

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT

IN THE MATTER OF: THE SUNFLOWER POWER PLANT
LOCAL PUBLIC HEARING
AUGUST 2, 2010

DAN WELLS, Presiding,
District Environmental Administrator

RICK BRUNETTI, Director

JULIE COLEMAN, District Environmental Administrator

REPORTED BY:
MINDY S. DUNKIN
MIDWEST LITIGATION SERVICES

1 A P P E A R A N C E S

2

For the Kansas Department of Health & Environment:

3

MR. DAN WELLS
District Environmental Administrator
2301 East 13th Street
Hays, Kansas 67601
785-625-5663
Dwells@kdheks.gov

4

and

5

MR. RICK BRUNETTI
Director
1000 Southwest Jackson, Suite 310
Topeka, Kansas 66612
785-296-1551
Rburnetti@kdheks.gov

6

7

and

8

MS. JULIE COLEMAN
District Environmental Administrator
800 West 24th Street
Lawrence, Kansas 66046
785-842-4600
Jcoleman@kdhe.state.ks.us

9

10

11

12

13

The Court Reporter:

14

Mindy Dunkin
Midwest Litigation Services
1301 Oak Street
Kansas City, Missouri 64106
Phone (816) 221-1160
Fax (816) 221-1151

15

16

17

18

19

20

21

22

23

24

25

1 PROCEEDINGS

2 MR. WELLS: Good afternoon. I am convening
3 this hearing at 2 p.m. on Monday, August 2nd, 2010.
4 This hearing is being held at the Blue Valley
5 Northwest High School, 13260 Switzer, Overland Park,
6 Kansas. My name is Dan Wells. The secretary of
7 Health and Environment Roderick Bremby has appointed
8 me to act as hearing officer and his representative to
9 receive and consider testimony relevant to today's
10 proceedings.

11 The issue under consideration at this
12 hearing is the proposed issuance of an Air Emission
13 Source Construction Permit to Sunflower Electric Power
14 Corporation, which, if issued, would allow
15 construction of one new 895 megawatts coal-fired
16 steam-generating unit and associated ancillary
17 equipment at the company's facility located at 2440
18 Holcomb Lane, Holcomb, Kansas.

19 The public notice regarding today's hearing
20 was given publication of the notice in the Kansas
21 Register dated July 1st, 2010. And the correspondence
22 of the public-comment period is 45 days which
23 commenced on that date. This hearing will be
24 conducted in two sessions. This first session will
25 run until all participants present have an opportunity

1 to offer verbal and/or written comments but no later
2 than 5:00 o'clock p.m. The hearing will then go to
3 recess and we will reconvene at 6:30 p.m. The second
4 section of the hearing will continue until all verbal
5 and/or written comments have been presented by
6 participants.

7 As you entered this room you were asked to
8 register your attendance and to indicate on the form
9 whether you desire to give testimony concerning the
10 proposed permit. The registration form can be
11 completed at any time during this hearing. From those
12 forms a list of participants will be compiled. If you
13 are here as a part of a large group in which many of
14 the members will be making the same or similar
15 comments, I encourage you to formulate the comments
16 into one presentation. Following my remarks, the
17 representative of the department's Bureau of Air, Mr.
18 Rick Brunetti, will provide a summary of the draft
19 permit. Following that presentation, those of you who
20 have indicated a desire to present testimony, will be
21 called on to present comments.

22 This hearing is being recorded for an
23 official record of today's proceedings. Due to the
24 large number of attendees who have indicated a desire
25 to present oral comments, I will propose the following

1 rules: All presentations must be made at one of the
2 two microphones. You must begin your the presentation
3 by stating your name, address, and who are you
4 affiliated with.

5 Each presenter will only be given three
6 minutes to give their presentation. A timer will be
7 used and at the end of the allotted time I will ask
8 you to conclude your comments. Any unused time by a
9 presenter cannot be given to another presenter. If
10 your name is called and you desire to provide oral
11 comments, you must do so at that time. You will not
12 be allowed to defer your presentation to a later time
13 in the hearing. I will only accept comments that are
14 in regard to the proposed permit. I encourage all
15 presenters to avoid echoing comments previously made
16 during the hearing. Please be courteous and allow
17 other presenters to give their comments without
18 interruption. And finally, anyone who disrupts these
19 proceedings will be required to leave this hearing.
20 At this time I will call upon Mr. Brunetti to
21 represent the summaries of the draft permit.

22 MR. BRUNETTI: Thank you, Dan. I am Rick
23 Brunetti and I am director of the Bureau of Air for
24 the Kansas Department of Health and Environment.
25 First of all, let's get started out with a statement

1 that last week it was determined by federal and state
2 officials that the meteorological data that Sunflower
3 Electric used were not adjusted for differences in
4 time zones prior to the input into the dispersion
5 model. The modeling results simulate how the plant
6 will impact ambient air in surrounding areas.
7 Sunflower has been advised this portion of the permit
8 application will need to be revised and resubmitted.

9 KDHE is committed to a public process which
10 will include a separate comment period on the modeling
11 data once submitted and reviewed. KDHE will issue an
12 additional public notice subsequent to the review of
13 the modeling data and conduct one public hearing to
14 receive comments on the new modeling data and the
15 draft permit. Details on the second comment period
16 and final hearing will be announced at a later date.

17 Let me reiterate in regard to KDHE's
18 commitment to a public process that during the second
19 public-comment period, all aspects of the Sunflower
20 PSD permit will be open for comments. At this time, I
21 will take the opportunity to provide an overview of
22 the draft permit for Sunflower Electric Power
23 Corporation, herein and referred to as Sunflower.

24 Sunflower plans to modify a generating
25 facility located in Holcomb, within Finney County,

1 Kansas with the installation of a super critical 895
2 megawatt pulverized-coal boiler. The existing coal,
3 lime, and ash handling system will add equipment --
4 will add equipment to accommodate additional
5 throughput required by this modification. A new
6 cooling tower, a natural-gas-fired auxiliary boiler,
7 an emergency generator, and a diesel fire pump would
8 also be added. The Holcomb Unit II boiler will
9 utilize Powder River Basin, or PRB, sub-bituminous
10 coal, and low sulfur bituminous coal as primary fuel,
11 and natural gas as a backup fuel.

12 This source is subject to the following
13 Kansas Administration Regulations: K.A.R. 28-19-300,
14 which takes into effect the Construction Permits and
15 Approvals; K.A.R. 28-19-350, which is the Prevention
16 of Significant Deterioration, or PSD, of air quality;
17 K.A.R. 28-19-720, which addresses the New Source
18 Performance Standards; and also Title IV of the
19 Federal Clean Air Act, often referred to as the
20 acid-rain regulations.

21 The potential to emit one or more of the
22 PSD-regulated air pollutants from the proposed
23 activity exceeds the significance level for this
24 particular project. The proposed activity is,
25 therefore, considered to be a major modification of a

1 major stationary source. Therefore, an evaluation of
2 the Best Available Control Technology, an
3 ambient-air-quality analysis, and an evaluation of the
4 impacts, if any, upon soils, vegetation, and
5 visibility were conducted.

6 Best Available Control Technology
7 oftentimes referred to as BACT requirements apply to
8 each new or modified affected emissions unit and
9 pollutant-emitting activity. Also, individual BACT
10 determinations are performed for each pollutant
11 emitted from the same emission unit. The following
12 BACT has been established for this project for the PC
13 fire boilers: BACT for nitrogen dioxide is low-NOx
14 burners and separated over-fire air equipment along
15 with selective catalytic reduction; BACT for carbon
16 monoxide is good combustion practices; BACT for sulfur
17 dioxide is a dry flue-gas desulfurization system and
18 low sulfur coal; BACT for volatile organic compounds,
19 often called VOC, is good combustion practices; BACT
20 for PM/PM10/PM2.5 is a fabric filter; BACT for
21 sulfuric acid mist is a dry-gas desulfurization
22 system; BACT for the auxiliary boilers for NOx
23 emissions is low NOx burners and for sulfur dioxide is
24 combusting only pipeline natural gas. BACT for other
25 pieces of equipment include the following: Catalytic

1 converter for emergency generator, high efficiency
2 drift eliminators for the cooling tower, baghouses/bin
3 filters and chemical/water suppression for material
4 handling systems.

5 The owner or operator of a proposed source
6 or modification must demonstrate that allowable
7 emission increases from the proposed source, in
8 conjunction with all other applicable emissions
9 increases or reductions, would not cause or contribute
10 to air pollution in violation of:

11 1) Any national ambient air quality
12 standard.

13 2) Any applicable maximum allowable
14 increase over the baseline concentration in any area.
15 Oftentimes referred to as the incriminate.

16 The AERMOD model was used to determine the
17 maximum predicted ground-level concentration for each
18 pollutant and applicable averaging period resulting
19 from various operating loads. This is the area within
20 the permit that will require remodeling due to a
21 problem with the meteorological data.

22 Additional Impact Analysis: Sunflower was
23 required to provide an analysis of the impairment to
24 visibility, as well as impacts on plants, soils, and
25 vegetation that would occur as a result of this

1 project and to what extent the emissions from the
2 proposed modification impacts the general commercial,
3 residential, industrial, and other growth.

4 In regard to the Visibility Impairment
5 Analysis: Sunflower conducted an analysis of
6 impairment to visibility for the proposed modification
7 using a CALPUFF modeling system.

8 Two Class I areas were evaluated including
9 the Great Sand Dunes and the Wichita Mountains which
10 are both located approximately 400 kilometers from the
11 site. In accordance with the KDHE guidance, a
12 visibility-impairment analysis was also conducted at
13 Scott Lake, a Class II area, located approximately 80
14 kilometers to the north of the plant. A ViaSCREEN
15 viability analysis was performed -- was performed for
16 Scott Lake and the City of Holcomb. The screening
17 analysis indicated some of the Class I screening
18 criteria were exceeded. No criteria have been
19 established for the Class II areas.

20 In regard to the impacts on vegetation, an
21 analysis of impairment to visibility, soils, and
22 vegetation that would occur as a result of the
23 modification to the source was conducted. It was
24 determined that the proposed facility and the
25 associated increases of nitrogen dioxide, sulfur

1 dioxide, carbon monoxide, PM10, PM2.5 VOC/ozone, trace
2 elements, and acid gases are not expected to have
3 significant effects on vegetation.

4 In regards to impacts on soils: Given the
5 low emission level and is the sandy soil in the
6 vicinity of the project, the Holcomb II project should
7 not significantly impact soils in the area.

8 Growth in commercial, residential and
9 industrial activity: This modification at the Holcomb
10 facility will stimulate an increase in the local labor
11 force during the construction phase in the Holcomb
12 area, but the increase will be temporary and will not
13 result in permanent/significant commercial and
14 residential growth.

15 Operation of the facility will require
16 approximately 75 additional employees over the current
17 staffing levels. These new residences are not
18 anticipated to add appreciably to air emissions in the
19 vicinity of the facility.

20 No new local industrial facilities related
21 to Holcomb II are anticipated. An increase in
22 commercial activity related to transportation of coal
23 and lime to the facility and removal of by-products
24 materials, for example bottom ash, would occur;
25 however, any emissions increase would be from mobile

1 sources and are not part of this analysis.

2 Therefore, Holcomb II is not anticipated to
3 have sustainable negative impacts to the area based on
4 collateral growth. This concludes my testimony.

5 MR. WELLS: Thank you. Before I begin
6 accepting public comments, the Kansas Department of
7 Agriculture has asked me to give the following
8 statement to answer questions regarding water rights
9 and proposed electrical plant: "Regarding the water
10 supply for the power plant, the projects sponsor has
11 acquired the water rights necessary for the supply by
12 purchasing existing irrigation water rights that will
13 be changed to industrial use via regulations of the
14 chief engineer of the Kansas Department of
15 Agriculture's Division of Water Resources. The
16 chief's engineer regulations require that the quantity
17 of water authorized by the water right be
18 significantly reduced when the use is converted from
19 irrigation to industrial. This is to ensure there is
20 no net increase in the impact on the aquifer."

21 With that being said, water rights are not
22 an issue under consideration at today's hearing. If
23 you have questions or comments regarding the water
24 rights, you may contact the Kansas Department of
25 Agriculture, Division of Water Resources. Secretary

1 Bremby has asked me to recognize state legislatures or
2 local officials who are in attendance at today's
3 hearing. It was notified that Representative Arlen
4 Siegfroid, Representative Forrest Knox, and Senator
5 Marci Francisco are in attendance. If you would,
6 please stand. If there are other legislators that are
7 in attendance, would you also please stand and if you
8 would, please state your name.

9 MR. MERRICK: Ray Merrick.

10 MR. WELLS: Are there others? Are there
11 any local officials that would like to be recognized
12 at this time? Thank you for attending today's
13 hearing.

14 We have now come to the point in the first
15 session of today's hearing where we will receive
16 comments from the public. As stated earlier, each
17 presenter will be given three minutes to give their
18 testimony. We have a timekeeper in the front row.
19 Melissa, if you would please stand. She is our
20 timekeeper. She has signs that will notify you as to
21 how much time you have left in your presentation.

22 At the end of the three minutes, I would
23 ask you to please conclude your comments. Please feel
24 free to present any comments specifically related to
25 the draft permit that you would like to have

1 considered. I will begin by calling upon those
2 individuals who indicated their desire to present
3 comments on the registration forms. It is the
4 intention of KDHE to provide adequate time for all
5 witnesses to provide testimony.

6 If a witness feels that they were unable to
7 complete their comments during their testimony,
8 written comments will be accepted through August 15,
9 2010. It would be appreciated if you would provide a
10 written copy of your testimony, if available, to me.
11 In an effort to get to the selected names as indicated
12 on the forms, I will call off eight names at a time.
13 When your name is called, please come and sit in the
14 front row either to my right or two my left. We have
15 two sections that are reserved. And then I will call
16 your name when it is your turn to speak. And please
17 forgive me if I don't pronounce your name correctly.
18 We have Dr. Rick Atha; is that correct?

19 MR. ATHA: That's correct.

20 MR. WELLS: Brad Nickols, Joe Spease, Orb
21 Overly, Larry Garmany, Thad Holcombe, Jo Price, and
22 Bob Bibb. I'm sorry, Brad did not indicate, Jo Price
23 did not indicate. We'll start off with those right at
24 the moment.

25 Dr. Rick Atha, would you like to begin?

1 A. Rick Atha. Address 2105 Fleming. I'm
2 superintendant of the school, Garden City, Kansas,
3 67846.

4 MR. WELLS: Thank you.

5 MR. ATHA: I support the approval of the
6 construction air permit for the Sunflower Electric
7 Power Corporation. As a school superintendent, I
8 understand the relationship between student success
9 and economic vitality in the community. Student
10 success is improved by strong enrollment, appropriate
11 facilities, and parents that have good jobs to provide
12 for the needs of the family. Economic vitality in the
13 community comes from investment, job creation, and
14 business opportunities for entrepreneurs that start
15 companies and expand them.

16 The Holcomb Expansion project will eject a
17 much needed economic boost to this region. The jobs
18 will provide wages and pay which circulates in the
19 community. The purchases from these employees will
20 create economic impact in the community including
21 taxes and investments. The 1900 construction jobs and
22 88 permanent jobs will mean increased economic
23 activity and some new students in our schools. The
24 project itself will provide opportunities for
25 businesses to sell services and products needed for

1 the construction.

2 It is expected that as much as 56 million
3 will be spent with local companies to support the
4 project. The additional tax base and tax revenue from
5 this business will mean increased revenue that will
6 benefit our schools. The unit is exempt from property
7 taxes for the first twelve years. It's a commercial
8 operation but after that period it's projected the
9 plant will be assessed annual property taxes of 5
10 million for the balance of the expected 50-year
11 lifetime.

12 Kansas Department of Health and Environment
13 technical staff has developed a permit that meets
14 federal and state regulations. These regulations will
15 protect public health and the environment so we can
16 have the economic boost this project will bring and do
17 so using the very latest in technology and control
18 emissions. Garden City Public Schools Board of
19 Education recently passed a resolution not once but
20 twice.

21 In 2006, our board of education unanimously
22 favored this project. And a week ago Monday night,
23 they also approved a unanimous resolution of the
24 Sunflower Electric Power Corporation expansion project
25 of which I've included in my written testament for

1 your review. Please approve this permit. Thank you.

2 MR. WELLS: Next up.

3 MR. ATHA: Do you want my written
4 testimony?

5 MR. WELLS: Yes. If you have a copy, that
6 would be appreciated.

7 Next up I'll call Joe Spease.

8 MR. SPEASE: I thank you. My name is Joe
9 Spease. I live at 9934 Goddard in Overland Park,
10 Kansas, 66214. I'm very concerned that the Holcomb
11 plant would produce far too much pollution
12 unnecessarily. For that reason, the permit should be
13 denied. The sulfur dioxide, nitrogen oxide, mercury,
14 arsenic, carbon monoxide, carbon dioxide, and other
15 emissions from such plants do a lot of economic damage
16 and create huge healthcare costs for which coal-plant
17 operators are not held responsible for. Eventually,
18 the cost would show up in the form of doctor bills and
19 hospital bills and insurance rates. But they don't
20 show up on the permit for the Holcomb plant.

21 Proposed permit for Sunflower should be
22 denied until the proper accounting of these healthcare
23 costs and also the economic damage resulting from
24 those toxic emissions is calculated by qualifying
25 scientists including those at KDHE, and that those

1 costs are put forward to something that should be
2 subtracted from profits at Sunflower. Just pure
3 accountability is all we're asking for. The
4 accountability for the problems created by the
5 emissions.

6 I would also encourage people of Sunflower
7 to consider using the wind power combined with
8 energy-storage options that would create a clean
9 source of power. This would create more jobs down in
10 that part of Kansas than a coal plant would do but do
11 it without polluting the environment. Sunflower's
12 proposed coal plant and its costly, toxic emissions
13 aren't necessary and they should be replaced by clean
14 baseload power options like wind power and energy
15 storage. Thank you for hearing my considerations.

16 MR. WELLS: I would ask you to speak slowly
17 and clearly because our reporter here needs time to
18 transcribe everything on paper.

19 Next I'll call Orb Overly.

20 MR. OVERLY: I'm not exactly sure what I'm
21 doing here but this is -- I'm going to be speaking
22 from the heart and personal request that you deny the
23 permit. My name is Orbie Overly and I live at 6675
24 West 311th Street, Louisburg, Kansas. And I've been
25 affiliated with G. Base early on and I kind of formed

1 a grass-roots organization called KFCA&W and that
2 stands for the Kansan For Clean Air and Water. Kansan
3 is from the Kansa Indians that the name Kansas comes
4 from. And I don't know how many of you are aware that
5 the name Kansa -- Kansa means people of the southwest
6 wind. We are all people of the southwest wind.

7 I respectfully ask that you deny the
8 permit. And along those lines, I talked to my State
9 Senator Pat Apple and the State Representative Gene
10 Rardin and also asked that if KDHE perhaps set the
11 same guidelines as federal, new restricted guidelines
12 as an example to other states like Kansas and take
13 lead and set higher standards, based on the fact that
14 we have this tremendous source of natural energy,
15 solar and wind power.

16 Let us set higher standards, the senator
17 and representative said that wasn't possible because
18 of the economic concerns. If we have higher
19 standards, the cement plants and the coal plants won't
20 come to Kansas to build. I say great. (Inaudible,
21 audience clapping.) -- based on the fact that we have
22 the natural energy sources that other states don't
23 have. That is just to me -- I would ask that you set
24 higher standards and deny the permit based on higher
25 standards and step up and set a precedence for the

1 other states to follow. Please represent us as the
2 KDHE. Represent us, our children, our grandchildren.
3 We don't want to be downwind of the southwest wind
4 named Kanza. We're all going to be downwind of the
5 pollutants produced by this power plant and I
6 respectfully ask you, again, to deny the permit.
7 Thank you.

8 MR. WELLS: I have one more request. It's
9 difficult for Mindy here to hear the commenters or
10 presenters especially if there is applause. So please
11 hold your applause until the end of the presentation
12 or until the end of the hearing. Thank you.

13 Next presenter I have is Larry Garmany.

14 MR. GARMANY: My name Larry Garmany. I'm
15 from Houston, Texas, 13807 Wood Forest. I'm a
16 concerned citizen, grandfather, and construction
17 worker. And I've come asking for you to approve this
18 permit. I have 40 years of experience in building.
19 Over the years -- the last five years the coal that
20 we're burning now is much cleaner. We need the energy
21 for the infrastructure. I'm concerned for my
22 grandchildren, for the future. We must keep up with
23 the needs of the growing economy. As I said, I hope
24 that you will approve this permit. Thank you.

25 MR. WELLS: Thad Holcombe.

1 MR. HOLCOMBE: Thank you very much. I'm
2 Thad Holcombe. I live at 1817 Bernard in Lawrence,
3 Kansas. I come representing St. Michael Christian
4 Ministries at the University of Kansas. We are not a
5 part of the University of Kansas independent but we
6 are a cooperative endeavor of the Presbyterian, the
7 United Church of Christ, Quakers, and the Church of
8 the Bread. I would like to use this introduction
9 further to amend or paraphrase a quote from David Orr
10 from his book entitled Down to the Wire, an assessment
11 of the climate restabilization or climate collapse.
12 The real fault really I think lies in Kansas, that
13 between those -- the real fault in Kansas between
14 those for and against the building of the Holcomb
15 Plant is not between east and west Kansas nor liberal
16 and conservative. It is, rather, how we are warning
17 ourselves for the generations to come that will bear
18 the consequences for better or worse of your actions
19 and mine.

20 I come as one representative of the church,
21 one stream of Christian tradition which holds we
22 humans as part of a better life. Not as the pinnacle
23 of the triangle with us humans teaching the topic of
24 control of all life below in the triangle. I
25 therefore come really here today as the spiritual

1 discipline and I'm prompted today to represent many
2 others in faith communities in the state and beyond.
3 And I've come here on behalf of them to encourage you
4 as well as hoping that all of us have wisdom of our
5 time and solidarity with all of life and being
6 responsible for the common good through truth telling.

7 So it is, I suggest, the faith -- the
8 reigning mystery of God in contrast to the reigning of
9 fossil fuel. This is not some mysterious phase -- or
10 phrase about a cosmic battle; it's just a way of
11 asking you to be part of the future that orients
12 questions and answers to future generations of all
13 life, including human species. It would mean, by your
14 saying no, of encouraging the possibility for more
15 conservation and alternative forms of energy. It
16 would mean that all of us would look at a new way of
17 understanding economics.

18 Instead of having the bottom line just
19 being profits but to also have profits, people and
20 planet as the bottom line, three of them. And by your
21 saying no, you would encourage change in this state
22 among the legislatures and all of us. You would
23 encourage and promote (inaudible) for all of us. We
24 would all then be asked how we can sustain energy
25 production that's beneficial for future generations.

1 We in this state need to be anxious. We need to
2 deliberate our future together with future
3 generations. Of course, you would not be popular by
4 providing and encouraging such climate change, but you
5 would be making a decision we could build on for
6 determining a very sustainable future. I know the
7 construction of Holcomb and is no relation to me
8 (inaudible.) Thank you.

9 MR. WELLS: Bob Bibb.

10 MR. BIBB: My name is Bob Bibb. I live at
11 14414 West 51st Street in Shawnee, Kansas. And I
12 have -- I'm celebrating this year the 40th year
13 working and designing power plants and through most of
14 that time I've worked in environmental aspects. I
15 have nothing to do with this project. I've never been
16 there. I've never been to Sunflower's office but I do
17 care as I get older and have six grandkids, I care
18 about their future and both the environment and the
19 energy policy of this country.

20 And since I've run around the world and
21 worked in 40 states and southern countries, I thought
22 what an opportunity to input in my own backyard. But
23 put it into perspective, my firm, we like renewable
24 energy. We designed a solar project in California
25 last year that was named a renewable project for the

1 year involving biomass. But coal is essential and
2 coal is clean.

3 And from 1968 environmental -- National
4 Environmental Policy established the EPA and started
5 the rule-making process that worked. The first new
6 source-performance standard for power plants was
7 proposed in 1970 and before that, you could burn
8 uncontrolled. You could burn sulfur or contents at 4,
9 5, 6 percent and after that a mix between that
10 farthest and most southernness. And then in the PSD
11 process as a result of (inaudible) recorded in 1970s
12 that we're dealing with today 1977 the clean air act
13 amendment that required not only low-sulfur coal burn
14 but a minimum 70 percent removal of even burning
15 low-sulfur coal and that I'm sure is what we have
16 today. So this is not your father's Oldsmobile.
17 These plants -- this plant will emit a fraction of
18 what plants of years ago did and as time goes on,
19 state and national EPA are claiming on further and
20 existing plants where we have a much better
21 environment. We need coal. Thank you.

22 MR. WELLS: I'd like to call Senator Karin
23 Brownlee, Representative Ray Merrick, Representative
24 Arlen Siegfried. If you'd like to give your comments
25 now please.

1 MS. BROWNLEE: Good afternoon. My name is
2 Karin Brownlee. I live at 14725 South Olathe Drive in
3 Olathe, Kansas. Thank you for the opportunity to
4 participate in the public hearing regarding the new
5 power plant proposed by Sunflower Electric Power
6 Corporation at Holcomb, Kansas. I appreciate KDHE
7 hosting this portion of the public comments in Johnson
8 County where there's a great deal of interest.

9 My name is Karin Brownlee; I'm a state
10 senator from Olathe. I represent the 23rd Senate
11 District, which includes parts of Olathe and all of
12 Gardner, Spring Hill, and Edgerton. I have served in
13 the Kansas Senate since I was elected in 1996. During
14 this time, I have served on the Senate Utilities
15 Committee for ten of my fourteen years, including the
16 current term. I'm glad I was able to participate on
17 the committee level in the crafting of legislation for
18 the new Holcomb plant.

19 Most of my legislative work has been in
20 economic development. And my efforts have been to
21 grow every corner in the state of Kansas. And Johnson
22 County is often considered the economic engine of our
23 state. However, we need every county in our state to
24 contribute to our economy in a significant manner.

25 And this is why I support the construction

1 of the expansion of the plant at Holcomb by Sunflower:
2 This new power plant will certainly provide jobs.
3 It's estimated about 1900 during the construction
4 phase of the plant in addition to the jobs that will
5 exist after the plant is open. The impact of the
6 construction phase alone is estimated at \$200 million.
7 Further, the new base-load power will ensure that
8 Kansas has the electric power capacity to attract
9 growth in businesses, whether these are new or old,
10 whether they're businesses that are already located in
11 our state or new ones that might consider coming to
12 our state. But we would -- without this promise of
13 adequate power supply, our efforts in the future would
14 be limited when we're trying to court or assist those
15 businesses which might be larger users of electricity.

16 Another important aspect of the business
17 recruitment is regulatory certainty. Does Kansas mean
18 what it says in our statutes and our rules and
19 regulations or will Kansas officials honor the
20 regulations in a different manner with each applicant?
21 We must apply our regulations fairly and evenly with
22 each applicant that pursues approval. Certainly the
23 need for additional base power can't be met so that
24 means diminishing the quality of the Kansas
25 environment. On the agreement reached between

1 Sunflower and the Governor with the Legislature's
2 approval addressed this area very well. And in fact,
3 this agreement required Sunflower to reduce the size
4 of the proposed power plant which reduces
5 carbon-offset by 40 percent. And additionally,
6 Sunflower agreed to offset carbon emissions by adding
7 wind power, generating 20 percent of its renewable
8 energy by 2015. And I have a whole list of things and
9 so probably the key point is that we need to grow the
10 Kansas economy. And I see this as a key step that
11 Kansas can take to grow our economy. Especially at a
12 time when it's critically needed with the recession
13 that we're experiencing. And thank you for this time
14 and speaking before you.

15 MR. WELLS: Thank you, Senator. Next I
16 have Representative Ray Merrick.

17 MR. MERRICK: My name is Ray Merrick. I
18 live at 6874 West 164th Terrace, Stilwell, Kansas
19 66085. Good afternoon. I'm Ray Merrick, and I
20 represent Kansas' 27th District in the State House of
21 Representatives. Thank you for hosting the public
22 hearing and giving me the opportunity to submit my
23 comments regarding Sunflower Electric's draft
24 air-quality permit to construct this 895-megawatt
25 Holcomb Station power plant in Finney County.

1 Since I was first elected, I have
2 consistently fought for realistic solutions,
3 common-sense policies and well-thought-out results.
4 That is why I supported a comprehensive energy policy
5 that would bolster our state's renewable-energy
6 portfolio, ensure regulatory certainty, promote energy
7 efficiency and encourage the development of new,
8 cost-effective and environmentally responsible
9 power-generation facilities to meet our state's
10 growing energy demand. Core to this legislation was a
11 compromise agreement that, after two years of debate
12 about the future of our state's energy policy, would
13 allow Sunflower Electric to initiate construction of
14 Holcomb Expansion Project.

15 My colleagues and I worked closely with the
16 Hays-based cooperative to negotiate an agreement that
17 would significantly improve the project's
18 environmental profile. In an effort to reduce carbon
19 dioxide emissions, Sunflower agreed to build one
20 895-megawatt unit instead of the original request to
21 build two 700-megawatt units, representing a carbon
22 offset of 40 percent.

23 In addition, Sunflower agreed to add nearly
24 180 megawatts of wind power, generate 20 percent of
25 its electricity from renewable resources by 2015,

1 develop much-needed transmission lines in western
2 Kansas and contribute approximately \$4 million
3 annually to energy-efficiency programs. This
4 agreement represented the art of compromise and
5 resulted in a policy that is good for Kansas'
6 environment, its economy and consumers.

7 Given the careful review of the Holcomb
8 Expansion Project has received over the last two years
9 and the concessions Sunflower has made to further
10 manage carbon dioxide emissions, we have developed a
11 common-sense solution to meeting our growing energy
12 needs and stimulating our state's economy, while
13 protecting public health and the environment. Working
14 together, we can achieve great things for Kansas.

15 I commend KDHE for proceeding with this
16 phase of the permitting process and urge it to approve
17 Sunflower's draft air permit. Thank you.

18 MR. WELLS: Next I'll call Representative
19 Arlen Siegfroid.

20 Please speak loudly and clearly into the
21 microphone so our reporter has an accurate opportunity
22 to provide the documented comments accurately.

23 MR. SIEGFREID: Thank you. My name is
24 Arlen Siegfroid. I represent District 15 in the City
25 of Olathe and Johnson County. I live at 1403 West

1 Prairie Terrace, 66061. I've been in the legislature
2 since 2003 and as a father of five and grandfather of
3 eight I work hard to support policies that provide for
4 a high quality of life for our state's residents and
5 economic-development incentives to strengthen our
6 communities and a business environment. That is why I
7 strongly support the energy-policy compromise of 2009.

8 That legislation which was introduced by
9 the governor and overwhelmingly approved in a
10 bi-partisan majority of Kansas legislatures, embraces
11 renewable technology, encourages the development of
12 new transmission lines, and promotes wind-energy
13 production, provides green incentives, incentives for
14 energy producers and businesses, and creates a stable
15 regulatory environment.

16 The Kansas Department of Health and
17 Environment's recent decision to issue Sunflower a
18 draft air-quality permit consistent with the policy
19 directives of the energy-compromise legislation, as
20 well as federal standards. The Holcomb Station
21 project will use the best possible technology at this
22 time to control emissions and make it one of the
23 cleanest power plants of its kind anywhere in the
24 country.

25 It also creates 1900 full-time jobs that

1 are in construction with almost \$500 million of
2 salaries over four years and 330 direct and indirect
3 jobs, high paying jobs, when it is finally
4 constructed. In addition, it will generate local
5 taxes and have ratepayer benefits to people in western
6 Kansas. And those benefits go throughout the state
7 because they create increased revenue and support
8 federal and state services.

9 Opponents state it produces pollution while
10 shipping a portion of the power to other states, and
11 the federal legislation will ultimately determine our
12 regulations and we can solve our energy shortages by
13 use of wind energy and other renewable sources.

14 In reality, all of our businesses in
15 manufacturing, transportation, and others emit the
16 same emissions and that's carbon -- carbon dioxide,
17 that was the issue here. I believe that energy-policy
18 compromise agreed to last year represents a national
19 trend-setting stance and is a sensible solution to
20 meet our growing economic and energy demands of this
21 state. And it will stimulate our economy, create
22 jobs, and allow our businesses to run at lower costs.

23 And that's why I thank you for giving me
24 this opportunity to provide these comments and I
25 respectfully urge KDHE to approve the Sunflower's

1 draft air-quality permit. Thank you.

2 MR. WELLS: Thank you, Representative.

3 Next group that I'll call down is Mary Helen Korbelik,
4 Maril Hazlett, Stan Chappell, Bruce Nilles, Stephanie
5 Cole, Earl Watkins, Wayne Penrod, and Bob Sommer.
6 Mary Helen if you would begin please.

7 MS. KORBELIK: My name is Mary Helen
8 Korbelik. Can you hear me? My name Mary Helen
9 Korbelik and I live at 3316 West 59th Street in
10 Mission Hills, Kansas. I want to thank you for having
11 this hearing, it's very important. I would first like
12 to talk about pollution and health. We in the Kansas
13 City area don't need any more pollution. It gets
14 particularly bad in the summer heat when we have ozone
15 alerts like today. People with respiratory problems
16 and heart problems can't go outside. And I know about
17 this because my heart -- my husband has congestive
18 heart failure, which is no fun. I also have two
19 friends who have asthma. And they can't go out in
20 weather like this.

21 Because our winds blow from west to east,
22 we in Kansas will get all of the pollution while most
23 of the electricity will go out of the state. The
24 sulfur dioxide and nitrogen oxide emissions are higher
25 than many other coal plants today. Nitrogen oxide is

1 a precursor to ozone pollution. Mercury emission
2 levels are greater than what's being achieved at many
3 other plants. Mercury is very harmful to pregnant
4 women and children. Coal increases the risk of these
5 four diseases: Heart disease, cancer, stroke, and
6 respiratory problems such as asthma.

7 The next thing I want to talk about is
8 water. The new coal plant will use 6,000 Olympic-Size
9 swimming pools of water each year to cool it. That is
10 over 16 swimming pools a day. That's a lot of water
11 from the Ogallala Aquifer that is declining every
12 year. And the coal plant will need this amount for
13 its life which is 50 years. And I realize what you've
14 said that they have purchased the water rights, but
15 what happens -- what happens 40 years or 50 years from
16 now when the Ogallala Aquifer has gone down and
17 there's not enough -- not enough water. Not 6000
18 olympic-size swimming pools to cool this plant. Don
19 Mercer of KU, of the University of Kansas, said at a
20 talk a couple years ago that western Kansas will get
21 quite a bit drier. So I think we need to think about
22 the water issue. Even though you have water rights.

23 My next point is global warming. Global
24 warming is one of the biggest problems facing mankind.
25 The spewing of 240 million tons CO2 plus mercury,

1 nitrous oxide, sulfur oxide and other pollutants for
2 50 years, which is the length of the plant, will add
3 greatly to the global warming. We have got to become
4 serious about what we are sending for free up to the
5 atmosphere causing green -- the greenhouse effect. We
6 have melting poles, melting Greenland, glaciers
7 worldwide, all are melting and this is all caused by
8 global warming.

9 MR. WELLS: Ma'am, your time has expired.
10 Can you conclude your comments at this time.

11 MS. KORBELIK: The whole globe is
12 witnessing the effects of global warming and I would
13 like to suggest that this permit be denied. Thank
14 you.

15 MR. WELLS: Next I'll call Maril Hazlett.

16 MS. HAZLETT: My name is Dr. Meril Hazlett.
17 I'm with the Climate and Energy Project. My home
18 address is McCloud, Kansas. And my comment today is
19 quite short. I want to thank KDHE staff for their
20 very hard work on this permit. I know it's quite a
21 burden and it's a reflection of work. We appreciate
22 the opportunity to offer a full technical comment.
23 However, ours will have to wait until the entire
24 application is complete. So we anticipate submittance
25 to you by the end of the next draft period. And we'd

1 also like to thank you for the extension of the
2 public-comment period and we appreciate the
3 transparency. Again, thank you for your work.

4 MR. WELLS: Stan Chappell.

5 MR. CHAPPELL: I'm Stan Chappell. I live
6 at 9632 Ridge in Overland Park, Kansas. I'm not
7 really affiliated with any organization just a
8 concerned citizen. Basically, I'd just like state my
9 opposition to this plant. A messy coal-firing power
10 plant I guess seems to be a short-sighted 20th-century
11 solution -- or 21st century. I know it will generate
12 revenue and a certain number of people will make a lot
13 of money off of it, at least they will in the short
14 run, but I think it will cost us all in the long run.
15 So I hope you will decline this permit. Thank you.

16 MR. WELLS: Bruce Nilles.

17 MR. NILLES: Thank you. My name is Bruce
18 Nilles. (Inaudible.) I work for Sierra Club in our
19 Washington, D.C., office. I live at 408 C Street,
20 N.E., Washington, D.C. Three years ago you sparked a
21 national debate about coal by having the courage and
22 foresight to reject the permit. You helped inspire
23 others to figure out about making smarter, cleaner
24 energy choices. And you helped unleash energy, clean
25 energy, and provided jobs and clean and safe

1 pollution-free alternatives to coal.

2 I'm here because this is a national issue
3 about what direction our states are going, what
4 direction our country's going, and how your plan is
5 going. And we specifically request that you take the
6 time because we now know that there are smarter,
7 cleaner, cheaper alternatives for Kansans and for our
8 country. This power plant will be one of the largest,
9 newest resources in the western United States in the
10 last two decades at a time when we need to cut
11 pollution. After you rejected the permit the first
12 time, states began following your lead, other states.
13 Turning away from the 19th-century energy sources
14 saying we can do better, we can create more jobs, and
15 we can do it without sacrificing the future. And
16 indeed, in the last twenty months since November of
17 2008, not a single new coal plant has broken ground in
18 the United States. That was inspired by your vision
19 last time. We urge you to do that again and do them
20 much better. (Inaudible.)

21 In fact, the record amounts of money and
22 record amounts of new jobs you should be able to
23 create with wind turbines, not coal plants and help
24 you save energy. So it is not a choice between
25 pollution and jobs. We can, in fact, do both and do

1 them much better and without coal. So specifically
2 you have to go to the Clean Air Act to say there are
3 smarter alternatives and we don't need this plant.
4 (Inaudible) what can we do to have alternative
5 choices. And under authority from the State Clean Air
6 Act, which is the same one we have here in Kansas, two
7 states said no, we're not going to allow the
8 construction of coal plant (inaudible) the now and
9 that's likely to be (inaudible.)

10 There are cleaner alternatives in Missouri
11 for producing electrical in our county. With that
12 being said, coal makes no sense. It's expensive and
13 we can do better with wind power and that's in
14 Missouri. In Wisconsin the public-service commission
15 looked at the proposed plant and said, you know, the
16 numbers don't add up, this is costly and it creates
17 pollutions, why would you want to do that? And so
18 let's do something smarter, and so that's what that
19 state is doing. (Inaudible.) The risk of building a
20 coal plant is now so big that the last administration,
21 George Bush Administration, cut funding for plants
22 like Sunflower because it was deemed too risky. So
23 let me conclude by saying you have an opportunity to
24 rely on other (inaudible) which is needed. And other
25 smarter, cleaner alternatives. Kansas has a choice, a

1 very, very important choice, to walk away from a very,
2 very large source of pollution with very few jobs or,
3 in fact, the power house of energy here in a number of
4 the Great Plains all in the United States and actually
5 becoming the leader not relinquishing -- not finishing
6 (inaudible) other states as a race (inaudible.) Thank
7 you.

8 MR. WELLS: Next person to present their
9 comments is Stephanie Cole.

10 MS. COLE: My name is a Stephanie Cole.
11 I'm with the Kansas Sierra Club. The address is 11925
12 West 109th Street, No. 209, Overland Park, Kansas,
13 66210. And I'm here today representing the Kansas
14 Sierra Club. More detailed, technical comments will
15 be given by our organization. We have several
16 objections with the project on the basis of the
17 environment and the public health risks it poses. But
18 my comments today are focused on another aspect of
19 this project that deserves our attention.

20 The Tri-State and Transmission Association
21 of Colorado would own a large share of Holcomb II, 695
22 megawatts to be exact. So Holcomb II is essentially a
23 coal plant from Colorado that Kansas would host. In
24 June and July of this year Tri-State conducted a
25 series of public meetings to determine their long-term

1 resource needs. As a part of this process, Tri-State
2 modeled various resource scenarios. Of the fifteen
3 scenarios Tri-State modeled, as well as seven
4 scenarios that were recommended by the public, only
5 one of these models demonstrates a need for new coal
6 capacity. That one scenario includes assumptions that
7 could be challenged, such as an assumption that there
8 will be no costs on carbon.

9 Even if we accept the questionable
10 assumptions, this one model shows the need for new
11 coal capacity in the year 2026 and that need is for
12 302 megawatts. It does not show a need for the
13 900-megawatt plant right now or for Tri-State share,
14 it does not show a need for 695 megawatts right now.
15 To further my point, during a meeting on July 1st, a
16 Tri-State representative was questioned about their
17 intent to pursue Holcomb II, which seemed inconsistent
18 with Tri-State's modeling that showed little need for
19 new coal capacity. The Tri-State Representative
20 responded that, "Sunflower and Tri-State are
21 continuing to pursue a permit to keep the option of
22 the facility open."

23 If Holcomb II is about keeping options
24 open, we need to ask ourselves if the substantial time
25 and resources Kansas has already dedicated to this

1 project can be justified. We've already gone through
2 one permitting process that's taken lots of time and
3 sizable resources from your agency. This permit was
4 ultimately denied in 2007 debating the coal plant, and
5 almost three years from when that proposal began.
6 Almost three years after this permit was denied and
7 we're still debating it. So I have the following
8 request for KDHE: Before we continue to misuse your
9 time, I request that KDHE requires gratification and
10 documentation that there is a near-term need for this
11 coal plant. And secondly, I would request that your
12 agency require Tri-State to provide documentation that
13 there are concrete plans in place to move forward with
14 the construction of Holcomb II if a permit were to be
15 issued. Thank you very much.

16 MR. WELLS: Next I have Earl Watkins.

17 MR. WATKINS: My name is Earl Watkins. I
18 am the President and CEO for Sunflower Electric.
19 Sunflower is a not-for-profit generation and
20 transmission cooperative company operated
21 cooperatively, headquartered in Hays, Kansas. Our
22 mission is to provide reliable energy at the lowest
23 possible cost to our members who are not-for-profit
24 companies. And I'm here today to support the project.
25 The fact is that all fuels have distinctive

1 characteristics that make them suitable for various
2 purposes. In 1983 and prior to that, 100 percent of
3 our generation was natural-gas powered. Today, 48
4 percent of our capacity is natural-gas powered, 42
5 percent is coal powered, and the remaining power comes
6 from 325 wind turbines located in Western Kansas.

7 We're pursuing 100 percent of the output
8 from a 100 percent bio-mass-fired project in Holcomb.
9 Previously we were considering a modular nuclear
10 project and several other regional utilities. So why
11 are we looking at coal for this project? And the
12 answer is simply this -- and that is: The fuel cost
13 for newer natural gas today is about 5.5 cents per
14 kilowatt. The fuel cost for coal today is about a
15 penny and a half. And what we're looking out for is
16 our portfolio. Even though the capital costs for coal
17 is greater, when you look at the total today, the
18 fuel-cost total being about four times more than
19 natural gas, it's just not appropriate for us to put
20 all of our eggs in one basket.

21 It's true natural gas is \$5.00 today. Two
22 years ago in August it was at 13, it went to 3 and
23 went to 9 and now it's down to 5. That's a burden on
24 your consumers. Some would say that natural gas is
25 the only answer. And our answer to that, again, is

1 that a peak of natural gas has 100 percent plus their
2 environmentalists who are opposed to the fracking
3 technology used to produce natural gas declined. Some
4 would say that nuclear is the answer, others would say
5 it's between capital and (inaudible). And some would
6 say that it's, well, the spent fuel courses is deadly
7 for thousands of years. Some would say that biomass
8 is the answer. Others would say it's (inaudible) the
9 recycle and capture of CO2. Others would say that
10 wind is the answer. Well, we have wind. We have all
11 of these technologies that we're perusing. Others
12 would object that wind creates environmental
13 pollution, visual pollution, soil erosion, kills
14 birds, bats, and bugs and all of those types of
15 things.

16 So our point is is that we want to have a
17 balanced portfolio. This makes sense as a piece of
18 our portfolio. This project complies with all known
19 rules regulations that are known to us today and we
20 ask KDHE to support this project, a \$3 million
21 projects 1900 construction jobs, 300 permanent jobs.
22 And it's going to provide a reasonable source of
23 energy and it's going to provide for our members, our
24 not-for-profit members. Thank you very much.

25 MR. WELLS: Next I call Wayne Penrod.

1 MR. PENROD: Thank you, Mr. Chairman. I
2 appreciate the opportunity to come today to discuss
3 this project with you. My name is Wayne Penrod. I
4 live at 1401 Washington Circle, Hays, Kansas, 67601.
5 I'm the executive manager of environment for Sunflower
6 Electric. This project is one that we've been
7 pursuing for about ten years. It certainly is an
8 important and necessary part of any electric company's
9 portfolio to have based on energy. This coal-fired
10 plant seems to be the best solution for us so I'm here
11 to offer you a few bits of information that I thought
12 might be important.

13 First of all, these regulatory requirements
14 that anybody seeking a permit to build a facility
15 today has to be quite rigorous. And in fact, they've
16 been revised within the last six months three times.
17 Everything will be done that supports the application
18 or permit conforms to those requirements. So the
19 modeling obligations that we have take those new
20 requirements into consideration and meet those
21 requirements. Something that's been said about the
22 model data being insufficient or inadequate. I try
23 hard to try to figure out the best way to explain and
24 that I came upon these as I was driving east today and
25 I crossed the Kansas Turnpike.

1 When I approached the turnpike there were
2 three tollgates open. One of those tollgates took the
3 KTA, referred to as K-TAG -- or actually it took K-TAG
4 or cash, the one on the other side took cash only.
5 Three of us approached, all three of us used the
6 pass-through. I hope when I get home tonight I don't
7 have anything in the mail suggesting that because I
8 had the green light and I went through the toll booth
9 that because it didn't rerecord my K-Tag, that I don't
10 have a ticket. The things that have been said about
11 the modeling data and inadequacy clearly relate to the
12 same (inaudible), to that exact circumstances.

13 This project is not going to detract
14 appreciably from the air in Johnson County. Looking
15 on the web, I found some information and I thought
16 might be of some use here today. The total prior
17 air-pollutant emissions in Finney County, this was for
18 the year 1999, just a little less than 45,000 tons.
19 Those for Johnson County for the same year were
20 275,000 tons. The emissions from the new Holcomb
21 plant will be somewhere in the neighbor of 11,000 tons
22 with all those pollutants together. The emissions
23 impact on Johnson County is about a 10 percent based
24 upon the transport of the pollutants from the Holcomb
25 plant technology, and other control technology are the

1 best that anyone has applied today in the country. I
2 appreciate the opportunity to talk with you today.
3 And I will ask that you please approve this permit.
4 Thank you very much.

5 MR. WELLS: Bob Sommer.

6 MR. SOMMER: Thank you, Mr. Chairman. My
7 name is Dr. Bob Sommer. I live at 12020 Westgate
8 Street in Overland Park, 66213. Let's start with a
9 quote from Dr. James Hansen and that's a scientist for
10 Goddard Institute for Spaces Studies, it says that:
11 "Coal is the single greatest threat to civilization
12 and all life on our planet." There are many reasons
13 not to build a new coal-burning utility plant in
14 Kansas from the wasteful idea of investing in energy
15 technology we should be abandoning to the lost
16 opportunities of exploiting wind and other renewable
17 energy resources in Kansas as coal effectively
18 cannibalizes the market share of these resources.

19 The major concern in this permitting
20 process is for air quality rather than for climate
21 change, water use, and other objections one might
22 raise to this plant's construction. Before deciding
23 to allow this plant to go forward the KDHE must ask
24 whether effective study has been done on the impact of
25 many millions of tons of mercury, carbon emissions,

1 and particulate matter will have not only on the
2 region immediately surrounding the site, but all
3 across central and eastern Kansas.

4 The smog caused by coal burning causes
5 shortness of breath, increased risk of asthma,
6 permanent lung damage, and other ailments and even
7 death. Smog destroys the ecosystems and damages water
8 supplies and crops. Everything goes somewhere, and
9 that is certainly true for sulfur dioxide and nitrous
10 oxide, which our children will breath and our water
11 and soil will absorb. Over time the hidden costs of
12 cheap coal will far outrun any benefits to consumers,
13 farmers, and ranchers. The only true financial
14 beneficiaries are the corporations and shareholders
15 who own the utility.

16 Does Kansas want to absorb the dirty air
17 and water required to provide energy to Colorado?
18 Does Kansas want the financial risk associated with
19 underwriting energy for states that already decided
20 against permitting new coal-burning facilities? Are
21 we ready to believe the biased research of those who
22 stand to benefit from this venture as opposed to many
23 objections raised by disinterested scientists who warn
24 us against pursuing it?

25 There are many more questions than answers

1 at this point in the permitting process. I strongly
2 urge you to investigate these fully before allowing
3 this plant to go forward. Thank you.

4 MR. WELLS: The next group I'll ask to come
5 to the front is David Schneider, Eric Depperschmidt,
6 and Donna Garmy, if you have any comments you'd like
7 to submit you can do that at this time also. Jim
8 Mullins, Leonore Rowe, and Bob Goodrick -- or Goodrick
9 one of the two.

10 MR. WELLS: Mr. Schneider you can begin.

11 MR. SCHNEIDER: My name is David Schneider.
12 I live at 2035 New Hampshire Street, Lawrence, Kansas.
13 Thank you for this opportunity to speak before you.
14 I'm here to support this power plant. I'm the
15 president over three or four United Brotherhood Corps
16 (inaudible). Since 1987 we've had a contract with
17 Sunflower Electric and in it we feel advances of this
18 plant we must support.

19 We all know that the increase and
20 continuing demand for electricity hold the future.
21 This growth will not only have an impact on the safety
22 and in nature as well, it's also important in terms of
23 jobs and growth. The plant will -- project will
24 supply or provide new jobs during the construction
25 period as well as when the plant is online and

1 operating. The economic uptake will also be felt by
2 numerous outside members of the service plant. And
3 this activity -- the economic activity will also be
4 good for the local communities, local governments, and
5 state governments.

6 One of the arguments out here is that the
7 small -- suppose the small percentage of electricity
8 it will generate in Kansas. Those in the global
9 economy that don't know, seldom electricity across
10 state lines is the way of the business for many
11 utilities already. And I think the fact is the
12 majority of the money will come back to Kansas just
13 like your manufacturing agricultural products that
14 will be sold internationally. We see this as a plus
15 in the state of Kansas. Thank you.

16 MR. WELLS: Our reporter would like a
17 break. We're going to take a break for ten minutes.

18 (WHEREIN, a recess was taken.)

19 MR. WELLS: Okay. The time is 3:32 and I
20 am reconvening this hearing. We have a very large
21 number of people or members of the gallery here that
22 still would like to speak. We have -- according to
23 our calculations we have about three hours worth of
24 comments left to go and we only have about an hour and
25 a half left until five o'clock. I'm still allowing

1 speakers the three minutes but I have some suggestions
2 for you if you can shorten your presentation to as
3 little time as possible it would be appreciated or if
4 you wanted to just limit your comments to any new
5 information that hasn't already been presented.

6 If we get to the five o'clock time and we
7 still have a large number of the people who have yet
8 to present their comments, we will still go ahead and
9 reconvene at five (sic) and then we will give you the
10 first opportunity to provide your comments at the 6:30
11 session. One thing that would also help is if you
12 would please hold all applause after each presenter.
13 That does -- it may not seem like it but it does take
14 a significant amount of time to wait for the applause
15 to end. With that we'll begin with the presentations.
16 The next one we had was Mr. Eric Depperschmidt.

17 MR. DEPPERSCHMIDT: My name is Eric
18 Depperschmidt. 1509 East Fulton, Garden City, Kansas.
19 Thank you for allowing me the opportunity to speak to
20 you regarding the Sunflower Electric's air-permit
21 application. I am here on behalf of Western Kansas
22 Rural Economic Development and Alliance, more commonly
23 known by staff as KREDA of which I am a current board
24 member and past president. KREDA represents over 55
25 counties of western Kansas and is a grass-roots

1 organization that is dedicated to working together for
2 economic wellbeing and common good in western Kansas.

3 With that, I am going to summarize my
4 written testimony and just go into we believe as an
5 organization Sunflower Electric is an excellent
6 example of a great corporate citizen and we have
7 complete confidence in the quality of the permit
8 application and believe that Sunflower will operate
9 these facilities within full compliance of the law and
10 with genuine concern and respect of the citizens of
11 all -- all of Kansas.

12 We believe the Holcomb facility will not
13 only meet all federal and state requirements but will
14 be a model facility in controlling emittance for those
15 of us who have made a career of working with
16 corporations such as Sunflower. It would be a mistake
17 to believe otherwise. The KREDA members, while being
18 a diverse group in many ways, is united behind this
19 project. Sunflower Electric has made presentations to
20 this group to explain the scope of the project and
21 give our membership the opportunity to ask questions
22 and express concerns. We believe that those efforts
23 are but a reflection of their commitment to the KREDA
24 members and to the citizens of not only western Kansas
25 but to the entire state of Kansas. Thank you again

1 for your time and consideration.

2 MR. WELLS: Thank you. Please hold your
3 applause. Jim Mullins.

4 MR. MULLINS: I'm Jim Mullins. I'm from
5 Lawrence, Kansas. I'm a -- what I would call a
6 common-sense environmentalist. My family moved to
7 Kansas in 1855 and we grew up on a farm. We've been
8 good citizens and good stewards of the land. My
9 growing-up years were down in west Texas but I've
10 lived in Kansas now for about the last thirty-five
11 years, eight of those years were in Garden City. I
12 moved there when the Holcomb plant was built, the
13 first one, the one that's out there now. And it's
14 been twenty-five years since we've built a new coal
15 plant of any kind in this state. We definitely need
16 this plant. I rise in favor of building this plant
17 and the other thing that you may or may not -- most
18 people don't know about me is that I'm a specialist in
19 nozzle technology. Spray nozzles is a big part of
20 anything to do with power plants and I've been in this
21 technology for almost thirty years. And today the
22 plants are so much cleaner, so much more efficient
23 with everything that they do. And we need to make
24 sure that this plant is built in Garden City because I
25 spent several of my years there and my kids'

1 growing-up years in that town and we definitely need
2 this plant. I rise in favor. Thank you.

3 MR. WELLS: Thank you. Leonore Rowe.

4 MS. ROWE: Thank you. Leonore Rowe, 9200
5 Craig, Overland Park, 66212. I am -- and I will
6 shorten my comments and I will submit the written
7 amount.

8 MR. WELLS: Thank you.

9 MS. ROWE: I'm a state board member of the
10 League of Women Voters of Kansas, and I am speaking on
11 the behalf of the league. We have long been a
12 proponent of clean air, resource conservation, and
13 energy efficiency. We urge you to consider the impact
14 of this proposed plant on the air quality for future
15 generations. And the recent information that we've
16 received that's been made public indicating that the
17 cost of coal will rise dramatically during the
18 lifetime of this plant, we think that this negates the
19 future economic viability of the plant. We believe
20 higher priorities should be given to producing energy
21 from renewable energy sources.

22 And in addition, the impact of the proposed
23 unit on the available water in the western -- in
24 western Kansas is a concern of the league. Being the
25 water from the Ogallala Aquifer for this plant we

1 don't believe is a wise use of this declining
2 resource. And thank you for the opportunity and we're
3 glad you were able to have this hearing in Overland
4 Park or in Johnson County. We appreciate this. Thank
5 you.

6 MR. WELLS: Bob Goodrick.

7 MR. GOODRICK: I'm Bob Goodrick. I'm a
8 lifetime resident of Kansas. My address is 9020 West
9 101st Street, Overland Park, Kansas. I'm a member of
10 the Local 124 International Brotherhood of Electric
11 Workers and I'm also a concerned citizen. I love my
12 children, I love my state, but I am an endangered
13 species. I am an endangered resource. People like me
14 are going to be needed to build this and other
15 projects. I have 37 years experience. I have not
16 worked since September of '09. Our training facility
17 is second to none at no cost to the taxpayer. We have
18 labs, we have a hands-on training, we have great
19 classes. I stand in favor of this project. We need
20 those jobs. Thank you.

21 MR. WELLS: Okay. The next group of people
22 I would ask to come to the front: Tony Schmidt,
23 Raymond Dean, Lynate Pettengill, Laurance Price, and
24 Margaret Tran. And Nick Benson, if you have written
25 comments you want to submit, you can do this at this

1 time also.

2 MR. SCHMIDT: Well, hello. My name is Tony
3 Schmidt. I'm from Lawrence, Kansas, 1032 Oak Tree
4 Drive, 66049. And my comments are fairly brief and I
5 would like to speak on behalf of the plant primarily
6 and the issue of global climate change and I recently
7 read in a book, the title of the book is "The Science
8 of Liberty" about how to put this situation in certain
9 terms. And so I'm an environmentalist and a local
10 citizen concerned about climate change and I am
11 opposed to the coal plant in western Kansas.

12 The essentials of climate change are not
13 terribly complicated. The earth's atmosphere is thin.
14 Thinner than the layer of moisture covering one's
15 eyes. Nitrogen and oxygen make up 99 percent of the
16 atmosphere so we're only talking about 1 percent of
17 the atmosphere. And that 1 percent is known as
18 greenhouse gas, notably water vapor, carbon dioxide,
19 and methane, and these absorb the infrared light
20 rather than letting it escape into space. They act
21 like a closed window of a parked car. And to a point,
22 this is very good but it's estimated that nearly a
23 third of the CO2 in our atmosphere today is manmade
24 through coal, from power plants, and petroleum powered
25 automobiles and trucks.

1 The big issue is the warming that is coming
2 about from human-created activities. The world today
3 is evidently hotter than it's been for many centuries
4 and greenhouse gases constitutes the most plausible
5 explanation for it. CO2 in the atmosphere has reached
6 385 parts per million versus the 275 parts that they
7 were for the last 10,000 years. So my little science
8 lesson, that's about the extent of my comments. I'm
9 here as a proponent for the planet earth and for the
10 citizens of Kansas.

11 MR. WELLS: Thank you. Raymond Dean.

12 MR. DEAN: My name is Raymond Dean. I live
13 at 1835 Republic Road, Lawrence, Kansas. I'm a
14 retired electrical engineer and I'm opposed to this
15 proposal for a new coal plant. Coal combustion
16 creates fine particulate matter that is both very
17 toxic and very hard to remove. I have a document here
18 by the EPA which is an assessment of particulate
19 matter. It was published in December of 2009. I have
20 another document published by the American Heart
21 Association, it came out in May 2010. Both of these
22 documents agree that there is no safe threshold for
23 the amount of fine particulate matter. What that
24 means is, no matter how clean the original environment
25 any increase in fine particulate matter increases

1 death rates. Even the best available controlled
2 technology can't prevent emissions of additional fine
3 particulate matter from a pulverized coal plant but
4 the increased dying can be avoided by switching from
5 coal power to wind power.

6 This map shows that Kansas -- Kansas wind
7 can provide about half of the electricity consumed in
8 the United States. If you do the numbers, that means
9 that the economics is about 200 times better for
10 developing Kansas -- western Kansas wind power than
11 this new coal plant would provide. This document
12 shows that -- by Enrail shows how you can use
13 compressed-air storage to make wind-power base load
14 and in addition the wind -- the combination is better
15 than base load because it has fast ramping and many
16 ancillary services. This ridge survey -- ridge study
17 describes a project to put wind and compressed-air
18 storage in the Panhandle of Texas and it shows how
19 wind -- wind and compressed air the compressed-air
20 storage is more cost effective. The compressed-air
21 storage more than pays for itself. This document from
22 Princeton shows that compressed-air storage will
23 compete with coal when it's coupled with wind and it
24 will actually take coal out of the marketplace. There
25 is a 3,000-megawatt project that's going on and it's

1 going to be going into Texas now and another project
2 proposed by ConocoPhillips.

3 MR. WELLS: Sir, that's --

4 MR. DEAN: That's what I have to say,
5 basically. So it's economically viable and it's
6 better for the health and the welfare of Kansas if we
7 go to wind power instead of coal power.

8 MR. WELLS: Are you submitting all of those
9 documents to KDHE?

10 MR. DEAN: Yes. And everything I've said
11 is written down on here.

12 MR. WELLS: Okay. Next I have Lynate
13 Pettengill.

14 MS. PETTENGILL: You'd never guess, it's
15 Lynate. I will submit these written, and I live at
16 837 Westgate Place in Lawrence, Kansas. I'm a member
17 of the Sierra Club. My name is Lynate Pettengill.
18 I'm a fifth-generation Kansan. I'm also a wife,
19 mother, daughter, sister, boss, employee, and a lover
20 of truth. The last of these roles, lover of truth,
21 compels me to point out a great falsehood which is
22 being presented today. That is the false choice
23 between on one hand, jobs, economic survival, even
24 prosperity, and on the other hand, the health and well
25 being of the people of Kansas as well as our water,

1 air, and land. The truth, however, is that we can
2 have both. We can choose to develop wind energy which
3 is waiting for us out on the plains. An industry that
4 provides clean energy, long-term, sustainable jobs for
5 Kansans, as well as a substantial income for the
6 hard-working and unfortunately often struggling
7 farm -- family farmers and ranchers of our state.

8 And if we chose to embrace this green
9 economy, we will be choosing to protect our air from
10 the mercury, arsenic, soot, and many other pollutants
11 that would have been produced by the Holcomb II coal
12 plant. We can conserve our limited water resources by
13 saying no to this water-sucking monstrosity. We can
14 protect the health and well-being of this generation
15 as well as our children and our children's
16 grandchildren by saying, No, we will not issue a
17 permit for this coal plant. I hope and pray that you
18 have such strength and wisdom. Thank you.

19 MR. WELLS: Dr. Laurance Price.

20 MR. PRICE: I'm Laurance Price. 4203 Quail
21 Pointe Terrace in Lawrence, Kansas, 66047.

22 MR. WELLS: Sir, would you move closer the
23 microphone?

24 MR. PRICE: I ask that the petition be
25 denied for reasons of public health. Annual-coal

1 plant pollution outputs in our country include over
2 176,000 pounds of lead, 100,000 pounds of arsenic, and
3 large quantities of other metals including mercury,
4 cadmium, and chromium. These impressive volumes are
5 in excess of those captured by smokestack scrubbers
6 and other pollutants-limiting methods and devices.
7 Mercury and lead are brain and nervous system toxins;
8 arsenic is a potent poison and a known cause of
9 cancer; cadmium is toxic to lungs, liver, and kidneys
10 and may cause cancer; chromium is a known carcinogen.

11 These toxic elemental metals are unique in
12 that they are indestructible. Once released from
13 coal, they will endlessly recycle in our environment.
14 Prominent among them is a mercury. Over 96,000 pounds
15 of it are released in the U.S. from coal combustion
16 every year. Mercury is now found in fish, in birds,
17 in animals, in humans, and has entered our food
18 supply. It is toxic for all of us. The unborn fetus,
19 infants, and small children have been shown to be
20 particularly susceptible to the effects on their
21 brains and nervous systems.

22 Toxic metal pollutants are not only found
23 in the effluent smokestacks but also in the ash and
24 residue left in plants after coal combustion. Every
25 coal-burning power plant must find ways -- ways to

1 store or dispose of its pollutants. Much of the
2 residue is dumped into underground mines or other dry
3 storage sites or stored in manmade lagoons, ponds, or
4 lakes. Toxins can and do leak from some of the
5 impoundments and can contaminate surface and ground
6 water. Other problems are associated with disposal
7 sites. In 2008, a major environmental disaster
8 occurred near Kingston, Tennessee when an earth and
9 dam ruptured and released a billion gallons of
10 coal-waste liquid into a nearby river flooding it,
11 destroying homes, engulfing an entire town, and
12 poisoning water supplies. Clean-up costs for
13 taxpayers in this incident are estimated at a billion
14 dollars. The long-term health consequences from
15 toxins in that waste are not yet known, but they can't
16 be good.

17 It has been said here that burning coal is
18 the cheapest way to generate electricity. What about
19 the health costs that don't show up on electric bills
20 but are offloaded to the public in the form of medical
21 bills related to asthma attacks, to complications of
22 emphysema due to pollution, and to pollution-related
23 heart attacks and strokes that occur in the
24 chronically ill? What about the costs of water
25 pollution by arsenic and what of arsenic's

1 carcinogenic effects? Consider the lifetime costs of
2 earning power or the lifetime costs for the unborn,
3 for infants, and for children brain damaged by
4 mercury. What about the enormous costs of cleanup,
5 incidents like the one that occurred in Kingston,
6 Tennessee both in dollar and future health of the
7 victims?

8 MR. WELLS: Sir, your time has expired.

9 MR. PRICE: Electricity generated by
10 burning coal is far more expensive than the industry
11 admits. Thank you.

12 MR. WELLS: Margaret Tran.

13 MS. TRAN: All right. Hi. My name is
14 Margaret Tran. And I'm a concerned citizen from
15 Derby, Kansas. I recently graduated from KU in
16 environmental studies and economics. And I am proud
17 to be a native Kansan growing up in the countryside
18 and breathing in fresh air. However, the proposed
19 coal plant will harm our air quality with emissions of
20 carbon dioxide that greatly contribute to climate
21 change and prevent Kansas from leading the way of the
22 future in alternative energy. Therefore, I request
23 that you deny Sunflower Electric's air permit.

24 Three years ago KDHE Secretary Roderick
25 Bremby rejected Sunflower Electric's air permit for

1 two proposed coal plants, marking the first time a
2 government agency in the United States cited carbon
3 dioxide emissions as a reason to reject an air permit.
4 I, as well as other students, applaud this landmark
5 decision. That set Kansas apart as a national leader
6 in addressing climate change. The decision fell in
7 line with the U.S. Supreme Court's results in
8 Massachusetts versus EPA that carbon dioxide meets the
9 broad definition as an air pollutant under the Clean
10 Air Act.

11 Now the very same company is begging for an
12 air permit for a coal plant that will pollute the air
13 with 6.7 million pounds of carbon dioxide per year.
14 If we allow the coal plant to be built, we'll be
15 taking a step backwards rather than moving forward
16 with our national trend towards alternative, cleaner
17 energy. And what better place for alternative energy
18 to be implemented than Finney County where the first
19 coal plant would be built. The area sits atop the
20 fifth largest natural-gas field and has the
21 second-best wind-energy potential in the country. An
22 investment in natural gas and wind in the county
23 rather than a coal plant would produce more
24 electricity per year, cost less to build, be
25 operational sooner, and pollute much less.

1 University graduates like myself are
2 seeking stable, long-term jobs. The coal plant would
3 create many temporary jobs but limited permanent jobs.
4 Alternative energy using our own resources of natural
5 gas and wind will provide more permanent jobs,
6 sustained revenue, and an industry based right here in
7 the state, making it more attractive for those just
8 entering the labor force to stay and work in Kansas.

9 We should be proud of our state. We have
10 set the precedent in addressing climate change and
11 have the potential to lead the way in alternative
12 energy for the rest of the nation. Please deny
13 Sunflower Electric's air permit so that future
14 generations will be able to grow up the way I did, in
15 the beauty of Kansas's golden prairies, breathing in
16 fresh air, rather than coughing in coal-plant
17 emissions. Thank you.

18 MR. WELLS: The next group of people I
19 would like to call to the front: Kathy Berger, Judy
20 Kirkpatrick, Nancy Tally, Scott Allegrucci, Kent,
21 Eckles, Chuck Gillam, Jerry Horseman, Bryce Nolde,
22 Margaret Thomas, Kelly Jacobsen, and Jannsen Bruce.
23 Ms. Berger.

24 MS. BERGER: Hi. My name is Katherine
25 Berger. I live at 5406 West 124th, Overland Park,

1 Kansas, 66201. Okay. I wish to express my strong
2 opposition to the granting of a permit to allow the
3 Sunflower Electric Power Corporation to undertake a
4 proposed expansion of a power plant. I firmly believe
5 the previous decision denying permit for this project
6 was for one or two additional generating units should
7 be reaffirmed. The simple fact that the company is
8 resubmitting its proposal does not warrant change in
9 the state's position.

10 This is absolutely the wrong time to
11 authorize an out-of-state facility to build a
12 polluting facility in the state of Kansas largely
13 designed to serve out-of-state interests. Instead,
14 the state should be on the forefront to pursuing
15 alternative energy sources that will represent the
16 power of the future. Though currently one of the
17 worst coal polluters, China is already actively and
18 aggressively moving forward in this direction. As a
19 matter of national policy, they are finally making a
20 major investment with solar power. I was just in
21 China and everywhere you see solar panels and will own
22 this technology worldwide in a very short time.

23 And it's insane for the state of Kansas to
24 look backwards rather than forwards to meet our energy
25 needs. The future will likely include imposition of

1 requirements on polluting energy facilities that will
2 make coal plants unattractive. The people who will
3 make their money out of the construction project will
4 be long gone by then. It will be the citizens of the
5 state of Kansas who will have to foot the bill for the
6 consequences of a bad economic decision. Beyond the
7 long-term economic mistake that construction of this
8 facility represents, there is also the inescapable
9 fact the coal is detrimental to the environment and it
10 will certainly affect the people of the state of
11 Kansas.

12 The serge for energy simply cannot ignore
13 the consequences of bad decisions. The tragedy in the
14 Gulf (inaudible) what lack of can do. We need smart
15 energy, not dirty, backward-looking energy, which is
16 what the Sunflower proposal entails. Please do not
17 permit this requested permit. Thank you.

18 MR. WELLS: Judy Kirkpatrick.

19 MS. KIRKPATRICK: Hello. Thank you for
20 granting us this opportunity to express our feelings.
21 I speak this from my heart. From a mother, a
22 grandmother, a cancer survivor. And I feel that we
23 should reject this plant again and again. If we are
24 selling electricity from a Kansas coal-fired power
25 plant, we are in effect selling our nonreplaceable

1 water from the Ogallala Aquifer to other states. We
2 are also selling the health of our future generations.
3 I'm sure we all realize that Kansas needs jobs, but do
4 we need jobs that further pollute our air, soil,
5 streams, and citizens? Our babies are now being born
6 prepolluted with toxins. Shall we subject future
7 generations to even more pollution? And I thank you.

8 MR. WELLS: Nancy Tally.

9 MS. TALLY: Hi. My name is Nancy Tally,
10 10338 Pflumm Road, Apartment 1018, Lenexa, Kansas.
11 Okay. First of all, I don't know how I can speak for
12 three minutes but I'm going to talk real fast and
13 thank God I wrote some stuff down. And second of all,
14 I've been a nurse for 40 years so I'm going to talk
15 about the toxic aspects of mercury on our children.
16 Also, like I said, I'm a Kansas citizen -- I'm a
17 Kansas citizen who had thought we had drawn the stake
18 through the heart of this nightmare known as the
19 Sunflower coal-powered plant, but now again it raises
20 its ugly head. We need to put a stop to this once and
21 for all.

22 Coal plants are the worst emitters of
23 mercury pollution. I don't care what powerful -- coal
24 lobbyists say, there is no such thing as clean coal.
25 Kansas needs clean energy like wind turbines and solar

1 panels. We need to get away from toxic coal plants.
2 Mercury that comes from coal plants is a potent
3 neurotoxin. I Googled mercury and coal plants just
4 before I came and I got over 360,000 hits and none of
5 them I would bet you would be any good. Global
6 warming is real. As it goes up and global and local
7 climate change continues to get worse, carbon dioxide
8 emissions into our atmosphere, we will continue to
9 have increased, intense storms, draughts, wild fires,
10 water shortages, and rising sea levels.

11 Mercury is a particularly damage to the
12 development of the fetus, infant, and young children.
13 Coal-burning power plants are the greatest source of
14 mercury omissions, and once released into the
15 atmosphere, mercury settles into our rivers where it
16 moves up the food chain, us and our children.
17 According to the federal agency for toxic substances,
18 mercury is passed from mother to fetus. Harmful
19 effects to the fetus include brain damage, mental
20 retardation, blindness, seizures, and an inability to
21 speak. Also, some studies have shown a link to
22 autism. Also children poisoned by mercury may develop
23 problems with their nervous and digestive system and
24 kidney damage. Determined by the EPA, the
25 Environmental Protection Agency in Texas, this year

1 alone 630,000 children will be born to women with
2 unsafe blood levels of mercury. Mercury from a coal
3 plant pollutes American waterways. I've just got
4 another second. The Environmental Protection Agency
5 said in November of 2009, nearly half of all U.S.
6 rivers, lakes, streams, and water reservoirs are at
7 toxic level for mercury. This insanity must stop.

8 MR. WELLS: Ma'am --

9 MS. TALLY: We have other alternatives and
10 we need to take them. Stop this permit for our
11 children.

12 MR. WELLS: Would you like to give a copy
13 of your written comments?

14 MS. TALLY: No, I just scribbled it down.
15 I'll send it in.

16 MR. WELLS: Scott Allegrucci.

17 MR. ALLEGRUCCI: My name is Scott
18 Allegrucci. I'm the executive director of the Great
19 Plains Alliance for Clean Energy. Our office address
20 is 220 Southwest 33rd Street, Topeka, Kansas, 66611.
21 Respected staff for the Kansas Department of Health
22 and Environment, thank you for the opportunity to
23 provide comments today.

24 In addition to my role of Great Plains
25 Alliance for Clean Energy, I'm also a third-generation

1 Kansan. Our members appreciate, first, that the
2 Kansas Department of Health and Environment plans to
3 open a second public-comment period for the draft
4 permit in question. Obviously, since incorrect
5 modeling data was filed and since we cannot review the
6 full and accurate permit, we can't speak directly to
7 the technical aspects of the draft permit, we will
8 append our current comments with more comprehensive
9 and technical analysis once the draft permit is
10 actually completely accessible.

11 Today we'd like to address another aspect
12 of this project. I come from a southeast-Kansas
13 working-class family. Early last century, many of my
14 family members and friends and neighbors worked the
15 coal mines in and around Crawford County. They were
16 working with the technology and supplying fuel of that
17 era and my family has a long history of support for
18 those industries as well as for the interests of
19 working families across the state.

20 Today the organization for which I speak
21 recognizes that Kansas needs jobs now and will likely
22 need electric power in the future. The real question
23 is: What is the best way to create jobs and supply
24 electricity? Unfortunately, that question has been
25 obscured by a false choice that has been foisted on

1 Kansas by a powerful alliance of out-of-state business
2 and political interests. That false choice is that we
3 generate power and jobs with a coal-burning power
4 plant just like we did last century or we do nothing.

5 The truth is that there is a better way to
6 create jobs and supply power, especially in Kansas. A
7 better way to create more jobs over time and create
8 them sooner. A way that develops Kansas' native
9 resources, especially natural gas and wind
10 immediately. A way that embraces the future instead
11 of the past so that there will be good jobs for our
12 children and grandchildren as well as for ourselves,
13 without jeopardizing the health and environment of all
14 Kansans for generations.

15 We are submitting written testimony that
16 substantiates this approach. There's more detail than
17 time allows, but I want to share a couple of examples.
18 In August of 2006, Westar Energy announced plans for
19 two natural-gas electricity-production units at their
20 Emporia Energy Center. The permits were granted in
21 April of 2007. The first unit was complete and
22 operational thirteen months later. The second unit
23 came online after that, a year after that. The
24 project was under budget, ahead of schedule, and
25 operates at a higher efficiency than predicted. At

1 the peak of construction, almost 600 workers were
2 employed.

3 About the same time, leaders in Nolan
4 County, Texas committed to developing their
5 wind-energy sources. In that one county, the
6 wind-energy industry has created more than a thousand
7 jobs with a combined payroll of more than \$45 million
8 a year. Additionally, as you know, wind energy
9 produces no dangerous criteria pollutants, no
10 greenhouse-gas pollutants, no mercury, and requires no
11 water resources to create electricity.

12 By contrast, nearly five years after the
13 first revision of this plant project was announced
14 Tri-State G and T, the entity that will own 80 percent
15 of the proposed coal plant, has publicly stated that
16 the soonest construction would even begin for this
17 plant would be 2016. That's a long wait for people
18 who need jobs today.

19 In 2004 Sunflower Electric had a permit in
20 hand for the Sand Sage coal-plant permit, and they
21 chose to abandon that project. If jobs and energy are
22 their priorities, that project could be providing
23 both.

24 In conclusion, our members believe it is
25 time to look to the future, and not to the past, and

1 to look to Kansas and not other states for energy
2 generation and related economic development for
3 Kansas.

4 We ask that you deny or modify this draft
5 permit. Thank you for the diligence regarding this
6 manner, and for the difficult work you do protecting
7 Kansas' most precious assets. And I'd also like to
8 thank the Blue Valley School District and staff at
9 Blue Valley High School for hosting this event.

10 MR. WELLS: Kent Eckles.

11 MR. ECKLES: Good afternoon. My name is
12 Kent Eckles. I'm vice president of Government Affairs
13 for the Kansas Chamber of Commerce. Our address is
14 835 Southwest Topeka Boulevard in Topeka, Kansas,
15 66612. Appreciate the opportunity to be here to offer
16 verbal comments; I have turned in my written
17 testimony.

18 As you may know, we are the leading
19 statewide pro-business advocacy group in Kansas. We
20 represent small, medium, and large employers
21 throughout the state. And our mission is to make
22 Kansas the best in the country, the best state in the
23 country in which to do business. Of all the things
24 that make a state competitive, a comprehensive energy
25 policy and a stable regulatory environment are

1 essential. We must balance a diverse portfolio of
2 energy sources and technologies to meet demand in a
3 environmentally responsible manner.

4 We must also encourage efficiency, enable
5 market-driven technology, and very importantly, have
6 clearly spelled-out regulatory requirements. An
7 energy policy I referenced must not be a zero-sum
8 game, where we pick winners and losers. All energy
9 options that make sense for the state of Kansas must
10 be kept on the table. To that end, we support
11 Sunflower Electric's effort to build the Holcomb power
12 station in Finney County, Kansas. You've already
13 heard previous folks offer testimony about all the
14 things that Sunflower has done to offset carbon
15 emissions, so I won't reiterate those here in the
16 interest of time. But I do want to point out also on
17 the job front and the investment in the state of
18 Kansas front, folks have mentioned all those numbers
19 here so I'll skip over those as well. But I do want
20 to mention that bringing the jobs and investments into
21 the state of Kansas is how we grow our way out of this
22 recession, and fix the state's budget problems that
23 we've heard so much about over the last several months
24 in legislative sessions.

25 That's how you fund schools and

1 infrastructures and social services in the state
2 without raising taxes to do it. Is building the
3 Holcomb station the only answer to Kansas's energy
4 challenges? No, it's not. Kansas is lucky to have a
5 diverse -- one minute left -- lucky to have a diverse
6 energy resource and we shouldn't dismiss any of them.
7 We need to consider all of them. They're all
8 important as part of energy power.

9 Thanks again for the opportunity to
10 comment. We urge KDHE's approval of this permit.
11 It's been two years and that's long enough. That's
12 more than ample time to consider this and that
13 two-year period has not had a positive effect on other
14 industries that are seeking to do business or invest
15 in the state of Kansas or create jobs. Thank you.

16 MR. WELLS: Chuck Gillam.

17 MR. GILLAM: Good morning (sic), ladies and
18 gentlemen. Can you hear me? I'm Chuck Gillam and I'm
19 speaking as a member of the Sustainable Sanctuary
20 Coalition, SSC. This a faith community organization
21 in this area. Members come from a myriad
22 of churches and synagogues throughout the area.
23 We're chartered in Kansas and our mission is to
24 encourage faith communities to understand the urgency
25 of environmental problems that we face today and to do

1 something about them, and to do -- to encourage others
2 to learn to do likewise. So here we are this
3 afternoon and here we are again talking about what
4 probably some of us here find very disappointing, the
5 question coming up again should we allow moneys from a
6 Colorado company, Tri-state, to put in the largest and
7 dangerous coal plant west of the Mississippi right
8 here in our state?

9 They mentioned clean coal which is kind of
10 an oxymoron. It's one of the two things on this
11 planet that create the most danger to this place where
12 we all live, the carbon dioxide into the stratosphere.
13 So it contributes heavily to the four major causes of
14 death in the United States: Heart disease, cancer and
15 stroke and chronic lower respiratory diseases. We
16 talked a lot about that, I guess, already.

17 There's a study that I came across; it was
18 an analysis commissioned by the Ontario and Canada
19 Government, and they found that the social medical
20 cost of coal-burning power plants in Ontario was
21 extraordinary. The Ontario Medical Association did
22 the study, and I've included it as an attachment.
23 What -- coal plants, they figured, killed 668 people
24 per year, caused 1100 emergency room visits, and more
25 than 300,000 minor illnesses.

1 So I just want to say that I -- here we are
2 being given the -- in the state of Kansas to end up
3 with the -- all the costs of the social and medical
4 with all the bad things, and Colorado's getting all
5 the good things, and I just --- I think that's a real
6 mistake and it's a real rip-off for the people of this
7 state. Thank you.

8 MR. WELLS: Jerry Horseman or Houseman.

9 MR. HORSEMAN: Horseman.

10 MR. WELLS: Okay.

11 MR. HORSEMAN: Afternoon. Jerry Horseman;
12 7666 Forest Park Drive Shawnee, Kansas. Per your
13 request, I'll keep my comments brief. First of all,
14 I'm of the opinion that Sunflower and their partners
15 be allowed to spend their money in the manner of which
16 they deem best, if legal. It's common knowledge that
17 all states and city governments having -- or are
18 having financial difficulties, including our state of
19 Kansas, with a 10 percent unemployment hovering there.

20 It's no different in the construction
21 industry. Sunflower Electric as we're here to attest
22 to -- at Holcomb, Kansas, they're proposing to build a
23 project there that would create more than 1900 jobs
24 during the new construction. This will include
25 qualified, expertly trained, building trades

1 journeyman and apprentices with a projected income for
2 the state of \$78 million per year and \$9 million in
3 taxes.

4 This coal-based power plant will meet the
5 growing need of business individuals in the area. The
6 project will be designed, constructed, and operated in
7 a manner consistent with all applicable federal, state
8 and local regulatory requirements, with
9 state-of-the-art emission-control technology.

10 I have been a member of Boilermakers Local
11 83 for over 50 years. The officers and members of my
12 union take pride in completing projects on time, under
13 budget, with no accidents. This is a win-win
14 situation for the state of Kansas and all Kansans.
15 Put Kansans to work and generate income and taxes for
16 the state. I would strongly urge your support and
17 approval of this proposal that's before you today.
18 Thank you.

19 MR. WELLS: Would you, again, hold your
20 applause. Bryce Nolde.

21 A. My name is Bryce Nolde, 401 East Jones,
22 Holcomb, Kansas. First I'm going to start off, you
23 know, I hear a lot of you guys talking about how you
24 don't want this coal plant in. Is it big business?
25 Is it the fact that we're selling electricity to

1 Colorado that's polluted, whatever? You know, this --
2 this project means a lot more to me than anybody in
3 this building would understand.

4 Every day I run a business that sells
5 product across state borders. Every day I run a
6 business where people depend on me for their jobs. My
7 name is Bryce Nolde and I work with my father at Ready
8 Mix and Pappas Concrete in Holcomb, Kansas. One of
9 the last family-owned Ready Mix businesses in our
10 area. And on behalf of everyone at Rockhard, we all
11 support the approval of the construction air permit.

12 I am a third generation and not the last to
13 be involved in ownership and management of this
14 diversified concrete business. My grandfather was the
15 foreman that supervised the concrete construction at
16 Holcomb Unit I in '79. That project single-handedly
17 put our business where it is today, along with dozens
18 of other family-owned businesses in the area that
19 started only because of the opportunity Unit I
20 provided. My grandfather's successful experience with
21 that project encouraged him to later purchase our
22 business. Today my grandfather's retired and my
23 father and I work so we can continue to provide
24 services and jobs for southwest Kansas.

25 As we consider opportunities for our

1 company, I am looking forward to bidding on the
2 Holcomb Expansion Project. If awarded this job, we
3 would have to employ approximately 150-200 employees,
4 adding over a hundred to our currently fifty everyday
5 jobs. This project will be the heart of the wind
6 industry that our business also pursues. Our company
7 is involved in pouring foundation for wind turbines
8 and has been successful in developing relationships
9 with wind developers and we also look forward to
10 additional work in Western Kansas.

11 The Holcomb Expansion Project is needed for
12 the opportunity to export wind to western parts of the
13 United States through the transmission lines that will
14 be built to the west. The Sunflower expansion would
15 be a free economic stimulus to our state that would
16 promote thousands of jobs not only during the project
17 itself but for many years to come. This project could
18 start a never-ending trend in the wind business.
19 People across this great state that have been
20 devastated with extreme lay-offs, they now will have
21 the opportunity to get back on their feet, overcome
22 financial burdens, and start fresh with endless
23 possibilities working for one of the highest paying
24 employers in the area.

25 As a resident of Holcomb, I have lived next

1 Holcomb Station all my life. As a business owner, I
2 know a bit about environmental regulation and
3 appreciate the care that KDHE staff will take to
4 develop a permit that follows state and federal laws.
5 I look forward to this permit being issued so our
6 company can continue to work on many energy projects
7 in western Kansas. Please approve this construction
8 air permit for Sunflower Electric Power Corporation,
9 the people of southwest Kansas, and all of the
10 businesses that could definitely use a little
11 reassurance this single project could bring in these
12 tough economic times. Thank you.

13 MR. WELLS: Margaret Thomas.

14 MS. THOMAS: Margaret Thomas; 8401 Rose,
15 Prairie Village. Thank you for this opportunity. I'm
16 respectfully requesting that KDHE deny any permit
17 until Tri-State and Holcomb prepare a more complete
18 economic projection of the short-, mid-, and
19 long-range costs of coal, and specifically state the
20 assumptions used. The USGS has recently published a
21 series of reports showing that only a fraction of the
22 coal from the Powder River Basin can be economically
23 recovered. That is mined, processed, and marketed at
24 a profit at the time it is used. An extensive study
25 by USGS of the largest and most prolific coalfield in

1 the basin, the Gillette Coalfield, found that when
2 restrictions to future mine developments were included
3 in the forecast, a mere 6 percent of the geologically
4 recoverable coal could be profitably extracted and
5 therefore considered a true coal reserve, even at
6 prices higher than today's.

7 So the important question that needs to go
8 into all of the economic analysis for this plant is:
9 How much and at what costs coal can be extracted from
10 the Powder River Basin in the future? Under
11 reasonably anticipated restrictions, USGS has found
12 that many of these restrictions have not been
13 considered historically and they include restrictions
14 to mine expansions including the presence of
15 railroads, of federal interstate highways, cities, a
16 gas plant, alluvial valley floors, the thickness of
17 over burden and future expansion areas, the thickness
18 of coal beds and future expansion areas, the ownership
19 of the land overlying the coal, and anticipated
20 regulations on greenhouse-gas emissions.

21 I believe that when these factors have been
22 taken into account, the projected cost of coal to fuel
23 Holcomb will be significantly higher than those
24 included in the most recent economic analysis that was
25 prepared by Black & Veatch. And needless to say, the

1 projected cost of coal is one of the single most
2 important variables used in all the other analyses of
3 Holcomb's expansion impacting not only the obviously
4 financial feasibility of the plant but the selection
5 of all aspects of plant design, operation and
6 maintenance and management including those which
7 impact air-quality control.

8 I believe, like I said, that it's very
9 essential that these factors be taken into account and
10 that any permit be denied until they are accurately
11 shown. Thank you for your time.

12 MR. WELLS: Kelly Jacobsen.

13 MS. JACOBSEN: My name is Kelly Jacobsen;
14 1406 Southwest Eden Court in Topeka, Kansas, 66604.
15 I'm an employee of the Great Plains Alliance for Clean
16 Energy but my comments today are my own and not the
17 organization's. I'm here today to show my support to
18 the workers of Kansas by opposing the construction of
19 this 895-megawatt coal plant and urging the Kansas
20 Department of Health and Environment and Sunflower
21 Electric to consider a project that would utilize
22 native Kansas resources. If this project is
23 permitted, Tri-State Generation and Transmission, the
24 out-of-state owners of this coal plant, have said that
25 they do not anticipate construction starting until at

1 least 2016. This means that there is no potential for
2 work for at least six years. Not a single new coal
3 plant has broken ground in the last 20 months. In
4 these tough economic times, these men and women don't
5 need a wink and a smile deal saying they'll have jobs
6 in six years, they need jobs now.

7 Construction on the Emporia Energy Center,
8 a peak natural-gas plant, started within one year of
9 permitting. The renewable-energy-policy project
10 reports that Kansas could create 11,491 new
11 manufacturing jobs in the renewable-energy industry.
12 Why should these workers wait six years for 1500
13 temporary construction jobs and 50 permanent jobs at a
14 coal plant when natural gas and wind have the
15 potential to put more people to work sooner? I want
16 these workers to be able to take pride in the fact
17 that their work will utilize home-grown fuels like
18 natural gas and wind instead of imported coal from
19 Wyoming.

20 Not only would using native resources put
21 these people to work faster, but it would also
22 generate a source of tax revenue for the state of
23 Kansas. In 2007, Kansas generated \$132.3 million in
24 severance revenue. In the same year, the state of
25 Wyoming generated \$803.6 million in severance revenue.

1 Why should we continue to send our dollars to Wyoming
2 when we could be better utilizing our Kansas native
3 fuels to generate tax revenue which could create
4 better schools, better libraries, and better public
5 funding in our state. Finally, not only do I want
6 these workers to be able to provide for their
7 families, but I want to them to be able to do it in a
8 way that doesn't put their families at higher risk for
9 asthma, heart disease, lung disease, cancer, and
10 stroke.

11 According to a report from Physicians for
12 Social Responsibility, "Coal pollutants like carbon
13 dioxide, mercury, particulate matter, and nitrous
14 oxide, will cause damaging effects on our respiratory,
15 cardiovascular, and nervous systems." Based on this
16 information, I ask you to please deny this permit
17 application. Thank you for your time.

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, Mindy S. Dunkin, Certified Court Reporter within and for the State of Kansas, do hereby certify that the meeting aforementioned was held on the time and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand and seal.

Certified Court Reporter within
and for the State of Kansas

1 KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

2

3

4

5 TRANSCRIPT OF PROCEEDINGS

6 PUBLIC HEARING REGARDING SUNFLOWER POWER PLANT

7 August 2, 2010

8 Overland Park, Kansas

9 Volume 2

10

11

12 PRESIDING PANEL:

13 RICK BRUNETTI
14 Director, Kansas Department of Health and Environment

15 DAN WELLS
16 District Environmental Administrator

17 JULIE COLEMAN
18 District Environmental Administrator

19

20

21 REPORTED BY:
22 TERRI L. HUSETH, CSR, RPR, CCR
23 MIDWEST LITIGATION SERVICES

24

25

1 MR. WELLS: Jannsen Bruse.

2 MR. BRUSE: Jannsen Bruse, Kansas
3 Municipal Energy Agency, 6300 West 95th Street,
4 Overland Park. My name is Jannsen Bruse, I represent
5 KMEA, a quasi-municipal corporation headquartered in
6 Overland Park, Kansas, that represents statewide in
7 Kansas 74 municipals. The mission of KMEA as an
8 organization is to support and educate its members in
9 fulfilling the responsibility to provide reliable
10 electric power to its communities at competitive
11 rates.

12 KMEA has multiple cities currently that
13 all operate municipal utilities and have had access to
14 coal-based electricity for many years. This group
15 relies on an existing power supply contract with
16 Mid-Kansas Electric to provide stable rates to their
17 citizens. The Holcomb Expansion Project will allow
18 these cities to replace that contract when it expires.

19 As municipals, the ability to participate
20 in a project like this is crucial to their well-being
21 since participating in a larger project provides
22 economies of scale that provide economical, reliable,
23 and stable energy associated with large power
24 projects. As small communities, their citizens need
25 access to this economical and reliable power and

1 stable electric rates to protect their residential
2 customers and to assist in attracting economic growth.

3 A state-of-the-art coal plant like the
4 Holcomb Expansion provides the newest technology for
5 lowest emissions, and we appreciate the work that KDHE
6 has done in developing a draft permit to -- that meets
7 all state and federal laws. KMEA has a great working
8 relationship with Sunflower Electric and looks forward
9 to growing that relationship in the future.

10 In closing, KMEA would like to suggest
11 that KDHE approve this air permit for the benefit of
12 the many municipals in the state.

13 MR. WELLS: We still have a very large
14 number of you who have indicated you would like to
15 present oral comments. Just as a reminder, I would
16 encourage you to only state any new information that
17 hasn't already been stated; or if you would like to
18 just submit written comments instead of your oral
19 testimony, that would be appreciated.

20 The next group that I will call down:
21 Jerry Rees, R. Downs, Mary Ballinger; then we have
22 Sandi Lerner and Debra Rubin who have indicated they
23 would like to submit written comments; Ben Rubin,
24 Larry Horseman, and Joe Lewandowski.

25 Mr. Rees, if you would like to begin.

1 the health of our citizens. But I'm also concerned
2 about the viability of our rural communities. What is
3 needed to help western Kansas is not another coal
4 plant, but a rural revitalization program focusing on
5 sustainable economic development.

6 I appreciate some -- that some in western
7 Kansas are concerned that denial of the building
8 permit will have an adverse economic effect on their
9 region where jobs and income are needed. But the
10 potential for distributed economic development based
11 on renewable energy, energy efficiency, and natural
12 gas represents a far better economic opportunity, one
13 around which eastern and western Kansans can unite.

14 Kansas has no coal. It must be imported
15 from Wyoming. What Kansas does have is wind, solar
16 energy, and natural gas. This -- the wind industry,
17 offering large wind farms, manufacturing of turbine
18 components, and training for installers, operators,
19 and maintenance professionals, could create thousands
20 of near-term, permanent, well-paying jobs distributed
21 across western Kansas and add hundreds of millions of
22 dollars to the local economy.

23 The small footprint of the wind turbines
24 can allow farming and ranching to continue on the same
25 land, with landowners receiving significant income for

1 the use of a small portion of their land. Plus the
2 extraction of natural gas from the earth can provide
3 severance tax revenue for the State of Kansas.

4 Over 95 percent of scientists agree that
5 carbon dioxide from coal plants contributes
6 significantly to global climate change. People of
7 faith increasingly regard climate change as the
8 overarching moral, social, economic, and environmental
9 issue of our age.

10 In closing, Kansas can do better. Ranked
11 second in the nation in wind, Kansas has the
12 opportunity to embrace the future, instead of
13 repeating the past. By employing twenty-first century
14 technology, Kansas can be a leader, not a laggard.
15 Let me repeat that: Kansas can be a leader, not a
16 laggard.

17 MR. WELLS: R. Downs. Mary Ballinger.
18 Ben Rubin. Larry Horseman.

19 MR. HORSEMAN: My name is Larry
20 Horseman, 6219 Albervan Street, Shawnee, Kansas 66216.
21 I'm president of Boilermakers Local 83 in Kansas City
22 and I represent about 803 field construction member
23 boilermakers, and 162 active members in the State of
24 Kansas, as well as 135 retirees in the State of
25 Kansas.

1 What this project -- this project would
2 mean jobs for Local 83 members; and therefore, I
3 support the permit approval before us today, not only
4 to boost income to the area, but to our members who
5 need it desperately, and their families as well, and
6 the -- and our packages involve benefits with health
7 care, pensions and a decent wage.

8 The project, it's been discussed about all
9 the pollutants it causes. This will use the most
10 modern technology known to date. And this, and this
11 is a known fact because that's what we do, that's what
12 boilermakers do, we install pollution control devices.
13 So the boilermakers know what, what technologies are
14 out there and -- and what's best for Kansans.

15 And also about the environment, like the
16 gentleman that spoke before me, Jerry Horseman.
17 That's my father, 55-year member of Boilermakers Local
18 83; 35-year member; my son is a boilermaker and I have
19 a grandchild. I'm concerned about all of the
20 environment for everybody. But like I say, that is
21 what we do, we build the most modern technology known
22 that is out there and we take pride in what we do.
23 Not everybody can do what we do.

24 But another statement, I think someone is
25 going to build this power plant. Someone may not want

1 to hear it, but someone is going to build the power
2 plant. And it may as well be Kansans and put it into
3 some of our Kansas ten percent unemployment and ensure
4 adequate power and power supply for our future and our
5 children's future. And I ask you that you please
6 approve the permit. Thank you.

7 MR. WELLS: Joe Lewandowski.

8 MR. LEWANDOWSKI: Yes, sir. Joe
9 Lewandowski, 10519 Blue Ridge Boulevard, Kansas City,
10 Missouri. I also am a boilermaker, 17 years, Local 83
11 Kansas City. I'm also a rep for the State of
12 Missouri. I've just watched two new power plants be
13 built, one up here, right up the road at I-10. One
14 down in southwest Missouri in Springfield.

15 The biggest thing about Springfield was
16 their unemployment down there. They called that their
17 own stimulus package plan down there. It was a great
18 thing for that community. All the taxes, everything
19 that helped that community and all the employees that
20 worked on the plants -- the plant down there. I stand
21 in support of this. You've seen a lot of the
22 emissions controls go in. I'm in support of that
23 100 percent. Thank you.

24 MR. WELLS: The next group I'll call
25 down: Kyle Nelson, William Jennings, Vivian Gibbens,

1 and Margaret Thomas. And Ron Schwartz, Richard
2 Taylor, and Dave Leimer. Mr. Nelson.

3 MR. NELSON: My name is Kyle Nelson.
4 I'm the senior vice president and chief operating
5 officer for Sunflower Electric Power Corporation. My
6 office is located at 301 West 13th Street in Hays,
7 Kansas 67601.

8 I support your approval of the proposed
9 permit and would like to discuss various technology
10 considerations we reviewed before selecting the
11 configuration contained in the permit before you.

12 All Holcomb project participants are
13 load-serving entities with a need for additional
14 base-load capacity. Major variables considered
15 included environmental performance, fuel price and
16 price volatility, fuel availability, design
17 reliability, capital costs, financing requirements,
18 operation and maintenance costs, technology,
19 commercial availability, and regulatory risk.

20 It's important to understand that
21 Sunflower and its project partners are not technology
22 biased or fuel biased, but as rural electric
23 cooperatives, each project is strongly energy price
24 biased.

25 Our levelized busbar analysis showed the

1 most favorable base-load generation configuration
2 would be based on supercritical pulverized coal
3 technology. A supercritical thermal cycle was
4 selected by the project based on improved fuel
5 efficiencies, superior environmental performance, and
6 lower water consumption when compared to alternatives.

7 Other technologies evaluated included
8 circulating fluidized bed coal configurations,
9 integrated gasification combined-cycle configurations,
10 wind configurations, nuclear power configurations, and
11 various natural gas based configurations.

12 Circulating fluidized bed boilers are more
13 typically used in lower quality fuel applications and
14 have not been scaled up to sizes required for the
15 Holcomb project. IGCC based configurations offer
16 promising coal-based technologies, but are not
17 commercially proven using Powder River Basin coals,
18 and are estimated to have installed costs roughly
19 20 percent higher than conventional coal plant design.

20 While a lot of recent attention has been
21 focused on wind generation, this technology is not
22 capable of providing base load service because of the
23 inability to schedule output. Wind generation
24 technologies were eliminated as a base load resource
25 option in the screening process.

1 Nuclear power configurations were not
2 seriously considered because of current regulatory
3 challenges, time required to permit, current scale of
4 available designs, and extremely high initial capital
5 costs. However, Sunflower and other cooperatives are
6 actively supporting efforts to develop affordable
7 modular nuclear technologies which may be practical
8 for future resource options.

9 While natural gas combined-cycle
10 technologies do offer an option, levelized busbar for
11 natural gas historically has been considerably more
12 expensive because of higher fuel prices and sustained
13 fuel -- or substantial fuel price volatility as
14 compared to coal. While some project opponents
15 continue to advocate the use of natural gas promising
16 new recovery techniques, longer term supplies, and
17 reduced market price volatility, gas prices have
18 continued to spike up and down over the last 30 months
19 despite record natural gas storage volumes and a
20 recessed economy.

21 During the same period, Powder River Basin
22 index price for coal has averaged less than 75 cents
23 on the same basis. PRB is a domestically abundant and
24 affordable ideal for electric power generation with
25 hundreds of years of mineable reserves in the United

1 States, providing substantial energy security and
2 independence for the grid. PRB also offers unmatched
3 economies over other fuels including gas and other
4 coals. Surface mining techniques used in the PRB
5 provide competitive advantages while avoiding mining
6 risks associated with deep, long-wall mining
7 techniques and the current controversies associated
8 with mountain top removal.

9 Once again, I urge you to approve
10 Sunflower's permit as proposed. Thank you.

11 MR. WELLS: William Jennings.

12 MR. JENNINGS: My name is William
13 Jennings, 9345 Northwest Elm Mills Road, in Coats,
14 Kansas. I will avoid redundancy.

15 I'm a physician, a medical oncologist, and
16 I practice here in Kansas City and in rural Kansas, in
17 Pratt, Kansas, and so I have an understanding and
18 appreciation for particularly some of the economic
19 realities in rural Kansas. But I know this is a
20 health and environmental discussion. I also -- my
21 family has farmed in Finney and Haskell counties since
22 the 1960s so I appreciate the problems out there. But
23 I think the issue here is public health and what are
24 the long-term effects of decisions we make now 30
25 years from now.

1 Much has been talked about particulate
2 matter and I won't review that. But the analogy that
3 I would draw is with cigarette smoking. When I was a
4 medical student in the '60s, a professor said, Well,
5 maybe there is some connection with cigarette smoking
6 and lung cancer, but no proof. Well, we know now that
7 there clearly is heart disease, cardiovascular
8 disease, and lung cancer certainly, and now it's
9 public health policy to ban smoking in public places.
10 Most municipalities ban smoking in restaurants and
11 bars. We've come a long way. That's public health.

12 The decisions we make today with respect
13 particularly to CO2 emissions, and I recognize that
14 modern technology with coal-fired plants have done a
15 great deal with particulate matter, but it's still a
16 concern. But climate change is with us, CO2 is still
17 coming out. I think we need to join other states and
18 stop this. I think it's a major public health problem
19 that's going to come to fruition in 30 to 40 years and
20 will affect our planet.

21 Thank you very much for this opportunity.
22 I obviously would urge you to oppose the approval of
23 this permit. Thank you.

24 MR. WELLS: Vivian Gibbens.

25 MS. GIBBENS: Thank you. My name is

1 Vivian Gibbens, I live at 6215 West 62nd Street,
2 Mission, Kansas 66202.

3 I come as a concerned citizen and I also
4 represent Saint Andrew Christian Church Group for
5 Ecology.

6 I speak to you today as a person of faith.
7 I believe caring for creation and caring for our
8 neighbors are spiritual and moral responsibilities.
9 In this case, our neighbors are those people in Kansas
10 and the surrounding states affected by coal pollutants
11 in the air and in the water. It is also those people
12 affected by the depleted water supply in western
13 Kansas.

14 We cannot continue to misuse resources, to
15 contaminate the air, land, and water with poisonous
16 substances. The health of our people is already being
17 compromised by pollutants in the air and water. We're
18 so concerned in this country with how we are going to
19 pay for health care for everyone while, at the same
20 time, large coal and oil companies are poisoning our
21 water, air, and land.

22 I ask the KDHE to make a bold decision for
23 the common good and for justice.

24 MR. WELLS: Ron Schwartz.

25 MR. SCHWARTZ: Thank you. My name is

1 Ron Schwartz. I reside at 108 Wellington Place in
2 Garden City, Kansas 67846.

3 I am here in support of Sunflower Electric
4 Corporation's application for a clean air quality
5 permit. For over three years we've been hearing these
6 arguments for and against the power plant to be built
7 in Holcomb. I'm not sure what we can say today that
8 hasn't already been said in the previous hearings.

9 And I can also pass off Al Gore and his
10 inconvenient truth as a hoax and an enormous
11 moneymaker for him. But for our president to come out
12 and say the debate is over on global warming is
13 ludicrous and shows his inability to make sound and
14 well-thought-out decisions. The study should never
15 end, but should change to be truthful, complete and
16 thorough, and not just reported to satisfy special
17 interest groups.

18 It is of great concern to me when an
19 agency of our government can have such an effect on
20 our economy when they won't even take the advice and
21 findings from within their own administration to form
22 sound decisions. The EPA is a perfect example of
23 this. In a report filed in March of 2009, by the
24 National Center for Environmental Economics, a
25 division of the U.S. Environmental Protection Agency,

1 was not made available because it could have been
2 detrimental to the current administration.

3 This report says, "We have become
4 increasingly concerned that EPA and many other
5 agencies and countries have paid too little attention
6 to the science of global warming. The EPA and others
7 have tended to accept the findings reached by outside
8 groups, particularly the IPCC and the CCSP, as being
9 correct without a careful and critical examination of
10 their conclusions and documentation."

11 The report goes on to say, "We do not
12 maintain that we or anyone else have all the answers
13 decided to take action now. Our conclusions do
14 represent the best science in the sense of most
15 closely corresponding to available observations that
16 we currently know of, however, and are sufficiently at
17 variance with those of the IPCC, CCSP and the Draft
18 TSD that we believe they support our increasing
19 concerns that the EPA has not critically reviewed the
20 findings by these other groups.

21 As discussed in these comments, we believe
22 our concerns and reservations are sufficiently
23 important to warrant a serious review of the science
24 by EPA before any attempt is made to reach conclusions
25 on this subject. We believe that this review should

1 start immediately and be a continuing effort as long
2 as there is a serious possibility that EPA may be
3 called upon to implement regulations designed to
4 reduce global warming. The Draft TSD suggests to us
5 that we do not yet have the capability and that we've
6 not used what we have.

7 Thank you for the time today and your
8 consideration, allowing us to voice our opinions and
9 concerns. In closing, I urge the Kansas Department of
10 Health and Environment to approve the permit
11 application in accordance with all existing laws and
12 regulations set forth by the State of Kansas and the
13 United States of America. Thank you. And this is the
14 report that I have made reference to.

15 MR. WELLS: Thank you. Richard Taylor.

16 MR. TAYLOR: Thank you. I'm Richard
17 Taylor, I reside at 209 Bel Air in El Dorado, Kansas,
18 and I'm here in support of this project. It means
19 Kansas jobs for Kansas residents.

20 I currently serve as president of the
21 Kansas State Building Trades. I have personally
22 signed an agreement with Sunflower that states this
23 project will be manned by the building trades of
24 Kansas. This means manpower for the project will come
25 from Kansas; in fact, the agreement requires that

1 Kansas residents be offered the jobs first, not
2 out-of-state companies bringing in out-of-state
3 workers and leaving with the money, as has been
4 suggested.

5 There will be apprenticeship programs that
6 will be made available to train local residents to be
7 utilized on the project and at the same time become
8 members of the various building trades to establish
9 careers that will last them a lifetime. Skilled
10 craftsmen live in every part of Kansas. There will be
11 skilled craftsmen on this job from the Kansas City
12 area, right here in Overland Park there are members,
13 southeast Kansas area, central Kansas area, all over
14 the state.

15 It has been mentioned that there will be
16 1,800 to 2,000 skilled craftsmen employed during the
17 construction phase of this project. And many label
18 these as temporary jobs. These are full-time jobs to
19 us. This is how we make our living. They're not
20 temporary jobs. There will be 300 permanent jobs
21 available after construction when the -- when the
22 plant takes off, but there will be continued
23 construction opportunities and construction jobs year
24 after year in the form of scheduled outages that will
25 be taking place at the plant, not to mention the

1 countless vendors and suppliers for the project that
2 will provide many more jobs for Kansans.

3 Bottom line, this will provide badly
4 needed jobs for Kansas and will be the cleanest coal
5 plant in the nation. The economy and jobs in Kansas
6 should not and cannot be ignored. Please approve this
7 permit. Thank you.

8 MR. WELLS: Dave Leimer.

9 MR. LEIMER: My name is Dave Leimer,
10 34701 East 323rd Street, Garden City, Missouri 64707.
11 I'm a 33-year member of Boilermaker Local 83.

12 In the early '80s, I spent a year in
13 Garden City, Kansas, both with Sunflower Electric and
14 Butler Rural, at that time, the most energy efficient,
15 clean air power plant known to man. I helped the city
16 of Garden City, Kansas, Holcomb, Kansas, and the state
17 of Kansas; meanwhile, I was able to send moneys home
18 to my folks in New Sharon, Iowa. I was one of 2,000
19 construction workers who helped build that plant.

20 I am in support of the new Sunflower
21 Electric Holcomb plant. The new unit will be the most
22 energy efficient clean coal technology known to man.
23 I am in support of it. Thank you.

24 MR. WELLS: We're coming up on 5 o'clock
25 here shortly. I would like to see by a show of hands

1 how many in the gallery would still desire to present
2 oral testimony. Okay. Thank you.

3 Next group I'll call down: Craig Volland,
4 Clayton Knepp, Representative Forrest Knox, John Doll,
5 Les Evans and Reid Nelson.

6 Mr. Volland, if you would like to begin.

7 MR. VOLLAND: My name is Craig Volland,
8 609 North 72nd Street, Kansas City, Kansas 66112. I'm
9 the Air Quality Chair for the Kansas chapter of the
10 Sierra Club. And I also have written comments here.

11 In earlier testimony you heard that the
12 principal backer of this facility, which is Tri-State
13 of Colorado, has done recent public presentations, 15
14 scenarios, where they showed that this plant would not
15 be needed ever, because even in 2026, they will need
16 only 302 megawatts of coal in one of the 15 scenarios.

17 What hasn't been said so far is that in
18 every one of those scenarios they plan to or would
19 plan to build the combined-cycle natural gas plant
20 almost immediately to meet any actual increase in
21 demand. So why is that?

22 First of all, it's the cheapest, right
23 now, projected cost of any of the fossil fuel power
24 generation systems. It's much more efficient than
25 coal fired. It can be built in 30 minutes -- I'm

1 sorry, 30 months instead of the 60 months that it will
2 take for this coal plant to be built, and it will
3 generate half the carbon emissions. So almost all the
4 other utility companies in the country are now moving
5 toward a combination of combined-cycle natural gas
6 plants and wind farms.

7 So this project has very little chance of
8 ever getting off the ground, even if the permit was
9 submitted. And because of that, I would submit that
10 it's illegal for you to approve this permit because
11 any power plant project must start construction on a
12 very timely basis. That's because the Clean Air Act
13 requires a constantly ratcheting-down of emissions.
14 So that what's happening here is Sunflower wants to
15 get under the wire here so they don't have to do a
16 Best Available Control Technology for carbon
17 emissions.

18 So if you approve this contract, or this
19 permit, you're allowing them to essentially lock in
20 inferior emission controls. The consequence is
21 there's going to be 240-million tons of carbon dioxide
22 emitted over the life of this plant. The offsets that
23 you've heard about are not enforceable as part of this
24 permit. They're of questionable enforceability.

25 And I just want to make one other comment.

1 The coal -- they're going to be shipping in
2 4.7-million tons a year of coal. The -- it's
3 26 percent moisture, 17 percent silt, and 7.5 percent
4 ash. Which means every year they will be shipping in
5 2.4-million tons of dirt and water, from northern
6 Wyoming to Kansas, and that will require some
7 10-million gallons of diesel fuel every year and
8 generate another 100,000 tons of carbon dioxide
9 emissions every year.

10 So please deny this permit. Thank you
11 very much.

12 MR. WELLS: Clayton Knepp.

13 MR. KNEPP: My name is Clayton Knepp, I
14 live at 504 East Fourth Street in Appleton City,
15 Missouri. I'm a boilermaker with Local 83 of Kansas
16 City.

17 As a boilermaker, I look at this project
18 as employment for me and hundreds of my friends and
19 union brothers. I see income to strengthen working
20 families of men and women who are willing to travel to
21 jobs to make their living while helping local
22 economies in the area. When on the road, away from
23 home, they will need to pay for lodging, meals, gas
24 and general living necessities. This will not only
25 stimulate the local economies surrounding Holcomb, but

1 open doors and businesses for jobs and better the area
2 as a whole.

3 As a dispatcher, I hear the everyday
4 struggles and needs of men and women who are looking
5 for a job, who would rather work and support
6 themselves than to draw unemployment and be a drain on
7 the system. As a whole, I see a large group of people
8 with pride in their craft and their ability to perform
9 at any given opportunity. The Holcomb project would
10 provide these people with that very opportunity needed
11 to apply their skills and craftsmanship.

12 This project will bring not only life to
13 the workers who travel to the area of the plant, but
14 to every business and service industry on the way. I
15 strongly support the building of this very important
16 power plant.

17 MR. WELLS: Representative Knox.

18 REPRESENTATIVE KNOX: Thank you for the
19 opportunity to come and speak. I'm testifying in
20 support of the issuance of an Air Quality Permit for
21 the Holcomb Electric Power Plant, 17120 Udall Road,
22 Altoona, Kansas.

23 I hold degrees in mechanical engineering
24 and actually did graduate research in a new technique
25 of flue gas desulfurization. I farmed and ranched for

1 20 years, and I've held a professional engineering
2 license for 25 years. So when I was elected to the
3 Kansas House of Representatives and served as
4 vice-chair in energy and utilities, I had a particular
5 interest in this controversy, let's say, and I would
6 point out this has been a political controversy.

7 But today we're not talking about
8 politics. Tomorrow I face the voters and they decide
9 whether I represent them. That's the way our system
10 is built. This is not a faith issue. This is an
11 issue that has to do with science and technology and
12 the rule of law.

13 Per the summary that you gave at the
14 beginning, I found CO2 is not an issue here, and yet,
15 I see it's central to the controversy before us. I
16 would point out that there are no statutes, no rules
17 and regs, whether federal or state, that deal with CO2
18 and define it as a pollutant. A court case said you
19 could consider it. I believe part of that court case
20 included Frisbees and flatulence that could be
21 considered to be a pollutant.

22 Best Available Control Technology is
23 required, so that means that when a new power plant is
24 built, whatever kind of power plant, it will be the
25 cleanest power plant in the world at that time.

1 Science and technology is providing the
2 solution we need to the environmental issues that have
3 been raised today. And that is per the EPA and per
4 the rules and regs and per the law that he have.

5 Since CO2 is the controversy here, it
6 seems, I would say in the evidence that I've seen, and
7 I've been in many meetings across this country on both
8 sides of this issue, I've seen no scientific evidence
9 for a climate effect of CO2. I have seen in the
10 immediate history, the last thousand years or so,
11 we've seen highs and lows in both temperature and CO2,
12 exceeding those of today. We look at prehistory and
13 we have evidence of highs and lows of CO 2 and
14 temperature. Yet none of that comes into this.

15 What your job is, I believe, is to
16 establish the rule of law. And I believe the
17 Secretary made a big mistake in the past because he
18 sat outside the rule of law and took politics into
19 account. I don't believe that's your job today.

20 I would ask you to rule in support of this
21 air permit in a way that you would rule in any other
22 issue in support of an air permit, for the good of the
23 economy of this state and for the rule of law and for
24 upholding science and technology. Thank you.

25 MR. WELLS: Thank you. John Doll.

1 MR. DOLL: Hello, my name is John Doll,
2 2927 Cliff Place in Garden City, Kansas. I come to
3 you today as a spokesman for the elderly people on a
4 fixed income and those residents in our area who are a
5 little bit less fortunate. I am here as a dad that
6 wants his kids, his children, to succeed by displaying
7 their talents in jobs located in western Kansas. I'm
8 here today as a representative of a community that is
9 excited about what this project will mean to the
10 economy of our region.

11 When people consider our region's
12 demographics, they will undoubtedly notice that we are
13 -- the age of our residents are rising while our
14 population is falling. Professional opportunities in
15 our area are scarce, and because of this, we are in
16 the midst of the largest exodus of youth and talent
17 western Kansas has ever seen. The Holcomb Expansion
18 Project represents the opportunity for the region to
19 expand its economic opportunities past large-scale
20 production agriculture and provide our youth with
21 additional incentives to stay home.

22 Our regional economy needs to benefit from
23 this project. Like we've discussed, it creates about
24 nineteen hundred jobs in Kansas for construction
25 workers, union construction workers. It will have a

1 positive impact, about \$100 million in four years. If
2 that don't help an economy, I don't -- you know, we
3 can push numbers however you want, but that would be
4 great for us. Once construction has been complete,
5 Sunflower will have an abundance of new jobs that will
6 be a long-term boost for western Kansas. Hopefully,
7 these jobs will incent trained western Kansas kids to
8 come home and have the opportunity to fill these
9 positions.

10 The Holcomb Expansion Project will allow
11 people throughout our region to maintain access to
12 affordable, reliable energy. If KDHE were to reject
13 Holcomb Expansion Project's construction permit,
14 Sunflower would no longer be able to meet the
15 base-load needs of the service area. That would
16 result in the cost of energy being so high that people
17 would be put in drastic positions. The region is
18 filled with people who can barely afford to heat their
19 homes in the winter and cool their homes in the
20 summer. Could you imagine a drastic position of not
21 feeding your family or not turning your lights on?

22 The Holcomb Station Expansion allows for
23 Sunflower to replace 173-megawatt load-base generation
24 that would be created once the purchase power
25 agreement expires at the beginning of 2019.

1 200-megawatt reserve for Kansas will replace this
2 energy; however, it will take 48 months to build this
3 coal-fired unit, so it's imperative that Sunflower be
4 allowed to begin this project as soon as possible.

5 Now, I see the time-deal thing. We flew
6 from six hours away. I feel like I ought to get five
7 minutes anyway, but that's the way it works.

8 As an elected official, business success
9 is good for many parts of the state, not just in tax,
10 tax revenue. This project will be a catalyst for many
11 economic benefits, stabilize energy costs, create new
12 jobs, and give additional opportunities for businesses
13 in this region. I strongly urge you to approve this
14 permit. Thank you.

15 MR. WELLS: Les Evans.

16 MR. EVANS: My name is Les Evans. I'm
17 the senior vice president and chief operating officer
18 for Kansas Electric Power Cooperative. We are located
19 at 600 Southwest Corporate View in Topeka, Kansas.

20 I previously filed -- we had previously
21 filed comments in support of this project so I'll be
22 brief and just illustrate in summary why we support
23 the project.

24 We are a not-for-profit generation and
25 transmission cooperative, just as Sunflower Electric

1 is. We are a power supplier for 19 not-for-profit
2 member distribution coops. KEPCo's purpose, sole
3 purpose, is to provide reliable and economic power
4 supply in balance with minimizing the environmental
5 impact. We purchase a portion of our power supply
6 from Sunflower. KEPCo needs a diverse, reliable,
7 economic power supply for the future, including
8 base-load generation. The Holcomb Project will meet
9 this need.

10 We support the project and ask KDHE to
11 approve the Air Quality Construction permit. Thank
12 you.

13 MR. WELLS: Reid Nelson?

14 Okay. The time is 5:06 p.m., we still
15 have a large number of people who wish to present oral
16 testimony, but we are going to take a recess at this
17 time as stated in the public notice.

18 We will reconvene at 6:30 p.m. If anyone
19 did not get an opportunity to present comments at this
20 session, you will be given an opportunity in the later
21 session, or you can submit written comments as
22 previously stated.

23 This concludes the public presentation of
24 comments during the first session of today's hearing.
25 I would like to inform you that the public comment

1 period will remain open through August 15, 2010.
2 Individuals who wish to submit their comments may do
3 so by mailing their statements to the following
4 address: Kansas Department of Health & Environment,
5 Bureau of Air, Attention: Sunflower Comments, 1000
6 Southwest Jackson Street, Suite 310, Topeka, Kansas
7 66612-1366.

8 You can also submit written comments via
9 e-mail to Sunflower Comments, which is all one word,
10 at KDHEKS.gov. Again, in order for your comments to
11 be considered, they must be postmarked on or before
12 August 15, 2010. I will also accept written comments
13 right now.

14 I would like to express my appreciation to
15 all of you who took the time to participate in this
16 early session. This hearing will now go into recess
17 until 6:30 p.m. this evening. The hearing will
18 reconvene at that time. Thank you.

19 (Recess.)

20 MR. WELLS: The time is 6:34 p.m., and I
21 am reconvening this hearing which began at 2:00 p.m.
22 this afternoon.

23 My name is Dan Wells. The Secretary of
24 Health and Environment, Roderick Bremby, has appointed
25 me to act as hearing officer and his representative to

1 receive and consider testimony relative to today's
2 proceedings.

3 The issue under consideration at this
4 hearing is the proposed issuance of an air emission
5 source construction permit to Sunflower Electric Power
6 Corporation, which, if issued, would allow
7 construction of one new 895-megawatt coal-fired
8 steam-generating unit and associated ancillary
9 equipment at the company's facility located at 2440
10 Holcomb Lane, Holcomb, Kansas.

11 As you entered this room, you were asked
12 to register your attendance and to indicate whether
13 you desire to give testimony concerning the proposed
14 permit. From those forms a list of participants will
15 be compiled. If you are here as part of a large group
16 in which many of the members will be making the same
17 or similar comments, I encourage you to formulate the
18 comments into one presentation.

19 Following my remarks, the representative
20 of the Department's Bureau of Air, Mr. Rick Brunetti,
21 will provide some brief comments regarding the draft
22 permit. Following that presentation, those of you who
23 have indicated the desire to present testimony will be
24 called on to present comments.

25 This hearing is being recorded for an

1 official record of today's proceeding. Because of the
2 large number of attendees who have indicated a desire
3 to present oral comments, I will impose the following
4 rules: All presentations must be made at the
5 microphone. You must begin your presentation by
6 stating your name, address and with who you are
7 affiliated. Each presenter will only be given three
8 minutes to give their presentation. A timer will be
9 used and at the end of the allotted time, I will ask
10 you to conclude your comments. Any unused time by a
11 presenter cannot be given to another presenter. If
12 your name is called and you desire to provide oral
13 comments, you must do so at that time. You will not
14 be allowed to defer your presentation to a later time
15 in the hearing.

16 I will only accept comments that are in
17 regard to the proposed permit, and I encourage all
18 speakers to avoid echoing comments previously made
19 during the hearing. Please be courteous and allow all
20 presenters to give their comments without
21 interruption. Finally, anyone who disrupts these
22 proceedings will be required to leave the hearing.

23 At this time I will call upon Mr. Brunetti
24 to present some brief comments regarding this proposed
25 permit.

1 MR. BRUNETTI: Thank you, Dan. I am
2 Rick Brunetti, I'm the director of the Bureau of Air
3 with the Kansas Department of Health and Environment.
4 Just a couple of quick comments.

5 Last week it was determined by federal and
6 state officials that the meteorological data that
7 Sunflower Electric used were not adjusted for the
8 differences in time zones prior to input into the
9 dispersion model that was used. Modeling results
10 simulate how the plant will impact ambient air in
11 surrounding areas. Sunflower has been advised this
12 portion of the permit application will need to be
13 revised and resubmitted.

14 KDHE is committed to a public process
15 which will include a separate comment period on the
16 modeling data once submitted and reviewed. KDHE will
17 issue an additional public notice subsequent to review
18 of the modeling data and conduct one public hearing to
19 receive comments on the new modeling data and the
20 draft permit.

21 Details on the second comment period and
22 final hearing will be announced at a later date.
23 During the second public comment process, all aspects
24 of the Sunflower TSD permit will be open for comment.

25 In the interest of time, since I have read

1 my comments into the official record from the -- from
2 earlier today, I will refer to -- again refer to my
3 comments of earlier today. And in the interest of
4 time, in allowing everyone the opportunity who wishes
5 to, to provide comments, I will conclude my testimony
6 at this time.

7 MR. WELLS: Thank you. We have now come
8 to the point in the second session of today's hearing
9 where we will receive comments from the public. As
10 stated earlier, each presenter will be given three
11 minutes to give their testimony. Our timekeeper, who
12 is sitting here in the middle of the front row -- Joy,
13 if you would, raise your hand -- will be keeping the
14 time and she will display times that will notify you
15 of how much time you have left in your presentation.
16 At the end of the three minutes, you must conclude
17 your comments.

18 Couple of other things I would like to
19 mention. If you would, please, hold your applause
20 until the very end in an effort to save time. And
21 also we've heard many of the same comments. We would
22 encourage you to only provide new information that may
23 have an impact on the proposed permit.

24 Please feel free to present any comments
25 specifically related to the draft permit that you

1 would like to have considered. I will begin by
2 calling upon those individuals who indicated their
3 desire to present comments on the registration forms.
4 It is the intention of KDHE to provide adequate time
5 for all witnesses to provide testimony. If a witness
6 feels that they were unable to complete their comments
7 during their testimony, written comments will be
8 accepted through August 15, 2010.

9 It would be appreciated if you would
10 provide a written copy of your testimony, if
11 available, to me. In an effort to let as many people
12 speak as we possibly can, I will call off a group of
13 names that have indicated their desire to present oral
14 testimony. When your name is called, please -- please
15 come down to the front row. We have reserved some
16 chairs where we've asked you to sit and wait out your
17 turn. Then I will begin calling the names of those of
18 you who will be giving testimony at that time.

19 The first group of names that I'll call to
20 the front: Randy Partington, Scott Taylor, Larry
21 Jones, Reynaldo Mesa, Paul Joseph, and then I'm not
22 sure if it's Taylor or Tanner Lucas, and Senator Jeff
23 Colyer.

24 Mr. Partington, when you're ready, you can
25 begin.

1 MR. PARTINGTON: Good evening, I'm Randy
2 Partington, 311 North Ninth Street, Garden City,
3 Kansas 67846. I'm the county administrator for Finney
4 County, and I support the approval of the construction
5 air permit for Sunflower Electric Power Corporation
6 and trust the KDHE technical staff's ability to
7 develop a construction air permit for the Holcomb
8 Expansion Project that follows the Clean Air Act and
9 protects the environment and the public health of
10 Kansas.

11 All of us are concerned about the
12 environment, and I strongly believe that Sunflower
13 also takes the stewardship of the environment
14 seriously through the development of this project.

15 A couple of the reasons why I support this
16 project related to the environment and other things
17 are, there will be two high-voltage transmission lines
18 that will be built to the western grid, which will
19 allow renewable energy from Kansas to move into a
20 higher-priced market. Without Sunflower's project,
21 the future expansion of wind may be stifled for lack
22 of a transmission line that can take it out there.

23 Sunflower has made a commitment to reach
24 the 20 percent Renewable Portfolio Standard by 2016
25 instead of 2020 as required by other utilities. In

1 addition, the compromise calls for the project
2 partners to cause an additional 380 megawatts of
3 renewable energy to be developed in Kansas.
4 Mid-Kansas Electric, one of the project participants,
5 is working to get 80 -- to purchase 85 megawatts of
6 electricity from a proposed biomass plant being built
7 in Hugoton.

8 Potential environmental effects of the
9 project will be mitigated by locating the new unit at
10 the existing Holcomb Station site and configuring the
11 new unit with state-of-the-art emissions control
12 technology. Regulatory review of water, air, and
13 waste disposal systems was conducted to ensure the
14 environment and public health is protected.

15 I strongly urge you to approve the
16 construction air permit. Thank you for your time.

17 MR. WELLS: Scott Taylor.

18 MR. TAYLOR: Good evening, my name is
19 Scott Taylor. I'm the president and CEO at
20 St. Catherine Hospital in Garden City, Kansas, 401
21 East Spruce Street, Garden City, Kansas.

22 St. Catherine Hospital has been a leader
23 in health care in both specialty and primary care for
24 over 75 years in the region, serving a 17-county area
25 in southwest Kansas, Finney County in Garden City.

1 With 520 employees, St. Catherine Hospital is the
2 third largest employer in Finney County and the only
3 hospital in the county.

4 I'm here today to speak in support of the
5 Holcomb Expansion Project on behalf of my senior
6 leadership tomorrow. I would like to make a few
7 points about our quality. The first point that I
8 would note is the energy industry has spent almost
9 \$90 billion since 1990 on improving their emissions.
10 Those -- that investment has worked very well. In
11 fact, our own EPA states that the six leading causes
12 or the six leading emission toxins have dropped over
13 40 percent in that period of time in spite of the fact
14 that coal-fired technology has more than tripled over
15 that same period of time.

16 In fact, when the new power plant comes
17 online, the total mercury emissions from the two
18 plants will actually be less than the current
19 emissions from the single plant. In terms of health
20 care, St. Catherine Hospital and southwest Kansas are
21 medically underserved areas. Recruiting physicians to
22 those regions and other health care specialists is
23 exceedingly difficult. One of the reasons it's
24 difficult is because we need to be able to show a
25 diverse, viable economy for the region in order to

1 recruit those specialists to come to Garden City.

2 The 1,900 jobs that the power plant will
3 create will help St. Catherine Hospital in that
4 recruitment effort, bringing needed primary care and
5 specialty services to the region, and thereby
6 improving access of care and in many times bringing
7 life-saving technologies and specialties to the region
8 that we currently don't have, the absence of which
9 would require residents of southwest Kansas to travel
10 sometimes as many as three hours to receive those
11 services.

12 So from a very real perspective, the
13 Holcomb power plant, the 1,900 jobs that it brings,
14 brings real health care to the residents of southwest
15 Kansas and Garden City.

16 So I would ask that you approve the
17 project in the interest of health care in St.
18 Catherine Hospital and southwest Kansas. Thank you.

19 MR. WELLS: Thank you. Larry Jones.

20 MR. JONES: Good evening, directors. I
21 am Larry Jones, 1502 West Taylor Jones Road, Holcomb,
22 Kansas 67851. Currently I am Finney County's director
23 for District 5, which is the location of the current
24 Sunflower plant.

25 Before I go on, I'll give you a little

1 history of myself and my family. We are a fourth
2 generation family in the ranching business in
3 southwest Kansas. Sunflower Electric is our neighbor
4 and has been our neighbor for 26 years. A very
5 excellent neighbor. We've never had a problem with
6 Sunflower -- dust, emissions or anything that I kept
7 hearing about this afternoon.

8 If it was so unhealthy to live next to
9 that plant, I would like to know why I was able to
10 raise five children and five grandchildren there.
11 It's a little hard to believe.

12 We also heard a lot of discussion about
13 wind this afternoon. We've currently leased part of
14 our ranching property to wind developers, all hinging
15 upon this plant. If this plant is not built, they're
16 not going to bother to build the wind generation. So
17 in the interest of time and 400 miles, I will give you
18 my written comments from my fellow commissioners in
19 Finney County, and we strongly, as the commission of
20 Finney County, support this project. Thank you.

21 MR. WELLS: Thank you. Reynaldo Mesa.

22 MR. MESA: Good evening, I want to thank
23 Officer Wells and the rest of your members of your
24 committee for allowing me or allowing us to testify
25 today.

1 My name is Reynaldo Mesa, I live at 1719
2 Crestway in Garden City, Kansas, and also serve on the
3 governing body there, the city commission. And I'm
4 here to support the Sunflower Expansion Project. And
5 I was going to cite some -- some economic information,
6 but my colleague John Doll took care of that, and
7 Dr. Atha earlier. So I won't go over any of those
8 numbers.

9 I will, however, express to you that
10 something that does get lost is the fact that
11 Sunflower, Sunflower Electric Power Corporation, has
12 been an exceptional corporate citizen of Garden City
13 and western Kansas for more than half a century.

14 Sunflower, along with its employees, have
15 supported numerous community organizations and
16 activities in central and western Kansas over the
17 years, including Beef Empire Days, Garden City
18 Community College Foundation, Tumbleweed Festival,
19 Heartland Community Foundation, St. Catherine Hospital
20 Foundation, United Way and Downtown revitalization
21 efforts. I can go on and on and on.

22 I have difficulty recalling another
23 business that has shown such dedication to assist
24 communities to move forward in the areas of the arts,
25 education, economic development, and environmental

1 stewardship, in my decades serving on the Garden City
2 Commission.

3 Nobody -- nobody in this room, but our
4 farmers, our ranchers, and those people who do
5 business in Finney County and Garden City care more
6 about the land, water, and air than we do. I don't
7 care what anybody says in this group. We care. If
8 they were so negligent and egregious in conducting
9 their business, they wouldn't have lasted close to
10 50 years.

11 Moreover, in the last 49 years, I know of
12 not one incident that Sunflower has been cited for
13 negligence with regard to the environment. They've
14 done the opposite. They've taken steps to ensure that
15 water is conserved when necessary and that surrounding
16 landowners maintain their ability to irrigate their
17 crops in the summer. Sunflower is also heavily
18 invested in the facility retrofits necessary to reduce
19 air emissions during the plant operation.

20 What has been lost in the debate about
21 carbon footprints, SOx and NOx, base-load generation
22 and electric rates is the fact that right now we have
23 an environmentally conscious business -- conscientious
24 business with a sterling representation for service
25 that, very soon, will no longer be able to meet its

1 customers' needs for electricity.

2 Governor Parkinson understood this fact
3 and chose to work with Sunflower to develop a
4 reasonable compromise that would result in the
5 creation of a facility with the most minimal
6 environmental impact possible that would be able to
7 successfully provide customers with access to
8 affordable and reliable power.

9 For over 50 years, Sunflower Power
10 Electric Corporation has shown that it cares about the
11 impact it has on its customers' quality of life as
12 well as the impact they have on the quality of the
13 community. Given that there is no evidence that
14 Sunflower has ever valued profits over community, I
15 believe they have earned the opportunity to expand the
16 facility to serve additional customers that will be
17 left without access to power very soon.

18 MR. WELLS: Mr. Mesa?

19 MR. MESA: Yes.

20 MR. WELLS: Your time has expired. Can
21 you conclude your comments?

22 MR. MESA: I will. As an elected
23 official, I know that business success is good for
24 many parts of the city and county, not just increased
25 tax revenue. This project will be the catalyst for

1 many economic benefits to Kansas: stable energy
2 costs, new jobs, and will give additional
3 opportunities for businesses in the region. Moreover,
4 it will allow one of the best corporate citizens in
5 our entire state --

6 MR. WELLS: Mr. Mesa?

7 MR. MESA: -- to better meet the needs
8 of the current and future customers. I encourage you
9 to approve the permit. Thank you.

10 MR. WELLS: Paul Joseph.

11 MR. JOSEPH: My name is Paul Joseph, 506
12 Colony, Garden City, Kansas, and I'm the president of
13 the Garden City Area Chamber of Commerce. I also
14 represent Holcomb, Kansas, home of the Holcomb
15 Expansion Project, which I'm proud to say is in my
16 market trade area.

17 The Garden City Area Chamber is committed
18 to support economic development in our region. We've
19 made the trip to Overland Park to provide a common
20 voice for our chamber membership and for all working
21 Kansans that we need this work, we need to feed the
22 economic engine, not with bailout tax dollars but with
23 opportunity for real jobs. Every household deserves a
24 lighted and bright future at reasonable costs, and we
25 need your swift action to move forward.

1 The plant will incorporate, as you've
2 heard, BACT, Best Available Control Technology, to
3 minimize air emissions. And through the use of
4 mercury controls, mercury emissions from the existing
5 and new unit combined will be less than the current
6 mercury emissions from the existing unit. Every
7 Kansan needs and deserves power that's cheap,
8 efficient and safe.

9 Jobs, and lots of them, await the state
10 that has the courage to follow President Obama's
11 pledge to support "clean coal." We think that state
12 must be Kansas. This is the Kansas stimulus package
13 without the government spending.

14 The expansion will help meet the needs of
15 the growing -- the growing needs for affordable
16 base-load energy while generating hundreds of jobs and
17 millions of dollars in economic benefit. A job this
18 size, a proposed \$2.8 billion expansion, will result
19 in many union and construction workers from Kansas
20 City, Wichita, other areas, moving to Garden City for
21 the two to four years. Economic vitality can and
22 should occur at each end of our state.

23 Many factors determine the total impact of
24 a new employer on the community. However, in general,
25 some basics are fundamental throughout the United

1 States, which is a 100-employee company provides
2 healthy economic growth for any community. The
3 Holcomb Station Expansion Project will bring more than
4 334 direct and indirect full-time-equivalent
5 positions, earning approximately \$15 million a year,
6 into the Kansas economy.

7 Now, 334 jobs will bring many more people
8 than just 334 people. They'll bring their families,
9 too. Extrapolated out, 334 jobs will really mean, on
10 average, 521 more people, 434 more passenger cars
11 registered, 174 more households, 631 more workers
12 employed, 150 more school children, 478 more cell
13 phones, \$7,916,000 more retail sales per year, and
14 \$12,978,000 more dollars, more personal income every
15 year.

16 The voice of the people is so very clear.
17 There is not a single senator or representative from
18 the western one-third of Kansas that does not support
19 this project. Thank you. It's good for the
20 environment, good for the ratepayer and good for
21 business.

22 MR. WELLS: Thank you. Mr. Lucas, is it
23 Taylor or Tanner?

24 MR. LUCAS: Tanner.

25 MR. WELLS: Tanner.

1 MR. LUCAS: My name is Tanner Lucas. I'm
2 the public information manager for the City of Garden
3 City, 301 North Eighth Street, Garden City, Kansas
4 67846. I'm here to convey the City of Garden City's
5 support for the issuance of an air quality
6 construction permit for the Sunflower Electric Power
7 Corporation's Holcomb Expansion Project, a project
8 which, as you've heard here today, and will continue
9 to hear throughout the duration of this week, has both
10 environmental and economic benefits for our region.

11 You've heard a lot today about the
12 economic impact, both long and short term, that the
13 project holds for western Kansas. So I'll spare you a
14 regurgitation of those numbers.

15 What has been sort of lost here, however,
16 is the fact that this is a project that since its
17 inception, has been supported by the entire region of
18 residents, primarily because of the benefits
19 associated with its construction and completion, both
20 environmental and economic. We have confidence that
21 public health and the environment are protected by the
22 process and regulations promulgated by EPA and the
23 stringent draft air permit developed by KDHE technical
24 staff. It is our hope that a final air quality
25 construction permit will be issued so that Sunflower

1 may begin its long awaited Holcomb Expansion Project.

2 Thank you so much for the opportunity.

3 MR. WELLS: Thank you. Senator Colyer.

4 SENATOR COLYER: Good evening, I'm State
5 Senator Jeff Colyer, a physician here in town, inuring
6 the 37th senate district.

7 I'm here speaking on behalf of myself and
8 Senator Sam Brownback. I'm running as his lieutenant
9 governor nominee and he is running for governor. Sam
10 and I appreciate that the State of Kansas faces
11 difficult challenges with our energy infrastructure.
12 But we've got to have commonsense energy solutions
13 that provide consumers with affordable and reliable
14 base load energy. In implementing these solutions,
15 though, we need to do so in a manner that provides
16 protections for both our environment and for the
17 Kansas workforce.

18 By approving Sunflower Electric's
19 operating permit for this project, it will drive
20 production and commerce in industries throughout the
21 great state of Kansas, while at the same time ensuring
22 Kansans are able to cool their homes and power their
23 businesses without skyrocketing utility rates.

24 The Holcomb Expansion is a \$2.8-billion
25 project that will provide much more than a needed

1 source of energy. It will create thousands of new
2 high-paying jobs for our state at one of our most
3 critical times. It will inject over \$30 million into
4 the surrounding southwest Kansas economies. It's
5 part, and a critical part, of growing southwest
6 Kansas, which has seen a decline in population over
7 the last couple of decades.

8 Understanding the need to move forward
9 with the most economically and environmentally
10 balanced approach, Sunflower has considered the most
11 technologically and environmentally viable means for
12 getting a generation unit that meets the essential
13 requirements of KDHE.

14 On renewables, Sunflower has, and will,
15 continue to lead the way in the investment.
16 Sunflower's diverse energy portfolio includes 325 wind
17 turbines in locations in western and central Kansas,
18 with a capacity of 125 megawatts.

19 In addition to this impressive investment,
20 Sunflower became one of the first utilities to meet
21 former Governor Kathleen Sebelius's Wind Energy
22 Challenge that called for us to meet 10 percent of our
23 generation by using renewable energy by 2010.

24 This news is exciting for our state and
25 the future opportunities we have, but it is important

1 to keep in mind that without a balanced energy plan,
2 without one that makes good economic sense and good
3 environmental sense, we will not be able to have the
4 transmission of base load energy that we require.

5 We need to be sure that Kansas jobs are
6 supported, and I urge all stakeholders to use an
7 "all-of-the-above" approach to handling our energy
8 policy here. Otherwise, we'll miss out on great
9 economic opportunities.

10 Senator Brownback and I thank you very
11 much for the opportunity to visit with you today, and
12 we look forward to safe, environmentally friendly, and
13 a jobs-producing project here in Kansas.

14 MR. WELLS: Thank you.

15 I'll call another group of names. Is it
16 Nan Havalan, is that correct? Okay. Neuman Stern,
17 John Wadsworth, Scott Grandon, Marie Roth, Dave
18 Mattson.

19 I'll repeat again, the Nan -- I'm sorry,
20 it's hard to read, Havalan or Havichow, something.
21 Okay. Mr. Stern, if you would like to proceed first.
22 Not here? Okay. John Wadsworth.

23 MR. WADSWORTH: Good evening, my name is
24 John C. Wadsworth, I reside at 14810 Sport of Kings in
25 Wichita, Kansas. I'm the president and the owner of

1 Piping & Equipment Company. We're a 64-year-old
2 mechanical contractor based in Wichita, Kansas. We
3 build refineries, power plants and pipelines.
4 Anything else that doesn't go in your backyard, we
5 build it. And people here, every person here enjoys
6 the products of every one of those facilities. People
7 used your gasoline and diesel fuel and jet fuel to fly
8 here today, people use power to enjoy this
9 air-conditioning and lighting that we enjoy and take
10 for granted. And it won't be taken for granted when
11 we get to a power shortage in the next three to five
12 years.

13 I do work with Westar Energy. I also
14 support Sunflower Energy and do maintenance work with
15 the company. I'm for approval of this proposed
16 project that they've provided. I think it's great
17 that a Kansas corporation, a Kansas-based company is
18 willing to expand its business. Business expansion is
19 great in the State of Kansas, and it's much better to
20 expand than contract. When Sunflower Energy wants to
21 make a \$3 billion investment in the State of Kansas, I
22 think that's good news for the State of Kansas.

23 Very, very intelligent people made that
24 decision. They've evaluated the options, they've
25 looked at wind power, solar power, nuclear power, all

1 types of energy. And intelligent people made the
2 decision that \$3 billion, the best way to invest it is
3 what Sunflower is proposing to do with Holcomb, the
4 Holcomb 2 Expansion. They've addressed environmental
5 issues with Best Available Technology, which has been
6 evaluated, again, by very intelligent people that
7 understand a lot more than anyone in this room does
8 about Best Available Technology.

9 We've talked about job creation, thousands
10 of construction jobs being created during construction
11 and thousands more supporting that. For a company to
12 provide 75 high-paying, high-skilled jobs that will be
13 there permanently, that's very commendable. And I
14 think Shawnee County, I think Sedgwick County, Johnson
15 County, every one of our counties would love to have
16 75 high-paying jobs. And Finney County will benefit
17 from that.

18 The export of power is good for the state.
19 I think we export a lot of wheat in the state, we
20 export a lot of airplanes in the state. Export of
21 products is not a bad thing. That's a good thing.

22 So I do want to say that I really approve
23 of this permit and hope the state would approve this
24 permit. I do work with Sunflower Electric and they're
25 very good people. It's an excellent corporation.

1 Thank you.

2 MR. WELLS: Scott Grandon.

3 MR. GRANDON: My name is Scott Grandon, I
4 live at 29295 Lone Star Road, Paola, Kansas. I'm a
5 member of the Pipefitters Local 533, Kansas City,
6 Missouri.

7 I'm here in support of the project. I'm
8 speaking on behalf of 1,100 active members that we
9 have. 400-plus are Kansas residents such as myself.
10 Most live within the four biggest counties on the
11 eastern side of the state: Miami, Johnson, Wyandotte
12 and Leavenworth. These members will have a chance to
13 work on the project with these good jobs, with the
14 benefits. That money, when we go out there to work,
15 when we're out there as travelers, usually that money
16 comes right back to our homes. It comes back to our
17 banks, our schools, our hospitals, and it puts our
18 kids through colleges in our state.

19 It's been kind of ironic that we live
20 right here, we're within an hour's drive of four coal
21 burners. At least four. And for anybody on this side
22 of the state to not support this project -- which I
23 applaud them for doing it in southwest Kansas -- to
24 take the lead, to take the state where it needs to go
25 is beyond me.

1 The wind is coming. Are we going to be
2 here when we start abusing the land? It's going to
3 take roads, it's going to take digging, a lot of those
4 components come from other countries where they have
5 no emissions, they have no regulations, so I'm here in
6 support of the project.

7 MR. WELLS: Thank you. Marie Roth.

8 MS. ROTH: Thank you very much for the
9 opportunity to join you here today and provide
10 perspective on this air quality permit that you're
11 considering.

12 My name is Marie Roth, I live at 12617
13 South Blackfoot Drive in Olathe. I've been a Kansas
14 resident since 1968. I'm a mother, a grandmother,
15 worried about the future of this great state. Over
16 the years I've raised two sons here in public schools,
17 they've gone to K-State. Kansas is in my blood and I
18 deeply care about the state and its future.

19 So I am here today, doing something I've
20 never done before, and I'm here attending a public
21 hearing to speak about the power plant that I think is
22 bad for our state and its people.

23 When Sunflower Energy first proposed the
24 building of more coal plants, I thought they were
25 simply repeating bad decisions from the past. And

1 because utilities are not known to think very
2 creatively sometimes, I assumed wrongly that they
3 would soon realize that Kansas's energy future lies in
4 its own natural energy development. And a strong
5 point: Not using coal, but using what Kansas has
6 available.

7 Sadly, they haven't seemed willing to give
8 Kansas a break to create more wind or natural gas,
9 which we have, and it would really be a smart
10 investment in the local resources. And worse yet, the
11 more I researched this proposed plant, the more
12 concerned I became.

13 Did you know that Sunflower's existing
14 plant at Holcomb is the 10th worst in the country?
15 The mercury emissions on a pound-per-gigawatt-hour
16 basis is unbelievable. Parents and grandparents
17 should be very concerned about how damaging mercury
18 can be. I have a friend whose daughter has autism and
19 he fears another plant would make that even worse for
20 families and children that suffer from this dreaded
21 disease. The 2008 data from the existing Holcomb
22 plant indicates that 300 pounds of mercury was emitted
23 from about 3,000 gigawatt-hours of electricity.
24 That's the 10th dirtiest, most dangerous emission
25 ratio in the entire country.

1 And that is just the mercury problem.
2 Electricity from coal is the dirtiest form of energy.
3 Most states are protecting their citizens from that
4 pollution now that comes from coal and they're saying
5 "no" to new coal plants. Why would we want more of
6 this pollution poured over our Kansas sky?

7 Everyone in this auditorium lives downwind
8 from the Holcomb plant. And our children and their
9 children and their children will suffer from this
10 proposed dirty coal plant.

11 It makes no sense to me. The idea that
12 Kansas has to be a landfill of sorts for Colorado's
13 electricity trash is maddening. If Colorado claims
14 they need this coal plant so badly, why don't they
15 pollute their own citizens and not ours? And why on
16 earth do we want to train-in out-of-state coal for the
17 next 60 years when we, as Kansans, have local, natural
18 blessings in wind and natural gas?

19 I'm also concerned that this promise of
20 all these jobs isn't going to happen until 2016. I
21 don't think that's very beneficial to Kansas either.
22 I support jobs and the economy in Kansas, but
23 absolutely now, not later.

24 I'm here today because I care about my
25 grandchild and his future, and I believe Kansas

1 deserves better. I hope you think Kansas deserves
2 better too. Please refuse this permit. Thank you.

3 MR. WELLS: Dave Mattson. Dave Mattson.
4 Okay, then I have Richard Voss and Elaine Gessel, you
5 indicated you wanted to submit written comments. You
6 can do so at this time if you like.

7 I'll call another group of names. Is it
8 Ward or Walt Richardson? Lebert Shultz. Melissa
9 Carlson. And Celeste McCoy, if you would like to
10 submit your written comments, you may do so.

11 Randy Cruse, David Kendrick, and Tom Dye.
12 And we'll begin with -- is it Ward Richardson? Or
13 Walt? Sorry, some of these names are hard to read.
14 Okay. Lebert Shultz. Melissa Carlson.

15 MS. CARLSON: Hi, my name is Melissa
16 Carlson, I live at 10052 Hardy Drive, Overland Park,
17 66212.

18 Well, this is August 2nd, 2010, and I'd
19 just like you to take a minute to remember where you
20 were about ten years ago. I for one had a
21 two-year-old and a four-year-old, and this year they
22 start middle school and high school. It went by in
23 the blink of an eye.

24 I recently learned, and those of you who
25 were here this afternoon may have also understood

1 this, that the 200-year reserve that the coal industry
2 claims to have is economically unfeasible to mine.
3 What they can get at cheaply is a 10- to 20-year
4 supply. And how soon will that go by in the blink of
5 an eye? Ten years ago where were you? We have very
6 little time to get online with alternatives.

7 Kansas can do better, can build cleaner,
8 can work smarter. Ten years from now, I see -- I see
9 our blue collar friends working in a green industry.
10 And I respectfully ask the KDHE to reject the
11 Sunflower plant. Thank you for your time.

12 MR. WELLS: Thank you. Randy Cruse.

13 MR. CRUSE: Thank you, Mr. Wells. My
14 name is Randy Cruse and I'm the business manager for
15 Boilermakers Local 83 here in Kansas City, Missouri.
16 I'm -- my address is 430 Terrace Trail East, Lake
17 Quivira, Kansas.

18 I was born in Kansas, I was raised in
19 Kansas, I reside in Kansas. Both of my grandparents
20 were raised in Kansas and lived in Kansas. My
21 parents, before they passed, also lived in Kansas. My
22 27-year-old son is a college graduate and recently
23 graduated from the boilermaker apprenticeship just
24 this last week. My 17-year-old son attends Shawnee
25 Mission Northwest High school. My wife is a graduate

1 of KU. And that being said, I would like to go on a
2 little bit further and talk about some of the things
3 that others haven't touched on.

4 On this public health, some of the people
5 this afternoon touched on the ozone's alerts. And I
6 was thinking back to some of the stories my mother
7 told me. In 1953, when I was born, my dad and mom
8 lived in Salina, Kansas. They were -- my dad worked
9 for Eby Construction Company and she remembers that
10 summer as small children and older people had trouble
11 living through that summer because it was in excess of
12 100 degrees. And there was no really good
13 air-conditioning at that time. Right now, even though
14 we do have ozone alerts, we have a method for
15 air-conditioning as we sit here in this room with our
16 sweaters on and our jackets.

17 One of the other things I wanted to speak
18 to was the -- the water out there in Kansas. It's
19 recycled, and the cooling tower, the water never
20 really disappears, it's cooled and recycled.

21 Another story I would like to touch on a
22 little bit is the electric cooperatives that keep our
23 state strong and vibrant. In Local 83 we deal a lot
24 with electric cooperatives, and that's groups of
25 people that have come together to provide electricity

1 for people in rural areas. As little as 50 years ago,
2 not everybody had the luxury of flipping that switch
3 on and having the lights come on in their house. They
4 just didn't have any electricity. Thanks to our
5 electric cooperatives, we do.

6 Another thing I would like to touch on is
7 -- I'm running out of time, but one of the things I
8 think I always want to bring up at these meetings is
9 the research that I feel like should be going on, on
10 our carbon-based fuels and our carbon-based
11 environment. I mean, we are carbon-based beings. I
12 remember hanging out with engineers from Burns &
13 McDonnell, this is a long, long time ago, drinking
14 beer. And I told them, when you figure out how to
15 crack that CO₂ atom, you will save a whole
16 generation. And they said, well, that's impossible.
17 And I said, well, God does it every day through a
18 process called photosynthesis.

19 I'm asking our young people, our
20 universities, our researchers, our scientists reach
21 out and figure out these problems. Together we can
22 work. As a boilermaker, our industry, we have worked
23 together with all parts of the energy industries to
24 figure out these problems and they can be figured out.
25 Thank you.

1 MR. WELLS: David Kendrick.

2 MR. KENDRICK: Good evening, my name is
3 David Kendrick. I'm the business manager of the
4 Greater Kansas City Building and Construction Trades
5 Council. It's a group of 22 craft labor unions that
6 represent the interests of approximately 25,000
7 construction families in a 14-county area around the
8 Kansas City Metropolitan area.

9 Tonight, appreciating the format in which
10 we're presenting this information, I would like to
11 apologize to Earl Watkins at Sunflower Energy that
12 they cannot rebut -- rebuttal some of the comments
13 that have been made here today, that while passionate
14 and while said with sincerity, are inapplicable to
15 this project.

16 Having worked with Sunflower over the last
17 three years, and appreciating the synergy of the
18 multiple facets of energy generation of wind, biomass
19 and recycling, I think they've got a good product. We
20 want to build this plant. We support the application
21 process going forward with the construction.

22 Like I say, there's a lot of passionate
23 people here tonight. And I want them to understand
24 that if you take a real close look at what is going on
25 with the design that Sunflower has put together, it is

1 probably one of the most practical synergistic
2 programs in western Kansas. We support this project.
3 Thank you.

4 MR. WELLS: Donna Clark and Frank
5 Drinkwine, you indicated you want to submit written
6 testimony. You can do that at this time if you
7 prefer.

8 Tom Dye. Mr. Dye?

9 AUDIENCE MEMBER: Mr. Dye left.

10 MR. WELLS: Okay, thank you.

11 Group of names that I'll call now, I have Steve
12 Mullen, Harrison George. Kyle, Kyle Covell wants to
13 submit written testimony. Nicole Pfannenstiel. Frank
14 Neff, if you would like to present written testimony
15 at this time. Lawrence Prohaska and Jim Horlacher.

16 Mr. Mullen, you can proceed.

17 AUDIENCE MEMBER: He's not here.

18 MR. WELLS: Harrison George. Nicole
19 Pfannenstiel.

20 MS. PFANNENSTIEL: Good evening, my name
21 is Nicole Pfannenstiel, I live at 1608 Munjor Road in
22 Hays, Kansas. I am the Member Services Coordinator
23 for Sunflower, and I'm here before you today to
24 support the proposed permit. I would like to
25 emphasize to you why I believe the project is truly a

1 once-in-a-generation opportunity for our state.

2 I asked to speak today because I have a
3 rather unique perspective on the project you are
4 considering. I was born and raised right here in
5 Kansas City. I moved to western Kansas 18 years ago
6 to attend Fort Hays State University. Western Kansas
7 is where I've planted seeds and had the opportunity to
8 spend the majority of my adult life. But having lived
9 a significant amount of time in both areas, I can tell
10 you from experience that my life in Hays is very
11 different from my life in the metro area. I grew up
12 in a part of this community where the -- where a coal
13 plant existed within 50 miles from my home in any
14 direction.

15 Today I live in the part of the state
16 where seven acres separates me and my husband from our
17 neighbors. And let me add that's close when compared
18 to some parts of our state. I live out where distance
19 is judged by miles and not by minutes. It's a place
20 where the sunsets over our golden wheat fields just
21 take your breath away. At least it does for me.

22 Some people don't think about it, but
23 electricity is an essential commodity in our lives.
24 As Americans, we spend over \$250 billion -- yes,
25 billion -- per year on electricity. It is the

1 second-largest commodity bought and sold in America,
2 second only to food. And believe me, those of us in
3 rural Kansas know a lot about producing food for our
4 state.

5 This 895-megawatt project is a cutting
6 edge, coal-fired generation facility that will deliver
7 low-cost electricity to more than 400,000 people that
8 our member cooperatives serve in central and western
9 Kansas. Communities throughout western Kansas will
10 benefit from new jobs, new tax revenues, and an
11 increased demand for goods and services.

12 Sunflower's current sizeable economic
13 impact across central and western Kansas will
14 certainly expand from this project. Our existing
15 operations support a workforce of 359 people. In
16 2009, local and state governments benefitted from
17 \$8 million in property taxes paid by Sunflower.

18 So why does all of this matter?
19 Currently, I work with economic development
20 professionals all over central and western Kansas. We
21 need projects that can provide jobs for our young
22 people who want to spend their lives in our part of
23 the state. I've had the opportunity to work with
24 small business owners from communities like Lakin,
25 Syracuse, Ulysses, and Scott City. There's not a

1 community with which I've worked that doesn't support
2 this project. They all know it will help increase
3 their tax base and diversify their economy.

4 We have other opportunities for growth in
5 our region, but we need the electric infrastructure
6 and affordable electric rates to keep rural Kansas
7 alive. The addition or loss of one or two jobs has as
8 much impact to many of our communities as the addition
9 or loss of hundreds of jobs here in the KC metro
10 region.

11 I hope I have helped you understand why I
12 think this project is right for Kansas. This is the
13 right time for you to approve this permit and let us
14 get on with the business of serving our customers and
15 helping do our part to continue to make Kansas a
16 wonderful place to live. Thank you.

17 MR. WELLS: Thank you. Lawrence
18 Prohaska.

19 MR. PROHASKA: Hello, I'm Lawrence
20 Prohaska. I live at 1501 Country Club Road in
21 Atchison, Kansas. Okay. What I've got to say is
22 there's hardly anything that mankind does that has not
23 been improved upon. In the last several years, wind
24 generation has taken off and continued to show gains.
25 The same thing can be said for solar and biomass.

1 This is a good thing.

2 Today's supercritical coal-based power
3 plants emit only a fraction of emissions from a
4 typical plant constructed only 30 years ago. I think
5 this is a good thing, too.

6 As toxins on carbon emissions rise, as the
7 Great Plains Alliance for Clean Energy predicts, don't
8 think that emissions from coal plants will stay the
9 same. Obviously they'll go down or their plant will
10 cease production, especially the older ones. Let's
11 make Kansas a state of all forms of generation if
12 possible. I urge KDHE to approve this project.

13 MR. WELLS: Thank you. Jim Horlacher.

14 Here's our next group of names. Rick Golub.
15 Is it Sudy Vohra? Jeremy Turner, Derrick Sontag.
16 Dave Kingsley, you indicated you wanted to submit
17 written comments, you can do that at this time. Jim
18 Gencur. We'll begin with Rick Golub if you're here.

19 I'm sorry if I pronounce this wrong, but
20 it looks like it's Sudy S-U-D-Y, Vohra V-O-H-R-A.
21 Cindy or Sandy maybe? Jeremy Turner. Derrick Sontag.

22 MR. SONTAG: Hello, my name is Derrick
23 Sontag, and I want to point out I have been madly
24 scratching out parts of my testimony for the court
25 reporters. So I want to make sure I'm on their good

1 side here. A lot of this would be repetitive in
2 nature, but I do want to make a couple of key points
3 in my opinion.

4 MR. WELLS: Mr. Sontag, would you
5 provide your address?

6 MR. SONTAG: Yes. Derrick Sontag, I'm
7 the state director of the Kansas Chapter of Americans
8 for Prosperity. I personally live at 3830 Southeast
9 33rd Terrace in Topeka, 66605.

10 Thank you very much for the opportunity to
11 be here today. Americans for Prosperity is a
12 free-market grassroots organization with more than one
13 million members nationwide and 40,000 here in Kansas.

14 We believe the new energy project will be
15 a job-creating boost to the Kansas economy. The
16 project would help meet the needs of Kansas' growing
17 energy demands and provide low-cost electricity to
18 more than half a million consumers in western and
19 central Kansas. It will help strengthen our state's
20 economy by providing millions of dollars of economic
21 impact each year and hundreds of good-paying,
22 family-wage jobs. That's good news for the Kansas
23 economy.

24 Opponents of this project say it will
25 pollute our state and that we can solve our energy

1 shortages through the use of wind energy and other
2 resources. The truth is that other businesses, such
3 as manufacturers, emit the same thing, carbon dioxide,
4 the same that the Holcomb plant emits itself.
5 Emissions are a part of doing business. Sunflower's
6 project should not be regulated more than any other
7 business in our state.

8 Sunflower is committed to protecting our
9 environment while creating jobs and new power
10 resources for Kansas. The project will meet or do
11 better than state and federal regulations designed to
12 protect human health and the environment.

13 It is no secret to all involved that our
14 state is in the midst of a severe economic downturn,
15 which has led to high unemployment rates throughout
16 our state. Between May of 2009 and May of this year,
17 the State of Kansas lost more than 11,000 non-farm
18 private-sector jobs. If you go back to May of 2008,
19 not long after the state legislature first debated the
20 Holcomb Power Plant Expansion Project, one finds that
21 the state has lost a staggering 57,000 private-sector
22 jobs.

23 Kansas is in dire need of quality
24 private-sector jobs, and Sunflower Electric is one
25 employer that is trying to provide just that. Thank

1 you very much for your time.

2 MR. WELLS: Jim Gencur. I'm sorry if I
3 butchered that.

4 MR. GENCUR: That's quite all right.

5 My name is Jim Gencur, I live at 7501 West 97th
6 Terrace here in Overland Park and I've thoroughly
7 enjoyed my time here this afternoon.

8 I came in somewhat open-minded about this
9 topic and I've listened to the impassioned pleas from
10 the boilermakers and people from Finney County. I
11 hear the talk about jobs. I understand a little bit
12 about pollution. But no one has talked specifically,
13 in my mind anyway, about the tactics that Sunflower
14 has used to put forward their proposal for this energy
15 plan and I think they've been repugnant.

16 I think Sunflower called in IOUs that they
17 earned through supporting projects in city, county,
18 and other places with politicians, with Chamber of
19 Commerce members, with hospital administrators even,
20 to get them to back this project.

21 They tied up our state legislature for
22 about two years when we were having our crisis with
23 jobs lost and that bothers me. It bothers me that
24 they're the big bully in the room when they want
25 something to go their way. And they're funded by a

1 coal company in Wyoming and a utility in Colorado.
2 They're not funded by Kansans. I don't understand why
3 Coloradoans, needing power, don't buy a plant in
4 Colorado, except their citizens don't want it. So
5 they look for a place with the longest possible
6 extension cord, or shortest possible extension cord,
7 and they found it in Holcomb.

8 I urge you not to approve this permit. I
9 think these heavy-handed tactics speak volumes about
10 what Sunflower will do in the future with this plan.
11 And I conclude by saying that if I want to build a
12 house and I go to my city municipality to get a
13 permit, I have to give them the plans and I have to
14 tell them when I'm going to start building. Or at
15 least the permit has a beginning and an ending date.

16 We're sitting here, in 2010, and we're
17 talking about maybe a plant, if Tri-State decides to
18 do it, that will be built in 2016. The logic of that
19 completely escapes me.

20 I would submit they could bring this when
21 they know they're going to build the plant and then
22 everyone wouldn't waste their time discussing this
23 issue until it became a real issue. Thank you very
24 much.

25 MR. WELLS: Next names I'll call is Fred

1 Brown or Braun. Susan Pavlakis and Carol Meyer, if
2 you would like to submit your written comments, you
3 can do so now. Stuart Lowry, Keith Ross, and Dan
4 Bonine, if you want to submit your written comments,
5 you're welcome to do so. Dave Peterson. And then
6 Barbara Adamson and Nancy Bader and Loretta Thurman,
7 if you want to submit your written comments, you're
8 welcome to do so.

9 We'll begin with Mr. Brown or Brawn, Fred.
10 Stuart Lowry.

11 MR. LOWRY: My name is Stuart Lowry.
12 I'm the executive vice president/general counsel of
13 the Kansas Electric Cooperatives. Our headquarters is
14 in Topeka, Kansas, P.O. Box 4269.

15 KEC is here tonight on behalf of its 32
16 members to speak in favor of the issuance of this
17 permit. We are the statewide association of electric
18 cooperatives. We have 29 distribution electric
19 cooperative members and two generation and
20 transmission cooperative members, of which Sunflower
21 is one.

22 Distribution cooperatives deliver
23 electricity to the consumer. They are typically the
24 electric cooperative that is most identifiable to the
25 consumer. Generation and transmission cooperatives

1 such as Sunflower generate and transmit the
2 electricity to the distribution cooperatives.

3 KEC's members serve roughly 329,000 meters
4 in Kansas over 87,000 miles of lines spanning roughly
5 80 percent of the land mass in the entire state. We
6 serve, however, about 20 percent of the population.
7 On average, we have about 3.2 consumers for every mile
8 of line, compared to roughly 35 meters for every mile
9 of line for investor-owned or municipal utilities.
10 Obviously, this low customer density, combined with
11 the challenge of serving in remote areas, make our job
12 a very difficult one.

13 Each electric cooperative is governed by
14 a corporate board elected from the membership. Each
15 one is an independent business. In Kansas, state law
16 defines the board as a board of trustees. The
17 trustees serve as corporate directors and
18 representatives of the members in the management of
19 the cooperative.

20 Generation and transmission cooperatives,
21 such as Sunflower, are governed by trustee director
22 representatives from each of their member distribution
23 cooperatives. And it's the board of the generation
24 and transmission cooperative that is charged with the
25 responsibility of ensuring an adequate and reliable

1 power supply for their members through the resource
2 planning process that Kyle Nelson spoke about earlier.

3 I won't repeat the testimony that
4 Mr. Nelson gave you in terms of the resource options
5 that they consider; I won't repeat his testimony on
6 the various strengths and weaknesses of the various
7 resource options that they have available to them.
8 But nearly every choice that they have required a
9 long-term commitment.

10 In the specific case of this project, the
11 boards of Sunflower, each of Sunflower's members, the
12 boards of each of the project partners have all
13 reviewed the proposal from the Holcomb resource from
14 the vantage point of advocating the best interests of
15 their members. And that is over 70 boards, probably
16 roughly 600 individuals representing every geographic
17 square inch of the territory that would receive power
18 from this project.

19 The Boards of the Holcomb project partners
20 are carrying out their responsibilities and their
21 roles as trustees of the cooperative. The boards, no
22 doubt --

23 MR. WELLS: Your time has expired, Mr.
24 Lowry. If you would please conclude your comments.

25 MR. LOWRY: The Boards, no doubt, view

1 this point of the process as a waypoint in deciding
2 what is the best resource option available. We
3 believe that is represented in the permit before you.
4 We urge your approval. Thank you.

5 MR. WELLS: Thank you. Keith Ross.

6 MR. ROSS: My name is Keith Ross, 339
7 West 1500 Road, Long Island, Kansas. That's in
8 Phillips County.

9 I have served on the Prairie Land Electric
10 board of trustees since 1990. I currently serve as
11 the president of the Kansas Electric Cooperative Board
12 of Trustees and also serve on the board of the
13 National Rural Electric Cooperative Association,
14 NRECA.

15 The NRECA board includes a representative
16 from each of the 47 states where electric cooperatives
17 serve their members to deliver electricity in a
18 cost-effective manner.

19 Electric cooperatives across America have
20 been creating value for their communities for over 70
21 years. The nation's 930 member-owned, private
22 electric cooperatives generate, transmit and
23 distribute electric energy in 47 states. Our lines
24 and poles span more than 75 percent of the nation's
25 landmass and account for more than 2.5 million miles

1 of distribution line amounting to 40 percent -- 42
2 percent of the distribution line miles in the United
3 States.

4 Those of us in the electric utility
5 industry have an obligation to meet the future needs
6 of our members and we take that responsibility very
7 seriously. Our cooperative board members understand
8 the responsibility to balance additional
9 cost-effective generation, transmission capacity,
10 reliability and environmental concerns. Balancing
11 these needs will require investing in new technologies
12 such as the Holcomb Expansion Project.

13 In the last 40 years, total national
14 emissions of the six most common air pollutants have
15 been significantly reduced, down by 60 percent since
16 1970, and utilities have reduced emissions of sulfur
17 dioxide and nitrogen oxides by 56 and 39,
18 respectively, since 1970.

19 Amazingly, this improvement in national
20 air quality has occurred while the economy has grown
21 dramatically. GDP is up more than 200 percent and
22 electricity use is up 49 percent over that same
23 period.

24 The U.S. electric power industry,
25 including cooperatives, have reduced air emissions

1 substantially during that time. We have achieved
2 these dramatic reductions using advanced pollution
3 control technologies, building cleaner and more
4 efficient new plants, and using improved combustion
5 technology.

6 This is the same ingenuity these G&Ts used
7 in the design of this new plant. The supercritical
8 design cycle, the powdered activated carbon system for
9 mercury, and the BACT, which was used to reduce
10 emissions, are the best commercially available, proven
11 technologies and will make these plants among the
12 cleanest in our nation.

13 Co-ops, for more than decade, have been
14 strong proponents of increased integration of
15 renewable fuel into our nation's energy supply. In
16 fact, members of the National Network of Electric
17 Cooperatives currently receive 11 percent of their
18 power from renewable resources.

19 By increasing the country's use of
20 renewable energy, cooperatives understand that we can
21 improve our national security by reducing dependence
22 on foreign oil and can reduce negative effects on the
23 environment. Further, NRECA believes that renewable
24 energy projects should be produced in a prudent and
25 cost-effective manner.

1 I would like to thank you for this
2 opportunity to speak here this evening, and I urge you
3 to approve Sunflower's application for the air permit
4 for this new plant.

5 MR. WELLS: Dave Peterson.

6 MR. PETERSON: My name is Dave Peterson,
7 I'm a Kansas citizen who resides at 14720 West 80th
8 Street in Lenexa, Kansas. I'm also a western Kansas
9 farm boy. In fact, I grew up about 50 miles from
10 where this plant may be located, and my brother and
11 his family still operate the family farm in western
12 Kansas.

13 I'm not here to talk about the
14 environment, although I'm concerned about it. I'm
15 here to talk about technology and jobs. But first I
16 have a question and a comment, and the question is
17 first. How many of us here today have the following
18 two images in our mind: a coal-fired power plant and
19 a horse and buggy?

20 The jobs created by this power plant are
21 jobs of the past. We can do much better. Just
22 yesterday -- or Saturday, my magazine, the
23 BusinessWeek magazine came and it has some important
24 data in here that speaks directly to what we're
25 talking about here today. And I'm just going to read

1 a couple of quotes.

2 "For years, business leaders from General
3 Electric's Jeff Immelt, to venture capitalist John
4 Doerr, have warned that America risks losing the clean
5 energy race to China, sacrificing the jobs of the
6 future in a timid, ill-fated effort to preserve the
7 jobs of the past, and now those warnings are coming
8 true."

9 Here's another quote: Colorado now
10 generates almost six percent of its electricity from
11 wind, and its commitment to clean energy has helped
12 develop a solar industry as well, from 100 companies
13 in 2007 to more than 400 today, according to the
14 governor's office. And Vestas Wind Systems, the
15 Danish turbine maker, chose to build its North
16 American manufacturing plants in Colorado, a
17 \$1 billion investment that was good for 2,500 new
18 jobs, it called -- it was a major factor in that
19 decision.

20 Another early adopter is Texas. A law
21 signed by Governor George W. Bush in 1999 has helped
22 the state become a major producer of U.S. wind power
23 and thousands of new jobs in the decade since the law
24 was enacted. Although Texas has reduced its carbon
25 emissions as a result of the push into wind energy,

1 Bush and his fellow Texans didn't create the industry
2 because they were worried about global warming. They
3 did it because there was money to be made. There
4 still is, but most of it is going to be made in China.

5 I urge you to reject the Sunflower plant
6 and focus on the technology and jobs of the future.
7 Thank you.

8 MR. WELLS: Mr. Peterson, do you want to
9 submit those articles to us?

10 MR. PETERSON: I'll be glad to.

11 MR. WELLS: Okay. Thank you.

12 Kirk Schweitzer, Ed Peterson. Are you
13 Mr. Schweitzer or Peterson?

14 MR. PETERSON: Peterson.

15 MR. WELLS: Okay, thank you. You may
16 begin.

17 MR. PETERSON: Good evening, Ed
18 Peterson, 5522 Aberdeen, Fairway, Kansas. I'm an
19 elected county commissioner here in Johnson County, I
20 welcome you to our county. And I also serve as the
21 co-chair of the region's Air Quality Forum, which is a
22 group that is charged with developing action plans to
23 deal with ground level ozone.

24 As you know, Kansas City faces a challenge
25 in falling within compliance of the federal ground

1 level ozone standards. We're marginally in compliance
2 now, but the trends, as they continue, will tip us out
3 of the balance. We've achieved compliance largely
4 because our electric supplier, Kansas City Power &
5 Light, has invested hundreds of millions of dollars
6 recently in control technologies on its existing
7 plants and to the plant that's under construction.

8 Electric rates have gone up by about
9 40 percent over the last four years to pay for the new
10 technology. I draw this to your attention because we
11 face that concern here, and we also know that the EPA
12 is now proposing an even more stringent ground level
13 ozone standard.

14 And if the midpoint of that proposed range
15 is adopted by the EPA, not only will the Kansas City
16 region fall out of compliance, but a number of other
17 areas, including Trego County, Kansas, will no longer
18 be in compliance. Were that to happen, all plants in
19 that region become subject to the rules. And it's not
20 the plant with the Best Available Technology that has
21 to make the changes, it's the existing and older
22 plants. Those are quite costly, as we have learned in
23 this area.

24 There is a second change that's in the
25 wind from the Environmental Protection Agency and

1 that's proposed transportation rules that deal with
2 the movement of air from state to state. Under the
3 current proposal, which is new, it appears that Kansas
4 will have significant flexibility in dealing with
5 that. However, the addition of this coal plant would
6 throw into question both that flexibility and our
7 capability of meeting those standards.

8 Clearly, we're in a time of transition.
9 We believe that we need to be nimble, we need to be
10 flexible, and we need to remain capable of dealing
11 with the challenges that are ahead of us in dealing
12 with air quality. In Johnson County, we've adopted
13 greenhouse gas emission standards, an 80 percent
14 reduction. We produce approximately 11 million metric
15 tons a year now. Our reduction targets of about eight
16 million metrics tons will be essentially vitiated if
17 this plant were to be completed.

18 I suggest that given this time of
19 transition that we're in, and with the pending new,
20 more stringent regulations, it would be appropriate to
21 move very slowly as you consider this plant and allow
22 for the regulatory climate to settle before you reach
23 a final decision.

24 I appreciate your time this evening.
25 Thank you.

1 MR. WELLS: Kirk Schweitzer.

2 MR. SCHWEITZER: My name is Kirk
3 Schweitzer, I'm from -- I live at 224 West Main in
4 Hill City, Kansas. That's in Graham County, Kansas.
5 I represent the Graham County Economic Development
6 Board, and we support the expansion of the Holcomb
7 Plant's power stations.

8 Graham County is in northwest Kansas.
9 We're somewhat removed from the immediate impact of
10 it. We're -- it will be hard not to echo some of the
11 testimony prior given, but we're also wanting to be
12 part of the wind solution and the renewable energy.
13 Without the base power, there is no renewable energy
14 opportunity for Graham County or for the state of
15 Kansas to be an exporter.

16 We -- our county has, oh, for the last 10
17 or 15 years, we've led the nation in out-migration.
18 We're No. 1. We have always been good stewards of our
19 land. People choose to live there based on the
20 quality of life. That includes, certainly, our
21 environmental quality. What we would like to do is be
22 able to keep our schools open, remain, keep our people
23 there, keep our land and our wealth so it's
24 transferrable from intergenerational transfer. And
25 the way to do that is to create new markets in

1 renewable energy.

2 Graham County has been part of feeding
3 this country with our grain and with our cattle. With
4 our oil production, we've provided energy for this --
5 for several generations now to the country. We want
6 to stand up and be part of the renewable energy
7 process, to be responsible for the -- for taking us
8 into the next generation of cleaner air. We need the
9 transmission and we need the base power that the
10 Holcomb plant provides. So we, on behalf of Graham
11 County Economic Development, and myself, we certainly
12 approve this expansion. Thank you.

13 MR. WELLS: We'll now call to the front
14 Benjamin Proffer, Max Sherman, Joe Gittmere --
15 Gittemeier, Shelia Brodie or Shelley Brodie. And
16 we'll begin with Mr. Proffer.

17 MR. PROFFER: Hello, my name is Ben
18 Proffer and I'm a writer. I live at 4521 West 65th
19 Street, Prairie Village, Kansas, in Johnson County.

20 I was kind of surprised when I got here to
21 see how many people are giving testimony through our
22 representatives. I was kind of expecting to have a
23 lot more citizens that don't have a really big vested
24 interest in this plan monetarily. I'm a writer. I
25 don't work in construction, I don't work in power, so

1 I don't really have any monetary gain in this, but I
2 have everything to lose. And I'll tell you why.

3 Because frankly, I'm thinking of our
4 state, because we would only get 50 percent of the
5 power from this. You know, the rest -- we've said
6 again and again, the rest of it's going to go to
7 Colorado. I don't understand how Kathleen Sebelius
8 could veto this four times, and a much bigger plant,
9 2,500 megawatts, and then all of a sudden it comes
10 back when Mark Parkinson takes office. And a week
11 later it's approved.

12 We should have pause with that. I mean,
13 this is not just a matter of a new power plant. This
14 is a shift that everybody is going to have to make.
15 And if we stall it for another 16 years, we're just
16 going to be that farther behind.

17 I'm thinking of other states. I mean,
18 just think of the Massey coal mine accident.
19 Extracting this coal takes a lot of nature. It takes
20 blood. And that's what we're bringing into our state.
21 Instead of switching to something that isn't mortally
22 dangerous, we're doing something that is medieval. In
23 16 years this will be the Dark Ages. I promise you.

24 I'm thinking of the taxpayer. Sunflower
25 Electric, who I don't work for, owes millions of

1 dollars to federal taxpayers for the last plant they
2 put up. They still haven't paid that back. And I'm
3 sorry, for a state that prides itself on common sense,
4 it doesn't take that much sense to say let's settle
5 old scores before we move on to any new ones.

6 And finally, I think there's a lot to be
7 gained from wind power. I think it's tripled in the
8 past two or three years, and if we don't support it,
9 it's not going to do any better. But I think it has
10 enormous places it can go. Thank you.

11 MR. WELLS: Max Sherman.

12 MR. SHERMAN: Max Sherman, 10418 West
13 125th Terrace, Overland Park, Kansas. I'm a project
14 manager for an engineering firm that, to my knowledge,
15 is not doing any business with Sunflower and has no
16 ties to the plant.

17 On a personal level, I've been in the
18 energy business for close to 40 years now, involved
19 with most of the technologies, various forms of
20 nuclear coal, natural gas, wind, and today coal
21 gasification, which has no relevance to this
22 discussion.

23 I want to make just a few points. The --
24 I've been a project developer and have been in parts
25 of the country where economic development and projects

1 are hard to come by, and I can tell you what the
2 impact of a project like this could mean to a small
3 rural area. But the other, with regard to emissions,
4 is that these plants, including this one obviously,
5 are much, much cleaner, lower emissions than the ones
6 that people typically associate with coal.

7 China is held up as an example. Well, I
8 don't know if you want to hold up as an example a
9 country that adds one coal unit a week, but that's
10 what they've been doing about a year and a half now.

11 But that's not really my point tonight.
12 Having been a utility planner in a previous career a
13 few years back, base load capacity needs to be part of
14 the mix. And the reason really is twofold. Economics
15 is one, there is a place for it. And coal included,
16 the price of coal, delivery to a power plant is
17 typically well below natural gas. And over the
18 lifetime of an asset, for a base load asset, the money
19 is in fuel. It's not in the cost of construction, as
20 high as that might appear to be to you tonight.

21 The other point is that the utilities have
22 an obligation to serve. They've got to meet the load
23 real-time. That's not optional. And while this
24 industry moves in fashion, and a lot of times facts
25 don't matter when that happens, current fashion is to

1 promote renewable power. And it has its place. I
2 don't want to deny that at all.

3 But I want to make a couple of points when
4 people try to compare wind with a base load
5 controllable resource. Wind is an intermittent
6 resource. The wind does not blow all the time, even
7 in Kansas. And for solar, the sun doesn't shine all
8 the time. So for better or worse, the country and
9 Kansas need resources that they can control, and base
10 load capacity is part of the mix. For that reason, I
11 urge you to approve the permit. Thank you.

12 MR. WELLS: Joe Gittemeier.

13 MR. GITTEMEIER: Thank you for the
14 opportunity to speak. I heard the lady over here I
15 think say she has a grandchild that she's concerned
16 about. I've got her beat. I've got 16 grandkids that
17 I'm concerned about. I am lucky enough to have them
18 all right here in Kansas City so that's even better.

19 But it concerns me that this project, as
20 the one gentleman mentioned, has been shut down time
21 after time in the legislature despite all the pressure
22 from all the -- the people that are trying to push it
23 through. And even though it's been shut down time
24 after time, they keep coming back and making political
25 contributions and getting people to change their mind.

1 And I don't see anything in this for the
2 people here, and my grandkids, and the people east of
3 us. I mean, when we have a resource like wind and
4 solar, even though it doesn't blow all the time, I've
5 been to Hays, Kansas, and I've never been there when
6 it wasn't blowing. So maybe there was one day a few
7 years ago, I don't know, but I haven't seen it.

8 But, I mean, when we have a resource like
9 that, if the wind isn't blowing in Hays, it would be
10 blowing in Garden City. And if the sun isn't shining
11 in Hays, it will be shining in Garden City. They
12 mention they can't build those things because they
13 won't have the transmission lines. Well, instead of
14 building a coal-fired power plant, why don't they
15 build more wind and solar generation facilities and
16 build the transmission lines to handle that power.
17 And let the people from Colorado pay for the
18 transmission lines. That's where half the power is
19 going anyway.

20 So I would urge the -- and I appreciate
21 you people being the last bastion we have rather than
22 just being overrun by Sunflower Electric. But I would
23 urge you to vote against this thing and to encourage
24 them to find other ways to generate the power they
25 need there.

1 Everybody talks about jobs, but that's a
2 short-range situation. When we talk about the
3 pollution from the carbon dioxide, there's thousands
4 of tons of carbon dioxide that come from one of these
5 plants. I mean, a few jobs, they can find jobs in the
6 solar business. I mean, let's move into the 21st
7 century instead of building a coal-fired power plant
8 like we did 80 years ago.

9 I know they're better now than they ever
10 were. And that's great. But they still put forth a
11 lot of carbon dioxide. There is no such thing as a
12 perfectly clean coal-fired power plant. It's never
13 happened. So that's all I have to say. I appreciate
14 your time.

15 MR. WELLS: Sir, could you state your
16 address, please?

17 MR. GITTEMEIER: Yeah. Joe Gittemeier,
18 4601 West 87th Street, Prairie Village, Kansas.

19 MR. WELLS: Thank you.

20 MR. GITTEMEIER: Thank you.

21 MR. WELLS: Shelley Brodie.

22 MS. BRODIE: Shelley Brodie, 9308
23 Swarner in Lenexa, Kansas 66219. I've chosen to live
24 in Kansas for over 30 years. I come from a
25 coal-mining family and I don't think this issue is at

1 all about east or west Kansas, who has power, who
2 doesn't, or jobs. It's about some of the things
3 you've heard tonight and earlier. It's about are you
4 going to have a future with less pollution.

5 All it takes is for you to visit some of
6 the National Priorities List sites in Missouri and see
7 where every single power plant or mining company has
8 left that city ravaged, and they are not paying for
9 the clean-ups. One of them, in fact, went to Mexico
10 so they could avoid the very environmental laws that
11 we hear people complain about. But everyone in this
12 room, believe me, is paying for the clean-up.

13 When you talk about needing electricity,
14 everyone in this room agrees about that. But there
15 are also things you can do for conservation. There
16 are many ways to get electricity that are cleaner.
17 And as far as the facts, which I'll submit later in
18 written testimony, it doesn't matter if the wind
19 doesn't always blow or the sun doesn't always shine.
20 If you read the technology magazines, they'll show you
21 how that energy can be stored.

22 All of us want our friends and family and
23 neighbors to have jobs. There's so much we agree on.
24 I just think it's time that we look to the future,
25 take the pressure off scientists and technicians who

1 are trying to make a decision about health and
2 environment. That's what Kansas Department of Health
3 and Environment stands for. It's not economic
4 development. You have the Chamber of Commerce for
5 that.

6 So I'd really appreciate if you would
7 dutifully consider the facts that are indisputable and
8 the health effects, both the arsenic and the lead.
9 And just as this gentleman stated, low emissions is
10 not no emissions. And any of you who would like to
11 breathe them in, you can consider that with your
12 health. But don't put it on other people when there
13 are so many other viable alternatives available. And
14 I urge you to please reject this permit.

15 MR. WELLS: Tom and Eden Hawley, if you
16 want to submit your written comments now, you may do
17 so.

18 The last group of names that we have, Chet
19 McLaughlin, Alex Proffer, David -- is it Nachman or
20 Nackman?

21 MR. NACHMAN: Nachman is right.

22 MR. WELLS: Nachman. And I'm sure I'm
23 going to really do this one no justice, but Spoorthi
24 Tammareddi. Libbie Cole, Tim Lawler. And Mike
25 Miller, if you want to submit your written comments to

1 me, do so.

2 And Paula Vott or Voit. Vogt. And Joan
3 Leavens. And we'll begin with Mr. McLaughlin.

4 MR. McLAUGHLIN: Thank you,
5 Mr. Chairman. Thanks for holding this hearing and
6 giving us an opportunity to comment on the permit.
7 That's what we're here for.

8 I've read the draft permit. I'm an
9 environmental engineer, retired from EPA. I live at
10 33975 Quivira, in Paola, Kansas, and I'm here tonight
11 on behalf of myself and my wife and my family. I'm a
12 fourth-generation Kansan and I've got a
13 fifth-generation Kansan in -- at K-State, so, there
14 you go. That doesn't have anything to do with the
15 permit.

16 The permit is well-drafted. You did a
17 very good job, the draft permit. We need the data and
18 I look forward to seeing that. I was disappointed
19 that there was no comments on CO 2, the standards.
20 It's my understanding they go into effect January 1,
21 if the permit is not issued by then. And I expected
22 to see some enforceable proposal by Holcomb to meet
23 the CO 2 standards, whether or not it was in place.
24 They gave you a proposal for mercury. Why didn't they
25 give you a proposal for CO 2? I expected that to be

1 there so that you could make it an enforceable part of
2 the permit.

3 With regard to the visibility of soils and
4 vegetation analysis, the Wichita Mountains in
5 Oklahoma, is that close? I don't believe that's very
6 close. Why did you not do that evaluation for the
7 Quivira Wildlife Refuge or the Cheyenne Bottoms, both
8 federal facilities that could be impacted by haze.
9 They have a stake in this permit. They're much closer
10 than the Wichita Mountains. They may not be a
11 Class I, but they certainly should have been
12 evaluated.

13 I'm also curious as to what the monitoring
14 provisions under this permit will be, monitoring for
15 the Class I facilities, and is there going to be a
16 monitoring station in Garden? In Holcomb? Who is
17 going to do the monitoring and who is going to pay for
18 it as a result of this two-facility operation that's
19 going to be there.

20 We heard testimony that the nitric oxide
21 impact, the nitric oxide will impact Kansas City to as
22 much as a 10th of a percent of the existing K.C.
23 emissions. I expected that to be addressed in the
24 permit. I did not find anything in the draft permit
25 about evaluation of the impact on the K.C. ozone

1 issues. I hope that someone will come to you with
2 modeling data that will be available for us to review.

3 With regard to the facility, is the coal
4 pulverization process and the pollutants that it will
5 be adding to the local environments part of the
6 analysis? I was -- it was not clear to me whether or
7 not they were.

8 MR. WELLS: Mr. McLaughlin, your time
9 has expired.

10 MR. McLAUGHLIN: Oh, I'm sorry.

11 MR. WELLS: If you could conclude your
12 comments, it would be appreciated.

13 MR. McLAUGHLIN: Well, I will submit
14 them in writing. Mercury is another significant
15 issue. And the flue gas desulfurization impoundment
16 and the releases from it should be considered as part
17 as part of the SOx and perhaps the SO2, the sulfuric
18 acid evaluations. I could find no evidence that that
19 was. Thank you.

20 MR. WELLS: Alex Proffer.

21 MR. PROFFER: Good evening, my name is
22 Alex Proffer. I live at 4521 West 65th Street,
23 Prairie Village, Kansas. I -- I urge you to not pass
24 this permit. In my mind, this coal-fired power plant
25 makes no economic sense, no environmental sense, and

1 no sense in regard to human health.

2 There -- the first Holcomb power plant was
3 paid for by a loan that the taxpayers had given to
4 Sunflower Energy and they have not paid it back. They
5 talk about bringing jobs to Kansas, but most of the
6 jobs, I think, probably go to Wyoming and to just not
7 in Kansas. We should be -- \$3 billion to build this
8 plant could build enormous roads into the renewable
9 energy industry. Renewable energy is a growing
10 industry. There is endless opportunity in that. Coal
11 is -- it eventually will die as an energy source.

12 Many people have said this, and I hate to
13 repeat them, but why are we building power plants that
14 are more appropriate for 80 years ago? Also, in
15 regards to human health, a new study from Physicians
16 for Social Responsibility reveals that coal combustion
17 emissions damage the respiratory, cardiovascular and
18 nervous systems, and contribute to four of the five
19 leading causes of death in the United States. And
20 that's just burning the coal.

21 We would be importing the coal from
22 Wyoming and I feel like, as a human being, I have to
23 have some -- have to think about their citizens as
24 well, especially the coal-mining process, which
25 increases the risk of heart disease, cancer, stroke,

1 heart attacks and asthma. I also -- I find it sort of
2 appalling that so many people have come up here today
3 talking about clean coal. I find that to be an
4 oxymoron. Clean coal? There is no such thing. The
5 entire process from mining to burning is dirty. It
6 kills. I mean, how many people have to die in
7 coal-mining accidents for us to learn a lesson, to
8 start actually investing in new cleaner technology?

9 That's all I have to say at this time.
10 Thank you for your time.

11 MR. WELLS: David Nachman.

12 MR. NACHMAN: Vision and legacy, that's
13 what we're here to talk about tonight. I'm David
14 Nachman, I live at 12715 Woodson Street, Overland
15 Park, Kansas. I'm a member of the Sustainable
16 Sanctuaries Coalition, an organization that's
17 dedicated to helping spiritual organizations build
18 their spirituality through environmental
19 sustainability.

20 I don't know about you, but I'm freezing.
21 One way we can start using less energy is to maybe
22 turn the air-conditioner off. That's part of what we
23 can do to help not overuse our power plants.

24 We're also here to talk about power. Not
25 power plant, your power. You have the power to

1 approve or deny this permit. You have the power to
2 decide what your legacy is going to be. You have the
3 power to decide what the vision of Kansas is going to
4 be. We're watching, the state of Kansas is watching,
5 the nation is watching, and the world is watching what
6 you are going to decide. How you are going to use
7 your power?

8 Why are you looking at a guy who has a
9 four-day beard? I spent the weekend with my daughter
10 in Minnesota, in the Boundary Waters Canoe Water
11 Wilderness. We spent two days hiking and canoeing in
12 the most beautiful area you have ever seen. The
13 leaders of Minnesota had a vision many years ago to
14 dedicate hundreds of square miles to the most
15 unbelievably beautiful area for generations. It will
16 be there for generations. Forever. It is protected
17 and we all can go there and enjoy it.

18 What else did Minnesota do? I saw
19 something else that was unbelievable. The North Shore
20 of Minnesota is a gorgeous resource. Lake Superior is
21 beautiful. As we're driving up Highway 61, there are
22 two hulking dead iron plants. What else did the
23 people, the government of Minnesota do? They approved
24 iron mining 80 years ago. They approved iron plants?
25 What are they doing now? They're rusting, they're an

1 eyesore, they're dangerous. That's what's left,
2 that's their legacy from the decisions they made.
3 They made a beautiful decision and they made a
4 horrible decision.

5 It's your decision. What is your legacy?
6 Is your legacy going to be starting the train? You've
7 seen trains bring coal to power plants. It's an
8 endless stream of coal cars. Are you going to turn on
9 that engine that is going to bring coal in the state
10 of Kansas for the next 60 years to feed this plant?
11 That's your decision. Do you want to be the panel
12 that approved the last coal plant?

13 MR. WELLS: Is this name Spoorthi
14 Tammareddi? I'm sorry if I mispronounced it.

15 MS. TAMMAREDDI: No, it's a hard name.

16 My name is Spoorthi Tammareddi, and my
17 parents and I reside at 8108 West 121st Terrace,
18 Overland Park, Kansas. We have been residents of this
19 great state since 2003. I am a concerned citizen of
20 not only our great state, but also our great country.

21 In order to move forward, we have to make
22 a change and we must start somewhere. I will not
23 stand here and recite statistics and facts. I believe
24 we're bombarded enough with those and some of us just
25 refuse to acknowledge the facts and statistics. I'm

1 just putting my comments out to you and refuse to
2 support the passing of this permit. Kansas is blessed
3 with natural gas reserves and an abundance of wind.
4 So why not put these naturally-based sources of power
5 to use and set a prime example for other states in our
6 country?

7 Kansas has the opportunity to be a leader
8 and not a blind follower. So let's not think short
9 term, please, let's think long term. Unless we invest
10 our time, money, and efforts into making Kansas a
11 safer, greener state, I assure you we will regret not
12 acting sooner when we had the opportunity to make
13 things right. Thank you.

14 MR. WELLS: Libbie Cole. Tim Lawler.

15 MR. LAWLER: My name is Tim Lawler, 9747
16 Juniper Lane, Overland Park, Kansas. Thank you for
17 holding this hearing. I'll try to limit my comments
18 to newer material.

19 I attended this afternoon's session. I
20 think I heard -- excuse me, I have a bit of asthma. I
21 think I heard two central themes favoring this permit.
22 From the politicians, I heard that Kansas, and western
23 Kansas in particular, need the growth this plant will
24 bring; or a variation on that from organized labor,
25 "we need the jobs this plant will bring."

1 The facts are that western Kansas is
2 losing population, 5.5 percent of the 46 western
3 counties since April 2000 according to the census.

4 Building an unneeded power plant won't
5 make western Kansas more prosperous. It will burden
6 them with higher rates, especially as the cost of coal
7 inevitably rises.

8 On the labor side, organized labor sees --
9 will see the addition of only 75 new permanent jobs
10 and 1,900 temporary construction jobs, hopefully,
11 during the build-out, according to Sunflower's CEO in
12 comments made this afternoon. The trade-off being
13 presented is jobs in coal-based energy versus no jobs
14 in clean energy. A completely false choice that seeks
15 to pit one powerful group against another: Labor
16 versus environmentalists.

17 The real choice is long-term sustainable
18 jobs built on a free, never-ending fuel source versus
19 the 19th century technology built on non-sustainable,
20 depleted fuel sources.

21 By way of example, in the four years we've
22 been arguing against this project, Vestas, a single
23 Danish wind turbine maker, has built three factories
24 in Colorado and is working on a fourth. According to
25 the Denver Business Journal last week, that amounted

1 to an estimated twenty-five hundred workers to build
2 the plants and current Colorado payrolls of 1,200
3 jobs, those are permanent jobs, going to 2,500 jobs by
4 2011. That's just one company in one narrow market
5 for renewable energy. Renewable energy ought to be
6 labor's bosom buddy.

7 Colorado, which may be a market for this
8 large new source of power, clearly got the memo and is
9 taking full advantage of Kansas' short-sightedness by
10 wooing new investment to the mountain state.

11 Perhaps the saddest impact is that it
12 effectively sabotages the business case for any future
13 alternative form of renewable energy simply because it
14 creates a large overhead of energy supply in the heart
15 of our best renewable energy reserves.

16 If we had to do this to keep the lights on
17 in western Kansas, that would be one thing. But we
18 don't. There are far better choices for Kansas
19 ratepayers and the environment.

20 Wouldn't it be ironic if the state that
21 could justifiably claim to be the next Saudi Arabia of
22 renewable energy would choose instead a dead-end path
23 to be the last bastion of coal-fired power?

24 I urge you to reject this permit. Thank
25 you.

1 MR. WELLS: Paula Vogt or Vott.

2 MS. VOGT: It's Paula Vogt. And I'm at
3 12116 Farley, Overland Park, Kansas. And I've been a
4 Kansan all my life, as have my parents and my
5 grandparents, so Kansas is in our blood. I don't --
6 to me, I'm not in the industry, or the EPA or any of
7 the construction agencies, I just came to listen. And
8 I took a step back as just a citizen.

9 I'm also a nurse practitioner, so I do
10 have a viewpoint from the health care industry. And
11 I've worked in occupational medicine and I have seen
12 the effects of different pollutions on lungs. But all
13 that aside, we all know that.

14 But to me, I'm just stepping back because
15 I'm not embroiled in the facts from a scientific point
16 of view and this point of view. I just step back as a
17 point of common sense, and with that much money being
18 invested in there, why in the world wouldn't we invest
19 in something that will sustain and move on into the
20 future instead of investing in something that is, like
21 so many people have said, a dinosaur that will be in
22 six years, when all of the other states are rapidly
23 investing in solar energy, wind, whatever, more
24 sustainable things? Why in the world are we going to
25 be left behind?

1 So I reject, I urge you to reject the
2 permit. We can do better, I agree with what so many
3 of the people have said here. There are so many other
4 ways to do it. So challenge the Holcomb Project to
5 come up with something that will really move us into
6 the future and will still provide jobs, because we all
7 agree on that. Thank you.

8 MR. WELLS: Joan Leavens.

9 MS. LEAVENS: Good evening, thank you
10 for the opportunity to speak. My name is Joan
11 Leavens, I live at 9824 Briar Drive, Overland Park,
12 Kansas 66207.

13 I would like to speak in favor of
14 renewable energy and against the building of a
15 coal-fired power plant in western Kansas at Holcomb.
16 I have three concerns.

17 First, I am concerned about increasing
18 mercury emissions from Holcomb 2 and their spread
19 across the state. Mercury is a proven toxin,
20 connected to developmental delays in infants and
21 children. Mercury is a hazardous material and
22 requires specific disposal procedures. Yet it is
23 found in our rivers and lakes in Kansas.

24 Currently, Pillsbury Crossing and Rocky
25 Ford in Riley County, Wamego City Lake in Pottawatomie

1 County, and the Little Arkansas River at Wichita in
2 Sedgwick County are on the 2010 Clean Water Section
3 303(d) List from Impaired Waters for mercury. Fish
4 consumption advisories have been issued.

5 No. 2, I am concerned that Kansas'
6 precious water resources will be squandered in an area
7 of our state where rainfall is limited. The Ogallalah
8 Aquifer is a finite resource. Not long ago it was
9 thought the aquifer's water supplies would last just
10 20 years. Conservation efforts were instituted and a
11 difference has been made. However, the Kansas
12 Department of Wildlife and Parks publication "On
13 Tracks," in 2000, Volume 12, No. 1, page 15 tells us:
14 There are signs the water which supports this
15 prosperity may be on its last gallon. At the current
16 rate of usage, some areas like Greeley and Scott
17 counties may only have 25 years or less before the
18 water is depleted.

19 I'm also concerned that our leaders in
20 Kansas are not demonstrating the innovative leadership
21 required in these times. Increasing the number of
22 coal-fired power plants is not the answer. Kansas has
23 bountiful wind and solar energy resources. The
24 technology to store energy from these resources is
25 being developed. Kansans are resourceful. Some of

1 the top engineering firms in the world are housed in
2 our state. Given the proper incentives, new
3 businesses will come on-line to meet our energy needs
4 and create a new economy and new jobs without
5 impairing our healthy future.

6 I do not believe that energy to meet our
7 future needs and the good health of our children need
8 be mutually exclusive. Thank you.

9 MR. WELLS: Well, that was the last name
10 we had on the registration forms that indicated they
11 would like to present oral testimony. Doug, are there
12 others out there or was that it? No more? Okay.

13 Thank you. This concludes the public
14 presentation of comments during this hearing. I would
15 like to inform you that the public comment period will
16 remain open through August 15, 2010. Individuals who
17 wish to submit written comments may do so by mailing
18 their statements to the following address: The Kansas
19 Department of Health and Environment, Bureau of Air,
20 Attention: Sunflower Comments, 1000 Southwest Jackson
21 Street, Suite 310, Topeka, Kansas 66612-1366.

22 You can also submit your written comments
23 via e-mail to Sunflowercomments, which is all one
24 word, at KDHEKS.gov. In order for your comments to be
25 considered, they must be postmarked on or before

1 August 15, 2010.

2 I would like to express my appreciation to
3 all of you who took time to participate in today's
4 hearing. This hearing is now adjourned at 8:28 p.m.
5 Thank you.

6 (Whereupon, the hearing was adjourned.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

STATE OF KANSAS)
) ss
CITY OF OVERLAND PARK)

I, Terri Huseh, a Certified Court Reporter (KS),
Registered Professional Reporter, do hereby certify
that the meeting aforementioned was held on the time
and in the place previously described.

IN WITNESS WHEREOF, I have hereunto set my hand
and seal.

REGISTERED PROFESSIONAL REPORTER

