activity has. Since ceased several years ago.

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Nicole D Ernest's Presentation: Alright, so let's get into the specifics of the transgas proposed to construct an ammonia production plant to be located in Mingo County. This is the same site that they propose to locate a colder liquids facility in 2010. that did receive a permit but it was never constructed. The basic process which will go through in much more detail in the next slide. consists of taking Natural Gas primarily the methane component and natural gas breaking that down into its component parts of hydrogen and carbon taking the hydrogen stream combining it with nitrogen to produce ammonia. They proposed for six identical modular units.

Nicole D Ernest's Presentation: Each with the capability of producing up to 6,000 metric tons a day. So the maximum capacity obviously if all six of these modular units were installed. Would be 36,000 metrics metric tons a day of ammonia.

Nicole D Ernest's Presentation: To break down the natural gas. They use Auto thermal reforming basically that is just another way of saying cracking is a more popular term that can be used for any. Breakdown and degradation of a organic fossil fuel into its component parts, but technically the correct term here is reforming they take that natural gas and they reform it. To break down the methane into the hydrogen and carbon the hydrogen. Like I said is then combined with nitrogen to create The ammonia is then chilled and piped off site. As a liquid that's how ammonia is transported?

Nicole D Ernest's Presentation: A little bit of the ammonia is recycled around and used in the startup boiler that is only used again for startups before the heaters. Take over providing heat to the process and that boiler actually Burns cess off the process so what are the emissions from this facility they are relatively small all individual pollutant missions are below 60 tons a year. And matter of fact most are below one ton a year. The nox emissions are the highest at 53 tons a year and again These numbers are based on the wide emissions if all six plants are operating continuously year round, so it's extremely conservative, but that's what it'll be permitted for. So that's what the worst case in case emissions are presented at

Nicole D Ernest's Presentation: highly conservative that all six plants would operate continuously year round.

Nicole D Ernest's Presentation: Co missions 14, like I said other pollutants under one ton have emissions or nominal Almost all just from the natural gas fired generator. and the reason being on the happy missions is most of the organic compounds and natural gas that represents potential haps already at a small level and natural gas those get broken down into their component carbon and h constituents so there's haps aren't present in the More detailed information over the process the admissions and everything are included in the permit application. And summarized and described in the engineering about evaluation.

Nicole D Ernest's Presentation: So I sat down and created the simplified process flow diagram for the presentation here. So I think this will give you a better idea. And a little more detailed in the previous slide on how the ammonia is produced at this facility. But again, this is very simplified and there's a much more detailed one. in the permit application But essentially it does give you the idea of what's going on here. So we've got natural gas or methane as a feedstock. It's going through a feed purification stage that also provide Steam for the important reformer section. Or again, as I said a minute ago where The feedstock is ultimately cracked. So we've got methane.

Nicole D Ernest's Presentation: coming through the feed purification area where the heaters are and then set on into the reforming section again methane CH4. It's cracked. It's broken up into its constituents as we say seas and ages. Which then can be used to build all sorts of products in this case. It's used to create ammonia when it's synthesized with nitrogen, but before it can get to that stage. The shift reactions occur, which is very complex series of reactions that the gas undergoes to basically purify and remove. the carbon from the gas stream and it's then converted mostly into CO2. The much more purified hydrogen goes through several more steps and then it synthesized as it's shown with nitrogen.

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Nicole D Ernest's Presentation: To create the ammonia. So really that's the base process course, there's a lot more going on Within. the chemistry and the

Nicole D Ernest's Presentation: the processing in reactions with the gas but in a broad sense that gives you good idea of what's going on the excess hydrogen from the process is recycled back and that is what is combusted in And the heaters which are again providing Steam. to the reformers and really it is that hydrogen combustion, which is producing the primary emissions of the facility and hydrogen is a very clean burning gas the only pollutant that it really Creates in much abundance is Knox. So transgas has proposed the use of a very effective Knox control. refer to as an scr stands for Selective catalytic reduction when it does is It removes Knox from the gas stream.

Nicole D Ernest's Presentation: And that is very effective. and limiting the Knox now again, I do want to say this represents the steady state emissions of facility when I first starts up. It does burn some natural gas in heaters before it switches over to the hydrogen once it gets going.

Nicole D Ernest's Presentation: But the startup for this facility as applied for is relatively quick and they have Not applied for very many. Startups once they get going so the admissions associated with the startup. And even a shutdown are very small, but when they do start up and shut down they take the process gases, they purged the system and they send these process gases to the flare. Which is always ready if shut down occurs. and he's fired up for a startup as well. So it takes these processed gases and combust them. until the processes in its steady state which case then? It starts combusting the hydrogen in the heaters and the process moves on Down the Line toward

Nicole D Ernest's Presentation: the ammonia production. So that's the second admission Point. We've got the Mission Point coming out of the scrs. We've got the startup shut down emissions from the flare. The only other Mission sources is a generator that operates. only 100 hours per year or maybe 500 hours for years what they applied for.

Nicole D Ernest's Presentation: And again, this is all per module. So they'll be six of these. rating in tandem or in parallel at least that's what they applied for. So you have some emissions to standard admissions from the combustion of natural gas and Generator and then you do get some Co emissions from conservative component leak calculations from process piping other than that that is the emission points with the facility and the reason there are so few is most of the process gases get recycled and get collected And sent back through the process. Because you want to take every one of those carbons?

Nicole D Ernest's Presentation: And get that up the stack of CO2. You want to take every one of those hydrogens and you want to either combust it or you want to make ammonia out of it. So it's highly incentivized. To have as minimum loss of this process gases as you can and Port near about the carbon dioxide. It it's pressurized. It's ready. For CCS or injection, but as we talked about before.

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Nicole D Ernest's Presentation: mandating that is not part of our minor Source program but that

Nicole D Ernest's Presentation: where I have it listed there is where it is available. to be hooked up to Any injection system or CCS system? that transgas might put on there.

Nicole D Ernest's Presentation: So the DEQ makes 2 main documents available when we go to public notice on a permitting action. The first is the engineering evaluation or fact sheet. They're used interchangeably, which is essentially the rationale document for our preliminary to determination. Why do we feel that this facility meets all the rules and regulations and is to a point where we feel like we can put out draft permit and accept comment. The draft permit of course is the enforceable document that

includes all the restrictions limitations monitoring Etc. Upon which we determine compliance with the emissions of the facility. So really the two most important documents and those used in conjunction with the permit application. Gives you the best understanding of both the process and the source.

Nicole D Ernest's Presentation: So here's just a little bit more detailed information on that evaluation. There's A pretty detailed description of the facility and the process and the admission units. a discussion of the calculations a quantifying of the emissions and a discussion on the applicable and not appable. federal regulations in the state air quality rules

Nicole D Ernest's Presentation: the draft permit again is the enforceable document. That includes all the ity wide requirements. specifically production capacities operating restrictions fuel specs requirements relating to the control technology also monitoring. How is the facility going to be monitored? This isn't ambient air quality permit, but specifically how are the emission units being monitored to show compliance with their limits. and also performance testing other compliance requirements and then record keeping reporting and we usually roll in all substantive and relevant Federal performance testing record keeping reporting and so on in the draft permit as well.

Nicole D Ernest's Presentation: So what happens as we set earlier the comma period runs for one additional week and ends next Wednesday at 5 o'clock. So we will continue to collect comments until that point and then prior to any final determination, we will evaluate and respond to any timely comments that are relevant to air quality will according to the requirements laid out under rule 13, which give a very specific list of potential reasons for denial And the lack thereof then results in issuance. And then the final determination and the final permit will be made available in the same locations as the draft permit and evaluation were made.

Nicole D Ernest's Presentation: So as a final summary transgas is proposing to build an ammonium manufacturing facility in Mingo County. daq has made a preliminary determination that this proposed construction is properly defined as a minor source, and we'll meet all State and federal rules and regulations we prepare to evaluation and a draft permit. They've been available since January 3rd. We will continue to accept comments for another week. And we will evaluate and respond to all. air quality

Nicole D Ernest's Presentation: and then the daq will make a final determination on the permitting action and at that time make all the documentation available at the same locations.

Nicole D Ernest's Presentation: So here's my contact information. Comments can be preferably sent to my email address. with a subject line that indicates that these are comments for the permitting action This presentation will also be put up on our website so you can go back. And see this page or anything else you would like to see in the presentation. Thank you very much.

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Terry A Fletcher: Alright, thank Joe appreciate that will now start our question and answer segment. I'm going to call on those who indicated they had a question when they registered and then once we get through those folks will open the floor for any additional questions. So the first person that we have asking a question is It's an Adam Victor on the line.

Adam Victor: Yes, there is. I just didn't want to.

Adam Victor: Out for about Seventeen years, and I wanted to thank Of the Department of Environmental Protection, and I wanted to thank my good friends In Mingo County specifically leasha Johnson and the Mingo County Redevelopment Authority and Reverend Mitchell. biased and his Parish news A decade and a half ago the good people of Mingo County and I embarked on a journey. To redevelop their economy. And give them the jobs and…

Terry A Fletcher: Yep.

Adam Victor: economy they deserve.

Terry A Fletcher: Mr. Victor I don't mean to interrupt you, but right now we're just opening up the floor for questions, we're gonna set aside for official comments and…

Adam Victor: Okay.

Terry A Fletcher: we Circle back to you then okay, I appreciate that. But like I said, we just want to get to the questions first.

Terry A Fletcher: so next we have Is there a Pete Runyon on the floor on the call?

Terry A Fletcher: Not seeing a Richard or Pete Runyon

Terry A Fletcher: and we can Circle back if we need to. Next we have James kotson.

James Kotcon: Thank my question was whether there will be any kind of Emergency Response plan in case of leaks from ammonia the methane or the carbon dioxide. We know that at these high volumes that those are at least potentially hazardous. The last thing we want is for firefighters or emergency Personnel to be facing Risk by responding to something like this.

Joseph R Kessler: me Jim, it's Joe Kessler. so

Joseph R Kessler: the emergency response plan is beyond the scope again of what we cover under our minor source air permitting role. But however, I do know that. when you have a certain volume of ammonia on site as I understand that you do have to notify other state agencies that have requirements to them notify local authorities firefighters and so on.

Joseph R Kessler: But that's not something that we include in our review process or in the permitting process. but I am pretty sure that there are other agencies when ammonia is involved and there's certain volumes toward that Erp. Is put in place, but that again is just outside the scope of what we do.

James Kotcon: Thank you.

Terry A Fletcher: Thank you. Next we have Heather Sprouse.

Heather Sprouse: Hey Good evening. Thanks so much for hosting everyone. Mr. Kessler I heard you say that the total pollutant levels permitted are a conservative estimate but I'm just wondering as there are no comparable facilities nationally is my understanding. How are these total potential emissions especially for nitrogen oxide calculated if there wasn't any air modeling done?

Joseph R Kessler: alright, so let's differentiate between the emission levels and what modeling would tell us so modeling would be something where we would use sort of complex computer programs to take the emission levels that we've calculated and put them in the model and those would determine potential impacts. that type of computer modeling is not required and again under the minor source. Rule that this falls under now the emission levels themselves were calculated conservatively as I stated in somewhat because they're based on all six modules of the facility operating. continuously the entire year

00:50:00

Joseph R Kessler: But the emissions then from the planet itself from each individual module are based on a variety of estimation methodologies emission factors maintained by EPA vendor data the control percentages, especially with Knox that we expect from the Knox control and the scr. Now those emission levels themselves then are enforced in the draft permit through a number of methods. Monitoring the production levels of the plant performance testing is a big thing. We're going to require testing those Emissions on specifically The Knocks coming off the heaters after the plants are up and running there would be a requirement to verify those emissions.

Joseph R Kessler: So there's a number of methodologies that are used to Monitor and report and record these emissions to show compliance with the numbers calculated. The detailed calculations are all outlined in that evaluation that I talked about in the presentation. So the potential emissions from the facility are conservative. And that's differentiated from what modeling would tell us? if we punch those numbers into a model, but at these levels, for minor sources that the modeling is just not required and we're experience is taught us an EPA has set those thresholds also to be conservative so that the mission levels under those major minor Source thresholds are considered not

Joseph R Kessler: Not necessary to expand the resources a lot of resources. It takes to run those complicated models.

Henrik Rasmussen: My name is Henrik Rasmussen from topso the licensing set. Can I maybe add a comment to the question? I just want to

Terry A Fletcher: Yeah, we got one other question that someone has signed up for and…

Henrik Rasmussen: are

Terry A Fletcher: then we'll Circle back to those. Have additional questions,…

Joseph R Kessler: he

Terry A Fletcher: so just bear with us another few minutes.

Henrik Rasmussen: It's not just one question was an explanation. the question

Terry A Fletcher: Okay. Yeah,…

Joseph R Kessler: Okay.

Terry A Fletcher: if you'd like to maybe expand a little bit on that.

Henrik Rasmussen: Yeah, I just wanted to say that the size of the Furnace that we're talking about here. There are similar sizes and most lots of furnaces in operation all over the US using these scr systems. So these are proven systems and therefore we know exactly been mananaka comes out of these furnaces.

Terry A Fletcher: Thank we have a question from Brad Davis.

Terry A Fletcher: Thank Alright, that was all the folks that had registered to ask a question. So at this point to open the floor for anyone else who may have a question. If you would please use the raised hand function. You can press the hand icon on your screen there at the bottom center and we'll call on folks as they come in. Looks like we have a question from a Taylor Hodge.

Taylor Hodge: Hi, thank And sorry I think I did submit questions when I registered but perhaps t go I was wondering about I was looking through the application and the revised and on page. I believe it There's just a cutoff sentence. it starts a sentence and then never finishes and I'm wondering is that a piece missing? I just want to make sure that the full application is there as it's meant to be?

Joseph R Kessler: So yeah,…

Terry A Fletcher:

Joseph R Kessler: So I think your question did come in. I do remember seeing. Something about g12 and that just saw it a little bit before. The meeting this evening, so I will definitely go in and check that and if it is cut off we will make sure. To get the full application up there. So I do have that noted and I do think it was on one of the spreadsheets. I saw so I have that noted and I'll definitely make sure that's looked at incorrected if necessary. Thank you.

00:55:00

Taylor Hodge: Okay, thank you. And I was just wanting to do the time frame on when you'll be able to update it just so we'll be able to access it before the comment period closes.

Joseph R Kessler: absolutely. if I see that there's something cut off. It will have it updated by the end of the day tomorrow for sure.

Taylor Hodge: Okay. Thank you.

Joseph R Kessler: if I think I have your email if you've registered I will let you know one way or the other what I find out.

Taylor Hodge: Yeah, that would be great. Thank you so much.

Joseph R Kessler: Yep, no problem.

Terry A Fletcher: Looks like we have a question from Alex Cole.

Alex Cole: Yeah here you Mr. Kessler when you're saying this is conservative estimate based on the plant running constantly all year long. But is it true that this facility would be able to operate outside of its permit and potentially? Above its permitted limits due to just simple startup shutdown and malfunction. Is that the case?

Joseph R Kessler: We wrote the permit that allows. I don't remember exactly how many startups and shutdowns so there's enough startup and shut downs and Consulting with the company to accommodate the necessary number for this plant Operate effectively. The permit has very specific limits on the amount of process gas that can be flared. During these startup and shutdown events and that rich required to be monitored with the flow meter in certified and recorded. as well as the number of events to stay Within These permit limits, so the permit has within it the enforceable requirements that we think will keep this facility within the scope as it was permitted. And then as I mentioned and one of the slides then our compliance and enforcement section.

Joseph R Kessler: Does go out and check these records and make sure that everything is being kept and certified as it's supposed to be. So no, we do think that the means and the compliance methods are definitely practical for making sure that the plant does operate within its startup and shut down limits as applied for

Alex Cole: Follow up if allowed what does that enforcement look like fines and consistent fines are just one time fine. So what?

Joseph R Kessler: that would be a case-by-case question for the enforcement section and in the permitting section, but yes, absolutely. my experience has been other situations if violations occur. There's a very strict process the division of air quality

Joseph R Kessler: entering into consent orders. there is a process and that process does often include fines and other enforcement measures, but yeah fines are definitely a part of it if violations occur.

Terry A Fletcher: Any other questions?

Joseph R Kessler: yep questions

Joseph R Kessler: that's 8

Terry A Fletcher: Okay, not see any other and their hands raised.

Taylor Hodge: Hi, it's Again I think James just put in the chat the page that cut off. Mr. Kessler, do you know just off hand what the rest of this should say? Or what it should be describing.

Joseph R Kessler: You…

Terry A Fletcher: Yes, but pop up in the chair before. memory

Joseph R Kessler: I saw that pop up in the chat. let me pull it over here. And I'm reading it right now.

Joseph R Kessler: No, I can't say that I have that committed to memory. So I'm not quite sure exactly what the rest of that line would say until I have time to go in and pull that and see if I can figure out if something's cut off or what that is and I'll definitely consult with transgas and they're consultant to make sure that We get that fixed, but now I'm not sure what that the rest of that sentence is saying.

Taylor Hodge: Okay, no worries. And this is just a general question. I'm wondering and excuse me if I'm missing something,…

Joseph R Kessler: that's basically

Taylor Hodge: but this is for air quality. Will there be any dumping into nearby waterways?

01:00:00

Joseph R Kessler: yeah, again, I am not entirely sure of how much this facility will use and how much discharge there might be can totally get the information to you concerning our division of water and waste and They can answer those questions. They have a permitting section. They will need a stormwater permit. I'm sure for construction. That's one of the first permits. I think that you have to get on water. As far as discharge again not part of our review. But I can certainly provide you with somebody that would be able to answer that question.

Taylor Hodge: Okay, that would be helpful. And then just last thing about the emergency planning. Is there any industry interest with working with local organizations or infrastructure around emergency planning just in case there was some kind of explosion from the ammonia. I've read some horror stories. So I'm just wondering about that process if industry does it as sort of a just good faith thing.

Joseph R Kessler: that's beyond the scope of anything that I have experienced with. So I'm not even going to speculate really on that one.

Taylor Hodge: Okay.

Terry A Fletcher: Alright any other questions before we move on to the official comment portion?

Terry A Fletcher: Okay, I'm not seeing another hands Ray. So at this time we're going to move to the official comment portion of our meeting. And again as I stated earlier now that we moved into this portion and we will not be able to answer any additional questions. We're simply listening to the comments you're submitting for the record and again any questions you ask as part of your comments will respond to those and the agencies response to comments document. So I'm similar to the questions. I'm going to start out with the folks that registered to submit a comment and then we can open the floor for any additional comments. So the first name that I have is Mitchell bias followed by Adam Victor and then Pete running. So is there Mitchell bias? I'm Nicole.

Mitch Bias: thank My name is advice and I'm a lifetime resident of the Southern coal fields of West Virginia presenting in Dale Barton. And

Mitch Bias: Torch to live amongst some of the most wonderful people the hardest working people in the world the West Virginia coal miners.

Mitch Bias: I'm blessed to represent several generation of coal miners and our family as well as our community. My grandfathers were minors my father-in-law. They were all over Nicole industry. I'm in my 40 50 years a local church pastor with a constituency of over 700 people many of whom are employed by or are beneficiaries of the cold industry. Nicole Industries. Absolutely built our nation over several Generations America has West Virginia Cole and our incredible binder to thank for amazing infrastructure of buildings Bridges automobiles military Armament. None of the list goes on and on and moreover in the southern Cole fields of West Virginia. Our coalfield home is where president Kent house nation's war on poverty over 60 years ago and through my friendship with the tremendous leadership of the Mingo County Redevelopment Authority. I was blessed to meet Mr. Adam Victor president of transgas.

Mitch Bias: And we've worked with Adam Victor for nearly 15 years and since Eric acquaintance in his quest to develop a project that provides jobs and hope for our community. We're

Mitch Bias: It has worked tirelessly to overcome the obstacles to help make this dream come true. I believe that God himself destined us to meet this man. And we're very thankful for him. Not only will this project create jobs and hope for our community. It is developed and environmental friendly manner it will

Mitch Bias: geother

Mitch Bias: plant and more importantly no water discharge From this plant it will util.

Mitch Bias: Biology from Denmark's outdoor top so provider of technology And among its worldwide. So that over ninety nine percent of the greenhouse gas produced from this transgas plant carbon. Dioxide can be captured. And offer internships for our young people to learn new skills, so they can be productive members of the nation's 21st century Workforce. What I heard of the announcement made last year by governor.

01:05:00

Mitch Bias: delighted and if anyone in the nation deserves

Mitch Bias: Of the West Virginia coal fields. We desire this chance to do what we've proven to do best and that is to serve the energy needs of our nation in the world. Optimum product and rise to the opportunity with Excellence. I'm so thankful to be able to make these comments tonight. I'm actually here at our church going with a number of folks in our Sanctuary who are supportive of this project and I thank you very much for the opportunity to share.

Terry A Fletcher: Thank you, Mr. Bias. Next we have Adam Victor followed by Pete Runyon and then leasha Johnson. So Mr. Victor

Adam Victor: Yes, I want to thank Reverend bias and upcoming leasha Johnson. I worked with these people for over decade and a half. I just want to answer one question that one lady brought up. About the discharge. This plant is using the mine pool water. That is a natural asset of sudden West Virginia. We will be circulating the mindful water for cooling and there will be no discharge into the tug fork or any other River. I want to repeat that there will be no discharge. This is a plant that will be using it's X's energy For cogeneration We're Off the Grid. And more importantly we will not be taking water from the local rivers or putting Waters in there. I just want to say that you now have consideration before you a permit.

Adam Victor: That will enable the construction of a trend breaking facility. One which be the Catalyst for economic development. That the people of Mingo County have struggled for a few years. Will be the Mingo counties answer to the world's yearning for new source of clean energy. Will be the largest cleanest alternate energy facility in the world. We use its own exothermic waste heat to power its facilities and that the ability to sequester over ninety nine percent of the carbon dioxide the produce a truly decarbonized fuel. To employ geothermal cooling I utilizing previously unused vast mine pool water reserves eliminating both the need to extract water and the nearby Doug Falk River. And the need to discharge any water into the tucked fork or any River. Thereby keeping their counties water clean for future Generations. to no fault of their own

Adam Victor: the livelihood and culture has been taken from the people of Mingo County. They are The Heirs and descendants of the coal. That made the steal that built the Panama Canal. They are The Heirs and descendants of those that mind the coal that made the steal that allowed this great nation to fight and win both World War one and World War Two. If he hasn't descendants of the people that mind the

coal. and powered the electric grid that provided the electricity that enabled the American Industrial Revolution. But America has sadly forgotten these People deserve to be remembered. They're asking for a hand up. That they can once again have the jobs that will enable them to again help this nation.

Adam Victor: They all love and cherish so much to prosper and remain free. People of Mingo County are owed a debt of gratitude by this nation. The people of Mingo County are owed this project. Thank you.

Terry A Fletcher: Thank we have a Richard Pete Runyon followed by Alicia Johnson and James kotson. Is there a Pete Runyon on the call?

Grace Williams: Hi, Pete is messaging me right now. Can I speak on his behalf?

Terry A Fletcher: Yes, ma'am. Go ahead.

Grace Williams: Okay, my name is Grace Williams, Pete running and I both represent Friends of the tug Fork River and we would just like to say that we're still concerned about discharge into the river and the tributaries and would be interested in getting the contacts for the water department as well. I know someone mentioned that earlier I agree with some of what has been said as far as the people of Mingo County have worked really hard and are owed, a lot of opportunity. However, we're skeptical of some of this being as great as it's promised. then Pete says that he is in favor of the project. However, he still concerned about the river discharge. he cannot get through and

01:10:00

Grace Williams: that's all I'm getting from him on text. Okay. Thanks y'all.

Terry A Fletcher: Alright, thank you Ms. Williams. We'll be sure to attribute those comments to you and Mr. Runyon. Next we have a leasha Johnson followed by James kotson and then Lucia Valentine. Is there a leasha Johnson? I apologize if I've mispronouncing any names.

Leasha Johnson: That's correct. Thank you, Mr. Fletcher. I am the executive director of the Mingo County Redevelopment Authority and I would like to first point out and recognize that this project has been selected by the United States doe as one of those projects in the arch 2 hydrogen Hub that are intended to produce low-cost hydrogen and really open up new hydrogen markets Nationwide and the transguest project represents a unique partnership between trains get Mr. Victor's transgas development system Victor's ability.

Leasha Johnson: To facilitate this project successfully and in compliance with the regulatory guidelines. Is point in to Reverend bias' point the federal support of this project and it's participation in the un 84 Mingo County to restore its position as an energy leader in the United States. And not only will this project needed tangible jobs with paying salaries to an area that's been deemed a persistent poverty area for several years now.

Leasha Johnson: But it will also allow for the leveraging of this low-cost natural gas here in this region into jobs that are utilizing the highly technical skill sets of a displaced Workforce Mr. Victor has been working tirelessly for several years now to develop a project in Mingo County and we not an energy project specifically so that we can regain, our

Leasha Johnson: Our title of being an energy Hub within the country and we not only are supportive of this project. But we are also eagerly anxious for the economic Prosperity the transition into a post coal

and clean energy economy as well as the paying jobs that Provide for the welfare of so many in not only Mingo County but Southern West Virginia. Thank you.

Terry A Fletcher: Alright, thank you Ms. We have James kotson followed by Lucia Valentine and then Hillary Hall. So Mr. Kotson, go ahead.

James Kotcon: My name is James kotson. I currently serve as chair of the western chapter of this Sierra Club. I want to start out.

James Kotcon: One of my favorite authors said that if you wish to make a man your enemy tell him simply you are wrong this method works every time. And I want to apologize to Mr. Kessler and some of the other speakers because I want to correct the record on some things that have been said most recently. And is Johnson indicated this project is part of the arch 2. Project when I spoke with us Department of energy just last month. They said it is no longer part of arch 2 and if ningo county is counting on that Federal Arts 2 money you might want to cal On second point the comment that come to oxide is not toxic is incorrect. Levels of 4% are defined by the US federal government as immediately hazardous to life and health.

01:15:00

James Kotcon: we don't see 4% carbon dioxide very often but it is a gas that is heavier than air and largely leaks of carbon. Dioxide will tend to settle on the ground and accumulate the dangerous levels. So we need to be thinking about that very carefully. ammonia, also Is an indirect or secondary pollutant it is known to produce PM 2.5 the very fine particulates that are easily and healed into the lung. And so we think that the department of informal call are and verbal protection division of air quality.

James Kotcon: Finally, I appreciate that the statute with the vision of air quality section chapter 22 Article 5 Section 1 does require or urge the division to issue timely permits. But it also states that it is a state policy to protect human health and Prevent injury to plant an animal life and it says that those must be balanced in the public interest. at the issuance of Economic Development and I would urge the division of Eric quality to look more strongly at the protect human health and safety aspects of that. I have submitted written comments already and we're hoping to be presents and some additional ones to verify our position here.

James Kotcon: Number one the draft permit is grossly incomplete and insufficient to determine whether or not this in fact is a minor source. We think that they're enough emissions that it should qualify as a major source and would urge daq to go back to the drawing board and address this ASM major source. The problem is that this facility has been segmented this permit feels just with those six ammonia generators. It does not address the storage facilities the trucking the pipelines for methane coming in the come to oxide going out the pipelines for ammonia any of the potential missions from all the carbon captions sequestration facility.

James Kotcon: And if you address the whole facility in our little piecemeal part one at a time one little part here and one little part there and then we are not looking at the total facility wide potential to Emit and that has to be corrected. And secondly, I am very concerned about the greenhouse gas emissions. unfortunately, this facility is Proposing to emit literally millions of tons per year of greenhouse gas emissions. We need to be looking at ways to reduce those.

James Kotcon: I think that there are a number of concerns about how that is being calculated and I would urge daq to go back to the drawing board on this permit. I certainly support the need to transition Mingo County to a post-cola economy. I would like to see the relevant pollution controls that are in there, but this permit is just not ready and I urge you to go back to the drawing board. Thank you.

Terry A Fletcher: Okay, next we have Lucia Valentine followed by Hilary Hall and Heather Sprouse. It's very Lucia Valentine on Nicole.

Lucia Valentine: Yes, thank you. And thanks for the opportunity to testify this evening. My name is Lucia Valentine. And I'm the West Virginia field organizer for Mom's clean air force. I'm from Shepherdstown West Virginia and have lived in the mountain state my whole life and on behalf of our 6600 West Virginia members moms, Clean Air Force is urging the West Virginia dep to oppose a transgas Adam's work energy ammonia project as it poses a serious health and safety threat to our communities.

Lucia Valentine: though this would be the second largest ammonia-producing facility in the US and ammonia is a harmful chemical and readily migrates to moist areas of the body and high levels can irritate and burn the skin mouth throat worms eyes causing respiratory damage or even death and so children are especially vulnerable to harm from toxic chemicals as children breathe more air per unit of body weight and adults and therefore can receive higher doses of pollution. So children's lungs brains are still developing into early adulthood into toxic air pollution exposures can have harmful effects that can last the lifetime and even shorten life. The proposed ammonia facility further poses a threat to Public Health as it could also increase rack natural gas activity since this is the building block for In fact natural gas operations, including pipelines and compressor stations can cause air and water pollution.

01:20:00

Lucia Valentine: And some scientific Studies have shown that association between oil and gas operations and increased risk of serious human Farms like asthma adverse birth outcomes cancer and premature death for elderly residents. As it stands Adams Sparks air permit fails to limit and even monitor dangerous emissions including project hydrogen sulfide and particulates. So the rules outlined in the Premier act by the EPA will not apply to this facility leaving community members without regulatory safeguards to protect their health, and facility will be able in their harmful pollution without monitoring reporting or control Technologies. The public is missing critical information necessary to evaluate these merits and substance of the drop permit and the company's plan operations. And so the daq should not approve this permit until these details have been disclosed and the public has been given additional time for review.

Lucia Valentine: The proposed Adam's work project also plans to capture and store the facility CO2 emissions beneath the site and unfortunately many uses of carbon capture and storage kind of significant risk to public health and safety questionable Planet benefits and the potential Reliance on fossil fuels for decades to come so to date existing carbon capture storage projects don't have an impressive track record, and they can be heavily And energy intensive and they can also harm already overburdened black brown and low-income communities. So protecting our public health and our children's health needs to be the number one priority of the daq of the Earth's rejection of this current proposal. So thank you for your time this evening.

Terry A Fletcher: Alright, thank you. Next we have Hillary Hall followed by Heather sprouff and Seth Pearman. Is there a Hillary Hall?

Terry A Fletcher: What's it just I'm not seeing a Hillary Hall on the call. So we will move to Heather Sprouse.

Heather Sprouse: hey y'all things again everyone at DP for facilitating this meeting and putting the time in to allow the public the opportunity to speak about our concerns not only to dep but also to one another. So, this is Heather Sprouse on behalf of the West Virginia rivers Coalition. I worked to support communities in the Ohio River Watershed and to which the Waters of Mingo County eventually flow all of them.

Heather Sprouse: To protect public health and accurately determine if this facility operates within its permitted limits. We Advocate that cumulative impacts from all stages of production must be closely monitored. If Perma is granted continuous monitoring must be mandated for nitrogen oxide an air monitoring station need be installed at the fence line and that data needs to be made easily available to the community in ways that the community feels able to access it. So both virtually and places that older and more rural folks. can also have access to it, so Even though we know that.

Heather Sprouse: So we know that even low levels of nitrogen oxide can cause shortness of breath irritate eyes nose throat and lungs the CDC themselves states that quote high levels of nitrogen oxide can cause rapid burning spasms and swellings of the tissues and the throat and upper respiratory tract reduce oxygenation. body tissues and build up a fluid in your lungs and even deaf So I agree that the great people of bingo County which is where my family comes from and Delbarton, they deserve great jobs and prosperity and I just don't think that they should have to sacrifice their health to do that.

Heather Sprouse: And so let me make a comment outside of the purview of daq. I do think that there are additional hazards from the production of the raw materials the actual blue ammonia manufacturing process and the rail shipping of a final product that really needs to be considered by the community when they decide if they welcome this facility into their community and their environment. The use of methane is a feedstock creates a significant and unnecessary risk for health impacts and environmental harm to West Virginians in general not only in Mingo County waterways, but also throughout the Marseille at the Marseilles Shell fields in Northern Appalachia. This project would increase fracking activity and all these Associated damage from methane emissions pipeline construction and water pollution.

Heather Sprouse: So before we allow a large first of its kind facility into Southern West Virginia where there's already so much unresolved harm from industry stronger regulations need to be put in place to protect communities from air and water pollution, including the radioactive waste that's a byproduct generated by the hydraulic fracturing process. And make no mistake Ammonia means more fracking and fracking does not bring prosperity to anyone. A final consideration is that in the event of a rail accident? Ammonia could spill into our waterways. We emphasize that if this permit is granted robust emergency response plan must be in place that includes appropriate training for local First Responders. Alright. Thanks y'all for the opportunity. Appreciate you.

01:25:00

Terry A Fletcher: Alright, thank Next we have Seth Pearman followed by Elizabeth Nawrocki and then Juan Diego Ferris. So, is there a Mr. Pearman on the call?

Seth Pearman: Yep, that's me, Terry. All…

Terry A Fletcher: Go ahead, sir.

Seth Pearman: Thank you very much. I'd like to first thank the West Virginia DP again for holding this and all the work that you've done on this permit. My name is Seth Pearman. I'm the attorney general for the flandre Sue tribe were intended partner of transgas and the development of this project and it worked steadfast on it to make sure that it's a success for not only the local community there in Mingo County but also the tribe and its partners. We think that this is a huge Economic Development driver for Mingo County and for the tribe and Associated partners and that it's an environmentally sound mechanism to do this for a variety of reasons.

Seth Pearman: I'll start with just the tribe itself. We're actually located in South Dakota. Maybe wondering how we got to West Virginia there. No feather recognized tribes there and buying through conversations with Adam Victor. We discovered this project and felt that we could be a huge asset based on some of the opportunities that we have at the federal level. We're not, being a tribe in South Dakota. We were basically nomadic and then placed on reservations and have been impacted not only by being displaced from our homelands but also have felt the economic impact of covid and other things making us incredibly economically disadvantaged. Which may be another reason why the tribe and its executive committee have discovered this project and early latched on to it. I'd also like to recognize president Anthony reader who was actually on this call and participated in this process from its Inception.

Seth Pearman: We believe and we're confident that based on discussions with everybody that this will have a huge impact on members of the tribe should be able to have very skilled jobs after this and as discussed earlier the internship and educational opportunities for this or best. We also have found that because of the Simona production that we could potentially develop urea and be a large producer for agricultural purposes, which is one of the tribes primary sources of economic Revenue in South Dakota is one of the largest Agricultural Product producing states in the country and because of some of the interruptions in the urea and ammonia Supply chains, we have been faced with some huge economic burdens as it pertains to sourcing agricultural products.

Seth Pearman: We also think that we bring a variety of environmental concerns to the project itself. We would anticipate utilizing some Department of energy funding over 4 billion dollars of funding has been allocated to tribes in addition to additional funding opportunities to the inflation reduction acts into which we have access to the tribe also has the ability to utilize tax exempt financing and other mechanisms to help fund the project. We do think that through either direct loan programs or through loan guarantees. We can take congressionally allocated funding and actually get it to new locations. I mean, it's something that we've seen trickle through to much larger States and we'd like to see some of the tax money that we're sending to DC actually allocated to areas that need it maybe with County and the tribe being no exception to that. as a kind of the recognized Indian tribe.

Seth Pearman: We are true stewards of the land participate in sustainable farming and we depend on the Big Two River which is around our reservation. We have actually made barriers for the Big Sioux River and take. Discharge or any pollutants into rivers including agriculture products be a very very big concern of ours and trust that the tribe would not participate in the project if it had any ability to discharge into a river and impact, the drinking water other uses that are currently being done with that water source. We've also looked at the development of mycorrhiza, which is through different types of agricultural products to reduce carbon dioxide in the air in general.

01:30:00

Seth Pearman: And we feel that we have truly done our homework on this project. We've not met in DC several times rather than officials. We've attended the world hydrogen conference in Rotterdam Amsterdam to meet with potential partners, and we've met with folks in West Virginia as well. One other element that I'd like to make mention of is that there will be potentially additional environmental reviews buying through our use of federal funds. This would come through the National Environmental Protection act and niba compliance, which we have already engaged a local West Virginia engineering firm potassium Associates to begin that process so that we are additionally compliant again. We appreciate everybody's input on this and we really think this is a great permit that will be very very beneficial to West Virginia and the tribe. Thank you.

Terry A Fletcher: Thank we have Elizabeth Nawrocki followed by Juan Diego Ferris and then Dan grotsky.

Elizabeth Nawrocki: Hi, thank you. Yeah, my name is Elizabeth naraki. I live and work in mango County in Kermit West Virginia and the surrounding area here this evening to share my concerns about and my opposition to the air permit for the transgas development systems ammonia plant. As noted before, a full air quality.

Elizabeth Nawrocki: And as James kotson noted some disagree with this designation and suggest that the numbers provided underrepresent the actual harm into our community that this facility poses. Even if this isn't the case, even if this is indeed a minor Source, it's clear that such arbitrary numerical designations don't actually protect their Community even a minor Source poses a threat to the lives of those in the area. Communities already left vulnerable from Decades of extraction of exploitation and quite frankly government and economic neglect.

Elizabeth Nawrocki: One specific concern I have is how this facility will affect the asthma rates of the surrounding Community West Virginia children are already more likely than many of their peers around the country to suffer from asthma and children in West Virginia are more likely than adults to suffer from the disease as well. As we said before the increased fracking activity that would likely result from the production of this facility the emissions from the production of ammonia and the stored ammonia itself all posing significant risks to the lungs of our students our children again a population with an already increased risk of asthma and other respiratory diseases from Decades of other energy projects in the area.

Elizabeth Nawrocki: Just a couple of months ago A student from the community just miles from the sight of this proposed facility.

Elizabeth Nawrocki: died of an asthma attack a family had to bury their child weeks before Christmas. Because she died of an asthma attack. children are dying and We wonder how many more tragedies will have to face as a community if this Adam's Fork ammonia facility is built.

Elizabeth Nawrocki: we invite folks to come visit and come to retreat to the hills of Southern West Virginia to absorb the beauty of the landscape to breathe deeply from the Mountain Air. And it's our responsibility to ensure that these breaths aren't actually poisoning our bodies and our children. This region has long been a sacrifices Zone. For the supposed progress of the political and economic Ambitions for the rest of the country. Have not alone in these concerns as we see here tonight, but also Mingo County is a place with a deep sense of family of community.

Elizabeth Nawrocki: Of tradition and it happens that Wednesday evenings are often reserved for church meetings. So those concerned citizens who are with their Church communities this evening or who are with their families or other communities, they will be submitting as well as our own written comments as well. Thank you all appreciate it.

01:35:00

Terry A Fletcher: And thank Next we have Juan Diego Ferris followed by Dan grotsky and then Brad Davis So, is there a Juan Diego Ferris on the line?

Terry A Fletcher: he was just a Juan Diego on the line

Terry A Fletcher: if you hit the microphone icon, that should unmute you.

Terry A Fletcher: we could Circle back if we can maybe get that figured out. Next we have a Dan grotsky.

Dan Grotsky: Hi you hear me? Good. My name is Dan gratzky.

Terry A Fletcher: Yes, sir. Go ahead.

Dan Grotsky: I'm Chief growth officer at groundwork. Bioag based in Israel. And I'm joining you from Israel right now, and I'm finding a lot of the comments and questions. interesting and kind as a

Dan Grotsky: I have to say as an environmentalist myself that I do appreciate a lot of the concerns that come about with such a large and complex project and I have to say that after following transgress for several years now and watching this project come to take form and gel I was very impressed with the concern for many of the issues that are being mentioned here and so much of it has been taken into account Adam Victor before mentioned that about ninety nine percent of the carbon footprint is being addressed by

Dan Grotsky: bi direct air capture and other techniques that they're putting into place and I'm here to say that the remainder of the carbon footprint that in such a project cannot be addressed directly. The intent is to offset that through our technology which is based on mycorrhizal fungi is as Seth mentioned before so in conjunction with the Flanders Sante Sioux Tribe and by implementing our products are which by the way are 100% natural Microsoft fungi. this is how plants grow in nature by implementing Rotella carbon. It's called on the Sioux tribes cropland. So we will be able to sequester carbon.

Dan Grotsky: to offset the remainder of The greenhouse gas emissions that will not be able to be otherwise addressed turning the entire project into a carbon neutral project in essence. And this is crucial not only for the project itself and in the admissions of the project itself. It's also as Seth alluded earlier it's also

Dan Grotsky: Crucial to the livelihoods of the Sioux Tribe Farmers as they progressed toward becoming more regenerative and to sequester carbon in their land. So right now we're at a carbon Surplus in the atmosphere, but at a carbon deficit in heavily cultivated crop plants and what our product does is reverses that basically by drawing down the carbon from the atmosphere through photosynthesis of the plants and into the il. As organic matter and recalcitrant and stable organic molecules in the soil. So this is how the product works and it's

Dan Grotsky: key to sequestering bon It's carbons main pathway into the soil Microsoft fungi is And this is how the remainder of the greenhouse gas emissions will be offset in this project. So I'm very happy to see this coming together and I look forward to cooperating with transgas and with the Sioux Tribe, although our company is based in Israel. we sell a lot of our product. And have enrolled many farmers in the United States to the rotellicarbon program in an effort to offset all of these greenhouse gas emissions. So I thank you very much for the opportunity.

01:40:00

Terry A Fletcher: Thank Next we have a followed by Ana gazzara Sorry Brad Davis

Brad Davis: Yes right Thank you to the West Virginia Department of Environmental Protections air quality and for giving all of us the opportunity to speak to this very very important issue today. My name is Reverend Brad United Methodist clergy person serving a cluster of churches in McDowell County, which is the neighboring County of Mingo. I also happen to be a proud native of Mingo County where my family including both parents still reside.

Brad Davis: And it is for that very reason that I have major reservations with and concerns about a permit being issued for this facility particularly that there will be seemingly limited measures in place to detect potentially harmful emissions that could lead to serious health risks seemingly. No emergency response plan being in place and for the potential of water contamination due to increased fracking activity and underground storage in an area that has been hollowed out by previous mining activity.

Brad Davis: I'm also a proud descendant of coal miners who died before their time due to the exploitation of an industry that never cared about the people of this region have long suffered at the hand of Corporations who place profit above the being of the people Now I have congregants in my churches who have never set foot inside of a coal mine nor have they smoked cigarettes in their lives, but yet suffer from COPD caused by air pollutants. I have congregants who are forced to travel nearly a half hour one way to obtain water from a mountain spring in order to have potable water because their whales have been contaminated.

Brad Davis: I have congregants suffering from kidney and liver disease as well as rare forms of cancer indeed the southern coal fields of West Virginia are experiencing an ongoing Public Health crisis due in large part to irresponsible industrial practices. as a person of faith, I believe that we have a responsibility for one another as as well as for the land the water and the air that God has gifted us with my faith teaches me that there is Nothing more sacred on this planet than life. therefore in any decision making process the protection of life and those elements such as air and water that enable life.

Brad Davis: Should be our top priority. The people of the communities and proximity to this proposed facility deserve to go to bed at night with peace of mind. They deserve to be protected from all harm. I appreciate the need for economic diversification in this region. Yes. We need something Beyond coal and we need new job opportunities. We need Economic Development. But the risks in this instance, I feel outweigh any possible rewards. I cannot in good conscious support this project. There are too many unknowns too many possibilities for harm to occur to our air our water and the people of the Southern coalfields deserve life and life abundant

01:45:00

Brad Davis: So I urge you to reject the air quality permit for this facility. I urge you to protect and Safeguard the public health of Mingo counties greatest resource, and that is her great people. Thank you so much for the opportunity and God bless.

Terry A Fletcher: Thank Next we have Ana got Gazzara, I apologize.

Terry A Fletcher: Okay, not seeing in Ana gazzara on the line. So this point we've gone through all the other folks that registered to provide a comment. Is there anyone else that would like to provide a comment? If so, please use the raised hand function will call on you as you fear on the screen.

Terry A Fletcher: Looks like we have a Patrick Bergen.

Patrick Bergin: Thanks Hi, my name is Patrick Bergen. And I'm an attorney representing the Flandreau Santee Sioux Tribe. I just wanted to Echo some of the things that attorney general Pearman race. And talk about the importance of this project and what the tribes to bring to West, Virginia. I've heard it said before. That the mountains of West Virginia are not just the geography of the state. But they're also the backbone of the state the backbone of its people and its economy. This project is a blue ammonia project. it's a clean energy project that's going to take. an existing coal mine It was a source of what we'll call Dirty energy. And turn it into something positive. And profitable for the region. It's not just about jobs, but it's about improving a way of life.

Patrick Bergin: in the emissions that are proposed are demonstrably low. And that's why Under 45 CSR 13 as a minor Source permit because of those levels being low the tribe as Mr. Pearman pointed out takes the environmental concern seriously and as almost every Indian tribe is considered to be a steward of the land flange of Santos tribe is among the top and taking those concerns to Heart. And I can't imagine my client wanted to come into another community and be involved with an operation that might cause harm to the community. When in fact it's their intent and their goal to come into the community.

Patrick Bergin: And help build it up and help support it and not just support it. But also support their own crime. In addition to that flanjo has been working with other Indian tribes around the country including semino, Oklahoma they have access to other fossil fuels To bring this sort of Technology together into a network where they can cooperate. and provide healthy sustainable environmental practices for the United States I encourage. The folks out there that are watching this to take a moment and review what the tribe has done on their own lands and into consider that their intense are pure of heart. And I think the Department of Air Quality permit and consideration of the permit. Thanks, Terry.

Terry A Fletcher: Thank you, Mr. Bergen. Is there anyone else that would like to make an official comment? Which have a few minutes left? In the evening.

Terry A Fletcher: Okay, I'm not seeing any hands raised.

Terry A Fletcher: Okay, so if there are no more commenters, this will conclude the public meeting on the mit for LLC application. Number are 13 - 3 6 2 2 again, if you do not register for the meeting, you please make sure your name and email address is in the meeting chat so that we have an accurate review attendance and that you also receive the copy of the agency's final determination and response to comment document again, the comment period will end at five o'clock on Wednesday, February 28th, 2024 and the contact information for emailing or mailing. Your comments is in the meeting chat, but if you have any questions or concerns about that, let us know we have to address that. Again, we want to thank everyone for your interest and for taking the time to attend this meeting. Have a good evening.

Meeting ended after 01:50:43 👋