

1 KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
2 DIVISION OF ENVIRONMENT
3 PUBLIC HEARING ON PROPOSED ISSUANCE OF A
4 DRAFT AIR EMISSION SOURCE CONSTRUCTION PERMIT TO
5 SUNFLOWER ELECTRIC POWER CORPORATION

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9 MONDAY, OCTOBER 25, 2010

10 2:00 P.M.

11 Capital Plaza Hotel
12 1717 Southwest Topeka Boulevard
13 Topeka, Kansas

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16 HEARING OFFICER:

17 Mr. Dan Wells
18 District Environmental Administrator
19 Northwest District Office
20 Bureau of Environmental Field Services
21 Hays, Kansas 67601-2651

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23 Court Reporter:

24 Sheila R. Vogt, CCR

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2 THE HEARING OFFICER: Good afternoon. I am
3 convening this hearing at 2 p.m. on Monday, October
4 25, 2010. This hearing is being held in the Capital
5 Plaza Hotel, 1717 Southwest Topeka Boulevard, Topeka,
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 construction
15 of one new 895 megawatt coal-fired steam generating
16 unit and associated ancillary equipment at the
17 company's facility located at 2440 Holcomb Lane,
18 Holcomb Kansas.

19 A previous public comment period on this
20 permitting action began on July 1, 2010, and ended on
21 August 15, 2010. During that comment period, it was
22 determined that the meteorological data were not
23 adjusted for differences in time zones prior to input
24 into the dispersion model while conducting the ambient
25 impact analysis. The model simulates how the proposed

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1 project will impact ambient air in surrounding areas.

2 Public notice regarding today's hearing was
3 given through publication of the notice in the Kansas

4 Register dated September 23, 2010, and the
5 corresponding public comment period of 30 days, which
6 commenced on that date. This hearing will last until
7 all oral or written comments have been submitted by
8 participants.

9 As you entered this room, you were asked to
10 register your attendance and to indicate on the form
11 whether you desire to give testimony concerning the
12 proposed permit. A registration form can be completed
13 at any time during the hearing. From those forms, a
14 list of participants will be compiled.

15 Following my remarks, a representative of
16 the department's Bureau of Air, Mr. Rick Brunetti,
17 will provide a summary of the draft permit. Following
18 that presentation, those of you who have indicated a
19 desire to present testimony will be called to present
20 comments.

21 This hearing is being recorded for an
22 official record of today's proceedings. Due to the
23 large number of attendees who have indicated a desire
24 to present oral comments, I will impose the following
25 rules: All presentations must be made at the

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1 microphone. You must begin your presentation by
2 stating your name, address and who you are affiliated
3 with. Each presenter will only be given three minutes
4 to give their presentation. A timer will be used and
5 at the end of the allotted time, I will ask you to
6 conclude your comments.

7 Any unused time by a presenter cannot be
8 given to another presenter. If your name is called
9 and you desire to provide oral comments, you must do
10 so at that time. You will not be allowed to defer
11 your presentation to a later time in the hearing. I
12 will only accept comments that are in regard to the
13 proposed permit. I encourage all speakers to avoid
14 echoing comments previously made during the hearing.

15 Please be courteous and allow presenters to
16 give their comments without interruption. Finally,
17 anyone who disrupts these proceedings will be required
18 to leave this hearing. At this time, I will call upon
19 Mr. Brunetti to present a summary of the draft permit.

20 MR. RICK BRUNETTI: Thank you, Dan. I am
21 Rick Brunetti, Director of the Bureau of Air with the
22 Kansas Department of Health and Environment. At this
23 time, I will provide an overview of the draft permit
24 for the Sunflower Electric Power Corporation.

25 Sunflower plans to modify a generating

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1 facility located in Holcomb, Finney County, Kansas,
2 with the installation of a supercritical 895 megawatt
3 pulverized coal boiler. The existing coal, lime and
4 ash handling equipment will add equipment to
5 accommodate additional throughput required by this
6 modification.

7 A new cooling tower, a natural gas fired
8 auxiliary boiler, an emergency generator and a diesel

9 fire pump would also be added. The Holcomb Unit 2
10 boiler will utilize Powder River Basin or PRB coal and
11 low sulfur bituminous coal as primary fuel and natural
12 gas as a backup fuel.

13 The source is subject to the following
14 Kansas Administrative Regulations: K.A.R. 28-19-300
15 referring to construction permits and approvals;
16 K.A.R. 28-19-350, which addresses the prevention of
17 significant deterioration of air quality; K.A.R.
18 28-19-720, regarding new source performance standards;
19 and Title 4 of the Clean Air Act, often referred to as
20 the acid rain regulations.

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

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

6 BACT requirements apply to each new or
7 modified affected emissions unit and pollutant
8 emitting activity. Also, individual BACT
9 determinations are performed for each pollutant
10 emitted from the same emission unit.

11 BACT has been established: For Nitrogen

12 dioxide for the PC boiler is low-NOx burners and
13 separated over-fire air equipment along with selective
14 catalytic reduction or SCR. BACT for carbon monoxide
15 is good combustion practices.

16 For sulfur dioxide is a dry flue gas
17 desulfurization system and low sulfur coal. BACT for
18 volatile organic compounds is good combustion
19 practices. BACT for particulate matter is a fabric
20 filter.

21 BACT for sulfuric acid is a dry gas
22 desulfurization system. BACT for the auxiliary
23 boilers for NOx emissions is low NOx burners and for
24 SO2 is combusting only pipeline natural gas. BACT for
25 other pieces of equipment include the following:

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1 catalytic converter for emergency generator, high
2 efficiency drift eliminators for the cooling tower,
3 bag houses, bin filters and chemical/water suppression
4 for material 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, one, any national
11 ambient air quality standard or any applicable maximum
12 allowable increase over the baseline concentration in
13 any area often referred to as an increment.

14 The AERMOD model was used to determine the
15 maximum predicted ground-level concentration for each
16 pollutant and applicable averaging period resulting
17 from various operating loads.

18 Sunflower was required to provide an
19 analysis of the impairment to visibility, as well as
20 impacts on plants, soils and vegetation that would
21 occur as a result of this project and to what extent
22 the emissions from the proposed modification impacts
23 the general commercial, residential industrial and
24 other growth.

25 Sunflower conducted an analysis of

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1 impairment to visibility for proposed modification
2 using the CALPUFF modeling system. Two Class 1 areas
3 were evaluated, including Great Sand Dunes, as well as
4 the Wichita Mountains, which are both located
5 approximately 400 kilometers from the proposed site.

6 In accordance with the KDHE guidance, a
7 visibility analysis was also conducted at Scott Lake,
8 a Class 2 area located approximately 80 kilometers to
9 the north of the plant. A VisSCREEN visibility
10 analysis was performed for Scott Lake and the city of
11 Holcomb. The screening analysis indicated some of the
12 Class 1 screening criteria were exceeded. No criteria
13 have been established for Class 2 areas.

14 An analysis of the impairment to
15 visibility, soils and vegetation that would occur as a
16 result of the modification to the source was

17 conducted. It was determined that the proposed
18 facility and the associated increases of pollutants
19 are not expected to have significant impacts on the
20 vegetation. Given the low emission levels and the
21 sandy soils in the vicinity of the project, the
22 project should not significantly impact soils in the
23 area.

24 This modification at the Holcomb facility
25 will stimulate an increase in the local labor force

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1 during the construction phase in the Holcomb area, but
2 the increase will be temporary and will not result in
3 permanent or significant commercial and residential
4 growth.

5 Operation of the facility will require
6 approximately 75 additional employees over the current
7 staffing levels. These new residences are not
8 anticipated to add appreciably to air emissions in the
9 vicinity of the facility.

10 No new local industrial facilities related
11 to the Holcomb 2 are anticipated. An increase in
12 commercial activity related to transportation of coal
13 and lime to the facility and removal of byproduct
14 materials would occur. However, any emissions
15 increases would be from mobile sources and are not
16 part of this analysis. Therefore, Holcomb 2 is not
17 anticipated to have sustainable negative impacts to
18 the area based on collateral growth. This concludes

19 my testimony. Thank you.

20 THE HEARING OFFICER: Thank you. Before I
21 begin accepting comments, I would ask that any state
22 legislators and public officials who are in attendance
23 at today's hearing and would like to be recognized to
24 please stand up and introduce yourself.

25 SENATOR MORRIS: Stephen Morris, Senator

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1 for the 39th District.

2 MR. WELL: We have now come to the point in
3 the first session of today's hearing where we will
4 receive comments from the public. Please feel free to
5 present any comments specifically related to the draft
6 permit that you would like to have considered.

7 I will begin by calling upon those
8 individuals who indicated their desire to present
9 comments on the registration forms. It will be
10 appreciated if you would provide a written copy of
11 your testimony, if available, to me.

12 I will now begin calling a list of names.
13 As your name is called, I would ask that you please
14 come to the front of the chairs, in which I will begin
15 calling your names in order, Senator Morris,
16 Dennis McKinney, Keen Brantley, Earl Watkins,
17 Mark Ourada, Kyle Nelson, Lee Boughey.

18 Senator, you can begin, if you're
19 available. I think you will have to turn the
20 microphone on.

21 SENATOR MORRIS: Thank you, Mr. Wells. My

22 name is Stephen Morris. I'm senator of the 39th
23 District. I live in Union, Kansas, and I'm also
24 submitting written testimony from the follow
25 legislators, Senator Susan Wagle, Wichita;

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1 Representative Brenda Landwehr, Wichita;
2 Representative Ray Merrick, Johnson County. I will be
3 turning in all written testimony.

4 Thank you for the opportunity to express my
5 strong support for the construction air permit for the
6 Holcomb Expansion Project. I urge you to issue this
7 permit as it brings many benefits to Kansas.

8 In the Kansas Senate, I represent the
9 citizens in the 39th District. I have served as
10 Senate President since 2005. In this capacity, I
11 worked with members of both chambers to ensure this
12 project would move forward. The Holcomb Expansion
13 Project brings base-load power, jobs, tax revenues and
14 economic opportunity for Kansas businesses at a time
15 when our economy badly needs a lift. Kansas
16 Legislators overwhelmingly supported this project for
17 all the benefits it brings to the state.

18 The compromise between Governor Parkinson
19 and Sunflower Electric will have a powerful, positive
20 impact on Kansas for many years. The new plant will
21 use state-of-the-art combustion technology which
22 results in lower emissions and provides long-term jobs
23 for southwest Kansas. The opportunity to spur

24 additional renewable energy from transmission
25 development to the western grid while increasing wind

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1 and biomass opportunities will diversify our statewide
2 generation portfolio.

3 Researchers from Kansas State University
4 recently conducted a study that shows this project
5 will bring over \$350 million annual economic activity
6 to the state. The project is expected to generate
7 over \$41 million in tax revenue for state and local
8 governments. More than 1,900 Kansans will be employed
9 in the construction phase of the new plant.

10 The project should move forward for many
11 reasons, jobs, renewable energy opportunities, tax
12 revenue, all stand to benefit Kansas and Kansans.
13 Thank you.

14 THE HEARING OFFICER: Keen Brantley.

15 MR. KEEN BRANTLEY: Thank you. My name is
16 Keen Brantley. I live at 1005 Jefferson in Scott
17 City, Kansas. I'm a lawyer for Wheatland Electric
18 Cooperative, one of six member-owners of Sunflower
19 Electric Power Corporation. Thank you for the
20 opportunity to speak today.

21 Although water rights are not a part of the
22 permitting process for an air quality construction
23 permit, I would like to address an apparent
24 misunderstanding about water rights for the Holcomb
25 Expansion Project.

1 The Holcomb Expansion Project is located
2 within Southwest Kansas Groundwater Management
3 District No. 3 and also within the Arkansas River
4 Valley Intensive Groundwater Use Control area.
5 Although it's true that this area is closed to the
6 acquisition of new water rights, water rights for the
7 Holcomb Expansion Project have already been acquired
8 by Wheatland Electric.

9 Beginning in 2005, Wheatland purchased over
10 33,000 acres of sand hill land. These purchases were
11 made from willing sellers, several of whom approached
12 Wheatland and offered to sell. No condemnations were
13 involved in the purchases.

14 The land is currently being leased for
15 agricultural use and will remain in crop production
16 until the water is needed for other uses. When the
17 water is needed for the unit, Wheatland will contact
18 the Department of Agriculture for a conversion from
19 agricultural rights to industrial rights, resulting in
20 an approximate 40 percent reduction in water use
21 allowed. This reduction will ensure consumptive use
22 for industrial purposes. It does not exceed net
23 consumption for agricultural purposes. In addition,
24 water use will be spread throughout the year rather
25 than being consumed during the growing season, placing

1 less stress on the aquifer.

2 The project meets the criteria necessary
3 for converting water rights from agricultural to
4 industry. The wells for the project will be within
5 the same local source of water supply as the original
6 wells, and the conversion will not impair other
7 existing water rights.

8 Water usage for the project will be closely
9 monitored and strictly limited by permit. The new
10 unit will use approximately 12,000 acre-feet of water
11 annually, representing seven-tenths of 1 percent of
12 the water pumped in the Groundwater Management
13 District No. 3 in 2007. After water is pumped from
14 the aquifer, it will be softened to reduce mineral
15 concentrations and introduced into the closed-loop
16 cooling system and further filtered and demineralized
17 for use in the steam generator.

18 Water use efficiency is considered in every
19 aspect of the design of the unit. Wastewater will be
20 recycled and used in ash, emission control and cooling
21 systems or held in lined water basins; hence, no
22 harmful streams will be released into aquifer or into
23 the environment.

24 The opponents of the project argue that the
25 new water -- that the unit will export water through

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1 the energy generated and for Sunflower's partners.
2 Water will be used to generate power for Kansans and

3 Sunflower's out-of-state partners. But as Mark Rude,
4 the director of the Groundwater Management District,
5 said earlier, Everything we produce as a result of
6 labor and water use has a potential of going outside
7 the state. Thank you very much.

8 THE HEARING OFFICER: A couple of things I
9 would like to mention before we move to the next
10 person. Jerry is the timekeeper. He's the one
11 sitting here, and he'll notify you as to how much time
12 you have left in your presentation.

13 The second thing is, water rights are not
14 an issue at today's hearing. I appreciate your
15 comments and they will be noted, but the Kansas
16 Department of Agriculture has authority to issue and
17 change water rights. So they will be the ones that
18 will directly take care of that issue.

19 MR. KEEN BRANTLEY: I understand that. All
20 I was trying to do was address some questions that had
21 come up in some of the other hearings about the use of
22 water. Thank you for the opportunity.

23 THE HEARING OFFICER: Thank you. Earl
24 Watkins.

25 MR. EARL WATKINS: My name is Earl Watkins.

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1 I'm the CEO of Sunflower, 301 Western King Street,
2 Hays, Kansas.

3 Some have expressed concern that this
4 application lacks time for careful consideration and
5 analysis. However the breakdown of the application's

6 timeline overwhelmingly refutes this argument. The
7 original complete application was filed in 2006 for a
8 2,100-megawatt project.

9 The size of the project has been reduced to
10 895 megawatts, but the heart of the pending
11 application has not changed. The project will use the
12 same state-of-art supercritical technology, which has
13 been open to public evaluation since 2006. In 2006,
14 the permitting process included three public hearings
15 and two comment periods totaling more than 80 days.

16 In 2007, recognizing that the application
17 met all state and federal regulations, the KDHE
18 technical staff recommended approval of the permit.
19 However, Secretary Bremby denied the decision that
20 delayed the permitting process until a compromise was
21 reached with Governor Parkinson.

22 After the Governor Parkinson compromise,
23 Sunflower refreshed the application on file with the
24 KDHE with the majority of the application intact.
25 Obviously, because the project is now smaller, the

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1 total emissions have decreased. A review of other
2 state's construction permits recently issued and
3 actual emission rates achieved on new units recently
4 brought about by incremental changes to the
5 effectiveness of various control technologies has
6 resulted in some emission rates being reduced as they
7 are stated in the draft permit.

8 The refreshed application was submitted and
9 on July 1, 2010, KDHE opened a 47-day comment period
10 for the draft permit. Later in July, the EPA and
11 KDHE, as you mentioned earlier, determined that
12 certain air dispersion modeling results submitted by
13 Sunflower would need to be performed and submitted
14 again. The flaw was caused by a time-synchronization
15 problem within the EPA-approved software.

16 As a result, a second public comment period
17 was scheduled, concluding today. The schedule, from
18 July 1 to today, has provided the public with 117 days
19 and four public hearings to comment on the refreshed
20 application. All total, the application has been
21 subject to seven public hearings and a total of more
22 than 200 days of comment period.

23 Of the seven, five of those public hearings
24 have been in eastern Kansas, hundreds of miles away
25 from the project. I assume for purposes of

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1 encouraging public participation. So this timeline, I
2 believe, shows that there has been ample time for
3 completing examination of this permit and public
4 participation.

5 We've met the requirements of building the
6 project, and we urge that you approve the permit for
7 this project so the people of Kansas can have access
8 to this efficient new energy source and the need of
9 jobs and revenue it will create from our partners, all
10 of which Kansans justly deserve. Thank you for your

11 time.

12 THE HEARING OFFICER: Mark Ourada.

13 MR. MARK OURADA: Thank you. My name is
14 Mark Ourada. I live at 1110 Innsbrook Lane, in
15 Buffalo, Minnesota, and I am Vice President of
16 External Affairs for the American Coalition for Clean
17 Coal Electricity or ACCCE.

18 ACCCE is a national, nonprofit, nonpartisan
19 organization formed by many of the nation's coal
20 companies, electric utilities, manufacturers; and we
21 have long been an advocate of policies that advance
22 environmental improvement, economic prosperity and
23 energy security. ACCCE is committed to continued and
24 enhanced U.S. leadership in developing and deploying
25 new, advanced clean coal technologies that protect the

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1 environment so that the nation can continue to enjoy
2 the benefits of affordable, reliable electricity from
3 America's most abundant domestically-produced energy
4 resource, coal.

5 ACCCE has advocated such policies in Kansas
6 for more than a decade. In regard to the matter under
7 consideration today, ACCCE strongly supports the
8 application of Sunflower Electric Power Corporation.

9 Today, I want to focus my comments on one
10 issue, the assertion by some opponents of the Holcomb
11 expansion that the permit application should be
12 delayed or denied because the plant will not capture

13 and store CO2. The simple answer is the electricity is
14 needed now and the CCS technology is not yet
15 available. Once it is, commercial technology -- once
16 it is available for use, then public policy decisions
17 regarding their deployment at coal and natural gas
18 facilities will need to be made to achieve the deep CO2
19 emission reductions that continue to be debated by
20 Congress.

21 ACCCE supports continued private-public
22 sector partnerships to accelerate the broad commercial
23 development and deployment of technologies that
24 capture, utilize or store carbon dioxide. For
25 example, CCS is being used at American Electric

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1 Power's Mountaineer Plant in West Virginia. However,
2 such technologies are not available for large-scale
3 commercial deployment.

4 We are advised that a representative of the
5 U.S. EPA acknowledged this fact in response to
6 questions posed by members of the Kansas Interim Joint
7 Committee for Energy and the Environment.

8 Even now, the EPA is just developing
9 guidance concerning how to conduct BACT analysis for
10 greenhouse gas emissions. It's clear from documents
11 in the public domain, such as the attached letter I
12 submitted from Gina McCarthy, Assistant EPA
13 administrator, that the agency is considering energy
14 efficiency processes and technologies and inherently
15 efficient and lower emitting processes and practices

16 for greenhouse gases in determining what will
17 constitute BACT for CO2.

18 It is clear that Sunflower has proposed an
19 inherently efficient and lower emitting process for CO2
20 emissions in its selection of supercritical generation
21 technology for Holcomb. A supercritical steam
22 generator is more efficient, burns less fuel and
23 therefore reduces CO2 emissions per unit of energy
24 produced. Because the fuel is coal, the electricity
25 produced is also affordable.

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1 Until the EPA issues such BACT guidance,
2 Sunflower is entitled to have its permit application
3 evaluated in accordance with the applicable provisions
4 of current law. Thank you.

5 THE HEARING OFFICER: Kyle Nelson.

6 MR. KYLE NELSON: My name is Kyle Nelson.
7 I'm the chief operating officer for Sunflower located
8 at 301 West 13th Street in Hays, Kansas.

9 There seems to be some misunderstanding
10 about how the EPA's greenhouse gas regulations will
11 affect the Holcomb Expansion Project. My intent today
12 is to present some facts to clarify the ramifications
13 of those regulations on the project.

14 On December 15, 2009, the EPA issued the
15 Endangerment Finding, stating that GHG emissions
16 endanger public health and welfare, thereby obligating
17 the EPA to develop and adopt GHG emission standards

18 for new motor vehicles.

19 January 2, 2011, is the effective date of
20 these transportation regulations for GHGs, at which
21 time all PSD sources will also be subject to
22 evaluation of control technology for GHGs. The
23 Tailoring Rule issued in May of this year is intended
24 to limit applicability of these rules to electric
25 utilities and similar-sized sources by setting

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1 emission thresholds for six greenhouses gases,
2 including carbon dioxide.

3 The Clean Air Act mandates those seeking a
4 PSD permit conduct an analysis for applicable
5 pollutants to prove that the Best Available Control
6 Technology or BACT is implemented. Energy
7 consumption, total source emission, economic costs and
8 environmental impacts are design criteria evaluated
9 when determining BACT.

10 BACT does not require a change in
11 generation technology or fuel choice. It considers
12 only emission control technology that can be applied
13 to the generation technology selected by the
14 applicant. For example, BACT for sulfur dioxide
15 usually entails a flue gas desulfurization. For
16 nitrogen oxide, low-NOx burners separated over-fire
17 air and selective catalytic reaction. The Holcomb
18 Expansion Project will employ these technologies.

19 However, the EPA has acknowledged that it
20 has not yet issued guidelines for BACT for any of the

21 greenhouse gases. Moreover, commercially available CO2
22 emission control technology does not exist today.

23 For a conventional steam generator,
24 reductions in CO2 emissions are achieved by increasing
25 thermal efficiency. When water pressure is increased

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1 to 3,206 GFI and the temperature is increased to 705
2 degrees, water changes to steam without going through
3 the conventional boiling process.

4 These conditions are referred to as the
5 critical point of water, and units operating at
6 temperatures and pressures above these conditions are
7 considered supercritical. They use less fuel and have
8 fewer emissions.

9 Opponents have suggested Sunflower and its
10 partner want an air permit prior to January to
11 circumvent impending GHG regulations, but requiring a
12 BACT analysis for CO2 in the absence of specific
13 guidelines would serve only to further delay the
14 issuance of the permit as opposed to resulting in a
15 physical change to the proposed configuration, which
16 already employs a supercritical steam cycle.

17 Waiting for judicial rulings on the
18 Tailoring Rule, which could take months or even years,
19 will only further delay issuance of the Holcomb air
20 permit. A CO2 BACT analysis will unnecessarily delay
21 the project, impede creating jobs, limit affordable,
22 reliable power for Kansans. Therefore, I urge you to

23 approve Sunflower's permit application as proposed,
24 and thank you for the opportunity to speak today.

25 THE HEARING OFFICER: Lee Boughey.

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1 MR. LEE BOUGHEY: My name is Lee Boughey.
2 I'm employed by Tri-State Generation and Transition
3 Association. I'm senior manager of communications and
4 public affairs. I'm representing the association
5 today. Tri-State's address is 1100 West 16th Avenue,
6 Westminster, Colorado.

7 Thank you for allowing Tri-State the
8 opportunity to provide comments in support of final
9 issuance of the Sunflower permit. Tri-State has a
10 contractual agreement with Sunflower, which gives it
11 the obstinate right to require development of a
12 portion of the Holcomb 2 Project and therefore has a
13 substantial legal interest in the issuance of the
14 permit.

15 Tri-State, its personnel, consultants and
16 contractors have provided technical consultation in
17 support of Sunflower in the preparation of the
18 application air quality modeling and other technical
19 analyses of the permit.

20 Based on the knowledge of and work on the
21 appropriating process for Holcomb 2, Tri-State
22 believes that KDHE's permitting process has complied
23 with all applicable state and federal laws and have
24 ensured the public health and the environment of
25 Kansas are protected and will be protected with the

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1 issuance of the permit.

2 KDHE is compliant with the applicable
3 portion of the Kansas State Limitation Plan as
4 required by the U.S. EPA, and federal state laws.
5 This includes prevention of significant deterioration
6 regulations that apply to major stationary emission
7 sources located in attainment areas where the air
8 quality meets or is better met than National Ambient
9 Air Quality Standards under the Clean Air Act.

10 These regulations require the source use
11 the Best Available Control Technology for each
12 regulator pollutant for which the emission rate is
13 greater than the PST significance level. The BACT
14 analysis conducted by KDHE and Sunflower took into
15 account the energy, environmental and economical
16 impact for -- regulated for Holcomb 2 to effect the
17 maximum degree of reduction steam quality.

18 Tri-State agrees with KDHE's BACT analysis
19 and KDHE's BACT selection for Holcomb 2. It is
20 reasonable and appropriate. KDHE's draft permit
21 complies with the Clean Air Act to protect National
22 Ambient Air Quality Standards. As required by Kansas
23 and federal air quality laws and regulations, the
24 ambient impact analysis was performed on potential air
25 emission for Holcomb 2.

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1 Sunflower has provided all required models,
2 data, information and analyses to KDHE. The required
3 modeling demonstrated either no significant impact or
4 that emissions will not contribute significantly to
5 any violation of one hour, three hour, 24 hour or
6 annual ambient air quality standards.

7 Tri-State personnel have reviewed this
8 analysis and concurred with KDHE's acceptance and use
9 of the ambient impact analysis for Holcomb 2 and the
10 permit. These models demonstrate that Holcomb 2 will
11 satisfy all of the requirements of the Clean Air Act
12 relating to National Ambient Air Quality Standards and
13 the protection of public health and the environment.

14 Tri-State is also confident that KDHE's
15 public involvement with the process, including public
16 hearings and the opportunity for public comment, fully
17 complies with all state and federal laws. For these
18 reasons and those of Tri-State's written comments,
19 Tri-State respectfully requests the issuance of the
20 permit. Thank you.

21 THE HEARING OFFICER: The next group of
22 names that I'll call and ask you to come forward is
23 Jeff Glendening, Joann Knight, Jerry King, Leslie
24 Kaufman, Terry Janson, Dane Zahorsky, Stephen Collins.
25 I'm sorry if I mispronounce this name. It's Karin

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1 Pagel Meiners and Don Johnson.

2 Mr. Glendening, if you're ready.

3 MR. JEFF GLENDENING: My name is
4 Jeff Glendening. I'm the vice president of public
5 affairs for the Kansas Chamber of Commerce, 835
6 Southwest Topeka Boulevard, Topeka, Kansas 66612.

7 Thank you for the opportunity to testify
8 today on behalf of the Kansas business community.
9 We're in strong support of Sunflower Electric's 895
10 megawatt Holcomb station power plant for the county.

11 Initially, Kansas Chamber has made Kansas
12 the best place in America to do business. Our members
13 are job creators. They provide jobs for people across
14 our state, much like this project. This power plant
15 has tremendous opportunity to provide 1,900 jobs where
16 we desperately need them with more than \$400 million
17 in total income.

18 Once construction is complete, this project
19 will create hundreds of jobs with \$17 million in labor
20 income. Furthermore, Holcomb will contribute more
21 than \$41 million in state and local taxes, which is
22 much needed, I might add, and an additional \$20
23 million in federal taxes. These numbers were
24 completed by a new ACCCE study by Dr. John Weatherman
25 (ph) and Dr. Bill Holt with the Department of

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28

1 Agricultural Economics at Kansas State University.

2 Another key to making Kansas the best state
3 in America to do business is a stable regulatory
4 climate. Unfortunately, rejection a few years ago

5 sent a message to Kansas employers that even if you
6 follow rules and you follow regulations, you may not
7 be approved. We need stability.

8 Finally, available energy is needed to
9 sustain a healthy business climate. A formal,
10 reliable base-load energy provided by coal is needed
11 in Kansas. We urge KDHE to approve this project two
12 years -- excuse me -- three years, I believe, now and
13 over 200 days of public comment debate. That's long
14 enough. It is time to move forward. It is time to
15 create jobs in Kansas.

16 THE HEARING OFFICER: Joann Knight.

17 MS. JOANN KNIGHT: My name is Joann Knight,
18 11787 Jewel Road in Wright, Kansas. I serve as the
19 executive director of the Dodge City/Ford County
20 Development Corporation. The development corporation
21 is the joint partnership between the City of Dodge
22 City, Ford County and approximately 75 businesses in
23 Ford County.

24 Public/private partnerships are essential
25 in order for successful economic and community

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29

1 development to occur. Dodge City and Ford County have
2 been very fortunate to have obtained great success in
3 several of our economic and community development
4 goals because of these partnerships.

5 With Ford County being deemed as the least
6 economically stressed county in the nation, we

7 attribute that success to partnerships that have
8 created facilities in our community to make us the
9 entertainment capital of southwest Kansas. With the
10 construction of several new field sports facilities,
11 racetracks, casinos, a new special events/convention
12 center, our economy has been favorable compared to the
13 rest of the nation.

14 This combined with a very significant
15 agri-business base of crops, cattle and dairies, Dodge
16 City has positioned itself to be a leader in the food
17 processing industry. With two of the world's largest
18 beef processing companies and soon to be announced
19 cheese processing facility and spin off support
20 companies added to the entertainment, retail, housing
21 and service industry needs, the urgency of the Holcomb
22 Expansion Project becomes ever so important to our
23 success. We need this partnership to help us continue
24 our progress.

25 As we consider our future competitiveness,

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1 the cost and availability on electricity for our
2 continued growth is an important component. Several
3 cities in Ford County, including Dodge City, currently
4 receive coal-based electricity generated by Weststar
5 and ultimately delivered to our homes and businesses
6 by Victory Electric Cooperative. This contract
7 expires at the end of 2018.

8 If this contract is not replaced with a
9 resource with stable fuel costs, our future

10 competitiveness for new start up or business
11 expansions could be limited. The Holcomb Expansion
12 Project will provide part of the base-load power to
13 replace this contract.

14 We are very pleased to have the economic
15 benefit of the wind farm development around
16 Spearville, but recognize that this resource does not
17 provide around the clock, base-load electricity for
18 our communities.

19 It is for these reasons that we urge you to
20 issue the construction air permit for Sunflower
21 Electric Power Corporation for the Holcomb Expansion
22 Project. Thank you.

23 THE HEARING OFFICER: Jerry King.

24 MR. JERRY KING: My name is Jerry King. I
25 currently reside at 10298 126th Road in Spearville,

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31

1 Kansas. I serve as the Director of Member Services
2 for the Victory Electric Cooperative Association.
3 It's headquartered in Dodge City, Kansas. Victory is
4 one of the owners of the Sunflower Electric Power
5 Corporation.

6 I recently completed a term as chairman of
7 the Dodge City/Ford County Development Corporation,
8 and I believe my perspective as an electric
9 cooperative employee and an economic development board
10 member give me an important view of economic
11 development opportunities for communities in Kansas.

12 Electric cooperatives are private,
13 not-for-profit electric utilities, owned by the
14 members they serve. Our business structure is unique,
15 in that all of the board members serving at every
16 cooperative have been elected by the people that take
17 service from the cooperative. As a not-for-profit
18 utility, the goal of an electric cooperative is to
19 provide reliable service at the lowest possible cost.
20 Like many rural utilities, our customer density
21 impacts our cost of service, since we have fewer
22 customers to share those costs.

23 Cooperatives in central and western Kansas
24 look forward to having the lowest possible costs for
25 generations in the future. Securing a low-cost

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1 base-load resource for future power supply is critical
2 for our ability to continue to grow our local
3 economies.

4 Ford County was recently identified as the
5 healthiest county in the nation from an economic
6 perspective. We want to continue that distinction so
7 we can offer economic development opportunities for
8 our members.

9 The Holcomb Expansion Project will allow us
10 to continue to meet the electrical needs of all our of
11 members well into the future. The Holcomb Expansion
12 Project will use combustion technology to achieve a
13 balance of the lowest emissions and stable generation
14 costs.

15 We believe this project will help us
16 continue to provide power for our members, grow our
17 communities and continue to enjoy a healthy economy
18 for many years into the future. I urge you to approve
19 this permit. Thank you for your time.

20 THE HEARING OFFICER: Leslie Kaufman.

21 MS. LESLIE KAUFMAN: I am Leslie Kaufman.
22 I'm the Executive Director of the Kansas Cooperative
23 Council, and we have our primary office at 816
24 Southwest Tyler, Suite 300, here in Topeka 66612.

25 The Kansas Cooperative Council --

□

33

1 THE COURT REPORTER: Can you speak up?

2 MS. LESLIE KAUFMAN: The Kansas Cooperative
3 Council is pleased to appear in support today of the
4 Holcomb Expansion. The Council was organized in 1944
5 in the trade organization to represent all forms of
6 cooperative businesses, agricultural; utility, both
7 electric and phone; and financial cooperatives as
8 well.

9 In many areas of this state, especially the
10 central and western portions of Kansas, our member
11 co-ops and their individual member-owners rely heavily
12 on electricity produced and distributed through rural
13 cooperative system. A reliable and affordable
14 electric supply is important for agricultural
15 production, agribusiness operations, running schools,
16 and supporting Main Street businesses in communities

17 all across our state.

18 RECs brought electricity to rural areas of
19 Kansas and for generations that have been providing
20 energy sources at cost to their members and looking
21 for ways to innovate and extend services to the
22 benefit of their member-owners. The cooperative model
23 is founded on member-helping-member type of
24 philosophy.

25 The Holcomb Expansion Project will position

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1 Kansas to meet growing electricity demand while
2 keeping rates reasonable for co-op members, customers
3 and communities. It will provide capacity that rural
4 Kansas can rely on to increase crop production, expand
5 businesses and recruit new economic ventures into the
6 rural areas of Kansas.

7 The Holcomb expansion can fuel economic
8 development, both literally and figuratively. During
9 the construction phase, almost 2,000 jobs are expected
10 to result with estimated wages over the four-year
11 construction period of approximately \$484 million.

12 The project is anticipated to create nearly
13 90 new full-time jobs at Sunflower. This economic
14 infusion can come just as the state desperately needs
15 additional financial resources to meet budgetary
16 needs.

17 The initial Holcomb 2 expansion was shown
18 to meet and/or exceed all applicable local, state and
19 federal requirements. Yet, this project was stalled

20 for what we view as largely political reasons. That
21 was troubling to us and we, too, feel that there needs
22 to be certain regulatory certainty for those existing
23 businesses and to recruit businesses into Kansas.

24 We do believe that the -- when meeting
25 those types of requirements a permit should have been

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1 issued timely. We do support the issuance now and ask
2 that the KDHE issue those in a timely manner and allow
3 this to move forward. Thank you.

4 THE HEARING OFFICER: Terry Janson.

5 MR. TERRY JANSON: I'm Terry Janson. I'm
6 an employee of Victory Electric Cooperative. I reside
7 at 2809 Meadowlark Lane. I have submitted written
8 testimony. I will stand by that testimony, but I
9 would just like to address you as a member of Victory
10 Electric Cooperative today and all of the other
11 members of Victory Electric Cooperative.

12 We, in western Kansas, are in somewhat of a
13 transmission item when it comes to generation. We are
14 aware that we're struggling to run out of generation
15 in western Kansas, exactly like Ms. Knight said. We
16 have a tremendous amount of growth going on in western
17 Kansas, and we need to make access to have more
18 generations so we can continue our economic
19 development.

20 I know that the people in western Kansas
21 are very supportive of this project. Virtually, our

22 cooperative asked for a little signing of things to
23 send to legislators, and we had -- I think it was 12-
24 or 1,300 of those returned, and I think there were two
25 that was opposed to this project. So we feel that the

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1 people of western Kansas would really like to have
2 this project. We would like to ask for your support.
3 We definitely support this project. Thank you.

4 THE HEARING OFFICER: Dane Zahorsky.

5 MR. DANE ZAHORSKY: My name is Dane
6 Zahorsky. I come here today representing my family
7 and 120 written comments that could not be here today,
8 both in Kansas and Missouri, who have working-class
9 lives.

10 I do not begrudge -- I highly respect the
11 many people involved in this project. However, I urge
12 you today to think not back to the public hearings
13 that have come before, but to this one today we are
14 having right now.

15 At this time I want to truly dispute the
16 negative effects of both Kansas and Missouri air and
17 water quality. Coal is, in no way, required to create
18 electricity, and I truly promote the reason to move
19 against an outdated poisonous technology to produce
20 it.

21 I stand for generations and my daughter for
22 one half of that, to understand how imperative it is
23 to establish precedence, programs and infrastructure
24 to create renewable and stable economic environmental

25 growth. I have heard a lot about the totality of air

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1 quality and its impact today. However, as someone who
2 does not believe in cleaning up after, I urge you to
3 truly think today about trying to do something
4 important and creating a new and truly responsible
5 path to real economic growth. Thank you.

6 THE HEARING OFFICER: Stephen Collins.

7 MR. STEPHEN COLLINS: Hello, my name is
8 Stephen Collins. I reside at 12200 82nd Terrace in
9 Independence, Missouri.

10 My concerns for this air permit start with
11 one of the standards that are used to determine
12 whether or not it should be accepted, and that's the
13 standard of best available technology. Well, standard
14 may be applied specifically in terms of the permitting
15 process in regards to coal based technology, I believe
16 that standard reflects a broader standard that we
17 have, not only as citizens, but as a body which gets
18 to recommend and to accept permits which will affect
19 not only the people involved here today -- not only
20 the people who are involved in these communities
21 today, but the people who will continue to be involved
22 in these communities as generations -- as new
23 generations come.

24 This reflects the responsibility we have to
25 make the best decision and be forward thinking, not

1 only to the next fiscal year, but the impact of the
2 lives that this decision will have for -- in Missouri,
3 Kansas, Colorado and for our children's lives as well.

4 I believe that that responsibility is -- in
5 fact, it governs. I believe that this governance
6 requires myself to oppose the acceptance of this air
7 permit for two reasons. One, is that no matter how
8 clean this coal is, no matter the improvements that
9 have been made upon coal-based technology and no
10 matter how neutral these studies that have been done
11 by Sunflower show, the impact of the coal power plant
12 to be built -- the impact can only be negative.

13 We are investing in technology that can
14 only have negative impacts. We should stop kidding
15 ourselves and stop diluting ourselves. While
16 improvements of coal-based technology might be
17 impressive, they are not impressive in terms of
18 looking into how they will actually impact the lives
19 of the people who live in Kansas and Missouri.

20 And the second reason is jobs. Jobs are,
21 of course, an issue that all of us need to be looking
22 for in our political situation today. But investing
23 in coal power cannot sustain job growth and cannot
24 sustain economic growth, where at least it can only do
25 so for a certain period of time.

1 With these responsibilities -- in my
2 opinion, we need to understand that to miss this
3 opportunity to invest in new and renewable energy
4 resources just does not meet the standards of good
5 governance and responsibility. So we must look
6 forward, not only to the next fiscal year, but to the
7 full impact that this will have on the people of --
8 that will be living in these communities. For those
9 reasons, I respectfully ask that the air permit be
10 revoked. Thank you.

11 THE HEARING OFFICER: I'm sorry if I
12 mispronounce this, Karin Pagel Meiners.

13 MS. KARIN PAGEL MEINERS: Hi, I'm Karin
14 Pagel Meiners. I currently reside at 2906 Stratford
15 Court in Lawrence, Kansas 66049. I'm an individual
16 citizen with numerous environmental concerns that will
17 affect me in the eastern part of the state.

18 I am not at all convinced that there is
19 such a thing as clean coal. My 15-year-old daughter
20 came up with a very nice image.

21 THE COURT REPORTER: I'm sorry, ma'am. I
22 can't hear you.

23 MS. KARIN PAGEL MEINERS: My 15-year-old
24 daughter said, Let's imagine a very filthy table. If
25 you run one finger -- swipe it across that table, is

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1 it clean? I said, Not very much. It doesn't make the
2 table clean. I'm very concerned about who will clean
3 the table and will bear the cost of this clean up.

4 I don't think we can afford coal energy.
5 It's ultimately too expensive. We should instead be
6 focusing on alternative renewable energy models of the
7 future and not those of the past.

8 Let's say you need a new roof. You would
9 want to put on new singles and not old shingles,
10 right? We're going -- as far as jobs are concerned,
11 you're going to employ roofers either way. So let's
12 put on new shingles, not old shingles, and ultimately
13 embrace the new technology right away. Let's do it
14 right the first time.

15 I'm also concerned that we are wasting
16 precious time. Other states are moving ahead and
17 Kansas is falling behind, missing the boat. Let's
18 show the rest of the country, and indeed the world,
19 that we are thinking ahead and not using outdated
20 technologies. I strongly urge you to deny the permit
21 for building more coal.

22 THE HEARING OFFICER: Don Johnson.

23 MR. DON JOHNSON: My name is Don Johnson.
24 My address is 7 South State, Emporia, Kansas. I am a
25 union pipe fitter, working hand, and I am in favor of

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1 this air quality permit. I would like to see it
2 create more jobs in the state of Kansas, which we
3 need. Thank you.

4 THE HEARING OFFICER: I'll call another
5 group of names, if you would like to come to the

6 front, please, Dennis McKinney, Cliff Mayo, John
7 Miller, Wayne Penrod, Katie Carlson, Joe Spease, Randy
8 Cruse, Stephanie Cole, John Wadsworth, and Larry
9 Horseman.

10 Treasurer McKinney, you can proceed, if
11 you're ready.

12 MR. DENNIS MCKINNEY: Thank you very much.

13 After review of the information regarding the power
14 plant expansion proposed, it is my belief that
15 environmental risks are mitigated, environmental
16 protection research will be augmented, and deployment
17 of wind generation will not be impeded while
18 tremendous economic opportunity will be created.
19 Economic development resulting from construction of
20 the plant will benefit the entire state.

21 Initial estimates are that the construction
22 cycle will create 1,900 jobs with an annual payroll
23 averaging \$121 million per year for four years. This
24 is a critical factor given the current depressed state
25 of commercial construction in central and eastern

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1 Kansas. It is likely these would be net gain jobs,
2 not supplanting construction jobs that would have been
3 created in other areas of the state in the absence of
4 the project.

5 Assuming that these employees would pay the
6 state's middle income tax rate of 6.25 percent, a
7 payroll of \$121 million per year yields income tax
8 revenue of over \$7.56 million.

9 A second critical component is the
10 opportunity to elevate the skills of the Kansas
11 workforce. The economy has sent numerous signals that
12 there is a demand for workers in the highly skilled
13 areas. That is why the State has invested heavily in
14 the new aviation workforce training center in Sedgwick
15 County. That is why those completing highly technical
16 apprenticeship training in the construction trades
17 typically find high paying jobs readily available even
18 in today's economy.

19 Therefore, the proposal by the Kansas
20 Building Trades Councils to partner with Garden City
21 Community College for workforce training must be
22 considered. This investment would increase the number
23 of workers receiving technical training in the
24 building trades beyond the construction cycle of the
25 Sunflower Project.

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1 In addition, the State would enjoy an
2 increased number of skilled workers for many years to
3 come. This training benefits workers for their entire
4 careers. While difficult to estimate, our current
5 knowledge tells us that increasing the technical
6 skills of our workforce has a substantial and long
7 lasting benefit for the State.

8 Third, the increased level of property
9 taxes to be paid upon the power plant, improved rail
10 facilities, and additional transmission lines should

11 also be considered. Typically 25 percent to 30
12 percent of the property taxes paid will accrue to
13 school district general funds. To this extent, these
14 property taxes directly offset supplemental aid that
15 is provided by the State and is a direct benefit to
16 the State General Fund.

17 Given that western Kansas has been
18 struggling to retain population, the increase in
19 permanent job numbers is also important. Eighty-eight
20 direct and 178 related jobs are to be created by the
21 plant operations and maintenance with a payroll of
22 over \$14 million per year.

23 Rightfully much attention is given to
24 environmental risks that could be created by expansion
25 of the Holcomb plant. The proposed plant uses the

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1 latest technology which achieves major reductions per
2 megawatt of production in nitrous oxides, sulfur
3 dioxide and mercury. Efficiencies are also created in
4 carbon dioxide per megawatt hour of production.

5 Therefore, it would seem we should discuss
6 a statewide policy in which we employ the newest, best
7 technology to develop a plan to phase out some of the
8 oldest, dirtiest plants in the state. That would be
9 distinctly the best statewide policy.

10 Thank you for listening to me. Again, I
11 think in our history, particularly western Kansas to
12 employ newer, better technical. That is how we have
13 increased ag production while producing wind and water

14 erosion. I think that is something we can continue to
15 improve in our environment while creating jobs in
16 Kansas. Thank you for allowing me to speak.

17 THE HEARING OFFICER: Cliff Mayo.

18 MR. CLIFF MAYO: My name is Cliff Mayo and
19 I live at 1909 Grandview East, Garden City, Finney
20 County, where I am involved in production agriculture.
21 I've served for 14 years as a county commissioner, and
22 I urge you, as the KDHE board, to approve the air
23 permit for the Holcomb Expansion Project, as it
24 actually complies with all state and federal rules and
25 regulations.

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1 Finney County is home to Holcomb Unit No.
2 1, which was completed in 1983. When the plant was
3 constructed, it included state-of-the-art pollution
4 control equipment and continues to enjoy an impressive
5 environmental record. The new plant will also be
6 constructed with state-of-the-art control equipment
7 that will have an even more impressive emission
8 performance.

9 The Clean Air Act was designed to enable
10 the development of industry while maintaining air
11 quality. The project accomplishes both goals of the
12 Clean Air Act. It allows us to have base-load power
13 and clean air. The electricity will be used in homes
14 and businesses, and residents will have jobs directly
15 created by Sunflower or indirectly created because of

16 the project within Kansas.

17 A new study by Kansas State University
18 estimates that state and local taxes generated during
19 construction will total about \$29 million. Once, the
20 plant begins operating, the project will generate over
21 \$40 million in local and state taxes.

22 In southwest Kansas, agriculture is a large
23 part of our economy. One example of the way we use
24 electricity for our economy is with crop production.
25 Water for irrigation is an important component for our

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1 crops. For the late decade, many farmers have
2 converted from using natural gas to electricity to run
3 the irrigation systems.

4 It's been estimated that in the near future
5 the need for electricity for this one component in
6 agricultural production will use nearly all the
7 electricity this new plant will produce. Farmers will
8 need access to base-load power in order to continue to
9 operate the irrigation systems that are so important
10 to the economy.

11 This permit should be approved so we can
12 continue to grow our economy through new
13 energy-related jobs and all the additional jobs
14 created because of access to affordable base-load
15 power. Thank you very much.

16 THE HEARING OFFICER: John Miller.

17 MR. JOHN MILLER: I'm John Miller. I'm a
18 Norton County representative for Norton County

19 commissioners. You have written testimony that we
20 have submitted on behalf of Norton County and many of
21 our businesses there.

22 My biggest point today is, in our small
23 cities, such as Norton, in a declining tax base, our
24 small power plants are becoming almost impossible to
25 maintain and we need the base-load power. Our small

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1 communities spent about three-quarters of a million
2 dollars 15 years ago creating our small power plant.
3 We're faced with spending another \$500,000 within the
4 next couple of years, and we need the base-load power.
5 We are in support of the program. You have my written
6 testimony. Thank you.

7 THE HEARING OFFICER: Wayne Penrod.

8 MR. WAYNE PENROD: Thank you for the
9 opportunity to talk this afternoon. My name is Wayne
10 Penrod. I'm the executive manager of environmental
11 policy for Sunflower Electric. Our offices are at 301
12 West 13th Street in Hays, Kansas.

13 We first started -- you have my written
14 testimony, so I am going to paraphrase. We started
15 this process in 2006, February, almost five years ago.
16 And we have gone through a period of time for
17 evaluation and public hearings. You have heard others
18 speak about that.

19 This plant was originally proposed to be
20 2,100 megawatts. It's now a 900-megawatt project.

21 The project -- delivering power to be used by
22 Sunflower and other Kansas municipalities and
23 cooperatives, including several of the smaller cities
24 that you have heard talk here today.

25 This project is badly needed in our part of

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1 the state. It provides base-load energy for those
2 folks to -- who have that need. We have worked
3 through this, again, over the past five years that has
4 resulted in several times that the KDHE staff and --
5 our consultants have been through the process. It's
6 not something that we have done for the first time.
7 It's something that we have been engaged in for months
8 and years.

9 The BACT analysis has been refreshed. It's
10 the cleanest coal power plant in the country. That's
11 clean. If it's not, it's something that we should all
12 be ashamed of. The existing plant is clean. The new
13 one is going to be even cleaner.

14 It does impact the future. We need
15 electricity. If we don't have electricity, then the
16 people living in our part of the state -- then what
17 are they going to be doing? Without higher cost
18 energy sources -- energy when the wind blows -- these
19 are not something -- this project is not something
20 that we have entered into lightly.

21 We have determined the need for new power.
22 We have demonstrated that. We've talked to people who
23 will listen. Frankly -- and it gets to the point

24 where you just make one more run at it, and that's
25 what we're doing. We're submitting the application,

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1 its updated materials. It's not new. It's something
2 that's been evaluated before.

3 We would respectfully request that you
4 evaluate the application that we have before you and
5 the materials that we have provided to you and that
6 you issue the permit so that we can get started on
7 this project. Thank you very much.

8 THE HEARING OFFICER: Katie Carlson.

9 MS. KATIE CARLSON: My name is Katie
10 Carlson. I reside at 4615 Genessee in Kansas City,
11 Missouri. I just going to read my letter. I'm not a
12 public speaker by any means.

13 The fact that we are already sleeping in a
14 messy bed that has trash thrown on it again and again
15 throughout the years, throughout movements that have
16 claimed to be more progressive than they really are,
17 this power plant is clearly just another shot at
18 instant gratification, folks.

19 The economy has been dwindling in recent
20 years, but our environment has been hurting for far
21 longer, and constantly those issues are brushed under
22 the table. How do you plan on answering to the
23 individuals who will face initial or further medical
24 struggles due to the pollution this plant will create?
25 Better yet, if your concern is regarding economics,

1 how do you plan on compensating for the potential
2 medical bills these individuals will face, a side note
3 at best when we're talking about the wellbeing of
4 these people?

5 When taking part of such movements such as
6 coal plants, the level of responsibility for the
7 effects it will have on the people do not vary. The
8 coal plant does not have regulations we need to uphold
9 a safe, healthy community, period.

10 I urge you not to support the comments for
11 the Tri-State Generation and Transmission to build the
12 coal power plant in Holcomb, Kansas. That's all.
13 Thank you.

14 THE HEARING OFFICER: Ma'am, would you like
15 to submit your written comments or give us a copy of
16 that?

17 MS. KATIE CARLSON: Yes.

18 THE HEARING OFFICER: Thank you. Joe
19 Spease.

20 MR. JOE SPEASE: My name is Joe Spease. I
21 live at 9934 Goddard Street, Overland Park, Kansas
22 66214. First, I want to thank you for the good job
23 you have done in administering these hearings about
24 the Holcomb coal plant that is proposed.

25 This is an issue that is of vital

1 importance to the people of Kansas, our health and the
2 environment. I have heard a lot from the people
3 around the Garden City area testifying that the permit
4 for the plant is essential for jobs in southwest
5 Kansas. Well, in the first place, the job issue
6 doesn't have much relevance to these hearings that are
7 supposed to be dealing with the effects of a large
8 coal plant on our health and environment.

9 In the second place -- and this is
10 important for people down there to understand -- if an
11 amount of power equivalent to the proposed Holcomb
12 plant was provided by wind plants using the great wind
13 resource in that area supported by Compressed Air
14 Energy Storage to produce base-load wind power, the
15 people in southwest Kansas and western Kansas, in
16 general, would see even more jobs than the jobs --
17 full-time jobs -- created from the coal plant. So
18 southwest Kansas should know that should this permit
19 be denied, they will still have significant future job
20 creation.

21 Of greater relevance to these hearings is
22 the damage to our health and to the environment from
23 this proposed plant. Regardless of the alleged clean
24 power supporters of the plant claim, it would actually
25 produce enormous quantities of sulfur dioxide,

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1 nitrogen oxide, carbon monoxide, carbon dioxide,
2 mercury and other heavy metals, volatile organic

3 compounds and other substances that are health
4 threats.

5 So I ask, when estimates from experts put
6 the cost of the health care resulting from fossil fuel
7 plants for this country at \$290 billion, costs that
8 don't show up on our electric bills but are very real,
9 why would we allow a new plant that's only going to
10 add to those huge costs? Our economy cannot sustain
11 these costs, especially when there are cleaner,
12 cheaper alternatives. And the tens of thousands of
13 people that die annually from the fossil fuel plant
14 emissions represent a cost that is far too high. Coal
15 power from the proposed Holcomb plant would be neither
16 clean, nor low cost.

17 So Southwest Kansas will get their jobs
18 from wind power and Compressed Air Energy Storage, and
19 the cost of wind power is less than the cost of
20 electricity from the Holcomb plant. With economic
21 concerns eliminated for the area, what remains is the
22 tremendous health and environmental damage from the
23 Holcomb plant. Based on those facts, we ask that you
24 deny this permit.

25 THE HEARING OFFICER: Randy Cruse.

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1 MR. RANDY CRUSE: My name is Randy Cruse.
2 I am the business manager for Boilermakers Local 83.

3 THE COURT REPORTER: I'm sorry. Can you
4 speak up?

5 MR. RANDY CRUSE: I reside 430 Terrace
6 Trail East in Lake Quivira, Kansas. First off, I
7 would like to thank you for allowing me to express my
8 strong support for the Holcomb 2 Project.

9 I am a proponent for coal fuel for electric
10 generation. I am a proponent for pollution control
11 also. Hold pollution emissions level or reduce them
12 while the economies and the standard of living of the
13 world increase and encourage research for efficient
14 and cleaner use of fossil fuels.

15 Renewable energy should integrate into the
16 power grid, as at this time they are not able to
17 replace fossil fuels. Conservation and efficiently
18 engineering users of energy to get more production
19 from all fuels. Less energy used equals less
20 pollution. Encourage technological advances in energy
21 production.

22 Ideally, players from all areas of the
23 energy industry should come together for these common
24 goals of efficiency. Give industry goals on carbon
25 emissions and they will compete to meet the goals as

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1 they now do in producing energy. Harness that
2 competitiveness for elimination of pollution and you
3 will direct tremendous human innovation.

4 American leadership by example will soon be
5 followed. Leadership on local levels will spread to
6 all levels. Local 83's membership supports the
7 electric generation industry in their efforts to meet

8 government efforts to guide our country to be good
9 stewards of our ecology.

10 As consumers and citizens, careful
11 consideration must be used to balance America's
12 economy and ecology. Industry will approach
13 challenges to be met with a methodical and logical
14 problem-solving process. Pragmatic approaches by the
15 industry have rewarded our environment with cleaner
16 air and water with robust economy. When our
17 government was given achievable goals, they have
18 engaged in a productive problem-solving process.

19 The industry in the Midwest should welcome
20 this challenge to become leaders in the clean
21 generation of electricity by any fuel. Politically
22 popular comments that simply take a negative position
23 on electric generation of fossil fuels without
24 offering achievable choices for the current quality of
25 life we enjoy do not go far enough in offering ways

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1 for alternatives that will keep the quality of life
2 that Americans expect an equal part of any solution.

3 Midwesterners approach problem solving in a
4 pragmatic way. Boilermaker craftsmen are working to
5 meet our contractors' needs for the skills needed to
6 construct complex systems used to clean stack
7 emissions. As consumers, we support the economical
8 energy our generators have provided.

9 World leadership can begin today right

10 here. Reach out and lead. The world is waiting for a
11 direction with achievable goals.

12 In closing, we enjoy clean air and water
13 and a way of life in the Midwest, envious to many. As
14 a Midwesterner and a born and raised Kansan, I am
15 concerned for those who are not from the area who are
16 judging what's best for the future of the people of
17 the state of Kansas.

18 Kansas is a leader in food production,
19 aircraft production, animal pharmaceutical production
20 and educational opportunities. Trust in the industry
21 that brought us this far. They will actively seek to
22 meet the guidance provided as they have successfully
23 done so in the past. We ask for the approval by KDHE
24 of the permit.

25 THE HEARING OFFICER: Stephanie Cole.

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1 MS. STEPHANIE COLE: My name is Stephanie
2 Cole. My address is 11925 West 109th Street, No. 209,
3 and that's in Overland Park. I'm here today
4 representing the Kansas Sierra Club, and we appreciate
5 the opportunity to testify.

6 Recent reports from the Associated Press
7 indicate that the KDHE is under pressure to accelerate
8 the permitting process, and it's no secret that this
9 process has already been influenced by political and
10 special interests.

11 Put your objections to the permit aside. I
12 can say firsthand that there are many people who have

13 spent a considerable amount of time reviewing the
14 draft permit, preparing comments on it and attending
15 hearings and so forth. KDHE knows better than anyone
16 that there is notable public interest surrounding this
17 project, probably more so than what's involved in any
18 other permit that you've considered in recent years.
19 So I'm asking you on behalf of the thousands of people
20 who have submitted comments, please do not rush this
21 process.

22 In the August hearing, KDHE was presented
23 with information regarding the lack of need for this
24 project. I'm not going to repeat that information.
25 However, I do want to say that during the short amount

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1 of time that has passed since the August hearing, the
2 evidence that Tri-State -- the primary owner of
3 Holcomb 2 does not need this coal plant.

4 Tri-State has since published a draft
5 resource plan. The resource plan is expensive. It
6 considers very -- numerous variables and scenarios and
7 very few times in this extensive and lengthy document
8 does it mention Holcomb 2, except that you can
9 identify it as merely an option.

10 So I would respectfully request that if
11 this is nothing more than just a playful exercise for
12 Tri-State, that Tri-State initiate and undergo the
13 permitting process in Colorado. Kansas has already
14 spent an inexcusable amount of public time on a coal

15 plant that is not even fit for our state.

16 KDHE is meant to protect the health and
17 environmental quality of Kansans, not waste time
18 permitting unnecessary coal plants for out-of-state
19 utilities that are unwilling or perhaps better stated
20 or unable to build these coal plants in their own
21 states.

22 The final issue I would like to address in
23 my comments today is perhaps something that our
24 organization should acknowledge more often than we
25 have. Throughout this multiyear debate, which has

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1 been divided and combative at times, Sunflower's board
2 members and employees have shown nothing but respect
3 and generosity to our organization and its members.
4 And that's something that we wish to thank Sunflower
5 for and acknowledge in today's proceedings. Thank
6 you.

7 THE HEARING OFFICER: John Wadsworth.

8 MR. JOHN WADSWORTH: Good afternoon. My
9 name is John C. Wadsworth. I live at 14810 Sport of
10 Kings in Wichita, Kansas. I'm the owner and CEO of
11 Piping & Equipment Company in -- based in Wichita,
12 Kansas. We're a 64-year-old mechanical contractor.
13 We've built refiners, power plants, pipeline stations
14 and ethanol plants.

15 I would ask the KDHE to approve this
16 Holcomb 2 construction permit based on sound technical
17 analysis which Sunflower has presented and KDHE has

18 reviewed. The authorization to construct and operate
19 one new 895 megawatt coal-fired generating unit will
20 be a significant economic benefit to the state of
21 Kansas.

22 After extensive review of Sunflower's
23 Holcomb 2 station permit and application of Best
24 Available Control Technology, which would be
25 incorporated in the design and the operation of this

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1 facility, it would be a state-of-the-art model for the
2 rest of the industry. The PC fired boiler will use
3 low-NOx burners and separated over-fire equipment
4 along the selective catalytic reduction and dry fuel
5 gas desulfurization in addition to many other
6 technological advanced controls.

7 You have heard many emotional arguments
8 over power sold to other states. The sources of the
9 coal and the future federal government environmental
10 regulations are not within the scope of the KDHE
11 review process. These are nothing more than economic
12 risks that the applicant, Sunflower Electric, must
13 evaluate and factor in their decision to spend and
14 invest \$3 billion in the state of Kansas and the
15 Holcomb community.

16 Approval of Sunflower Electric Power
17 Corporation's Holcomb 2 station permit would provide
18 an adequate, reliable, long-term power supply to the
19 public at the lowest possible cost consistent with

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20 sound business practices. Thank you.

21 THE HEARING OFFICER: Larry Horseman.

22 MR. LARRY HORSEMAN: My name is Larry
23 Horseman. I reside at 6219 Albervan Street, Shawnee,
24 Kansas. I want to thank you for the opportunity to
25 speak in support of this project.

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1 I'm currently president of Boilermakers
2 Local 83 in Kansas City and I represent 1,600 active
3 members and approximately 565 retired members, and
4 part of our jurisdiction covers the state of Kansas.

5 We have been discussing this issue of a new
6 power plant for quite some time now, of either it will
7 be built or it won't. I believe someone will build it
8 and I believe it should be the working people from the
9 area. That's Kansas.

10 It will help the community prosper from the
11 influx of jobs, good paying jobs with benefits, health
12 care and pensions that our members desperately need.
13 The boilermakers have installed a pollution control
14 system on these power plants, the most modern,
15 up-to-date, state-of-the-art technology currently
16 known.

17 We are concerned with the environment, and
18 we are good stewards of the land. I really don't know
19 what more to say other than if Sunflower wants to
20 build this plant, like the hundreds of other coal
21 plants in the United States, then they should have
22 that right.

23 If the plant is a health issue for some,
24 and I've been hearing that, then there is one thing to
25 remember, unemployment is also unhealthy. If you

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1 don't believe that, just ask someone who is
2 experiencing it. I thank you for your time and
3 encourage you to approve the permit for this project
4 and put Kansans to work. Thank you.

5 THE HEARING OFFICER: We will call another
6 group of names. Would you please come to the front,
7 Eric Depperschmidt, David Kendrick, Richard Taylor,
8 Mike Ramsey, Kerry Stine, Joe Douglas, J.R. Behan, Dan
9 Peters and John Shepard?

10 Mr. Depperschmidt, you can proceed when
11 you're ready.

12 MR. ERIC DEPPERSCHMIDT: My name is Eric
13 Depperschmidt. I'm with the Finney County Economic
14 Development Corporation in Garden City, Kansas.

15 We're committed to the continual
16 improvement of the economic quality of life in the
17 Finney County area. We work to improve the quality of
18 life through three main goals, to promote new business
19 and industry in Finney County, assist existing primary
20 business growth and expansion plans and to create a
21 business environment conducive to growth for
22 entrepreneurs.

23 We believe the Holcomb Expansion Project
24 fits all three of these main goals of our

25 organization, assist with the existing businesses for

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1 expansion, promote new businesses and create an
2 environment for new business start up.

3 Today, a study was released that confirms
4 what many of us have known for years, the Holcomb
5 Expansion Project is good for the Kansas economy.
6 Kansas State researchers have calculated the amount of
7 economic activity that will be created because of the
8 project. A multi-regional economic model was built to
9 estimate the impacts to Finney County and southwest
10 Kansas and the rest of the Kansas.

11 Construction of this facility will generate
12 nearly \$2 billion in total economic activity and
13 support an estimated 5,900 jobs years throughout the
14 state of Kansas. These jobs will result in \$250
15 million in labor income and will generate over \$400
16 million in total income. The construction project
17 will generate more than \$29 million in state and local
18 tax revenue.

19 During each year of operation, the facility
20 will generate nearly \$350 million in overall economic
21 activity, more than 260 permanent jobs throughout the
22 state that will pay \$17 million in labor income, and
23 almost \$200 million in total income. Combined annual
24 state and local revenues will grow by over \$41 million
25 annually.

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1 The Holcomb Expansion Project lets us enjoy
2 these economic benefits while providing base-load
3 electricity for Kansas communities. Using new
4 technology allows a state-of-the-art facility with the
5 lowest possible emission. It is nice to have an
6 up-to-date study about the economic impact of this
7 project on Kansas.

8 Please issue this air permit so residents
9 in Kansas can begin benefiting from these
10 opportunities. Thank you for this opportunity.

11 THE HEARING OFFICER: David Kendrick.

12 MR. DAVID KENDRICK: Good afternoon, I'm
13 David Kendrick. I'm the business manager of the
14 Greater Kansas City Building & Construction Trades
15 Council. It's a group of 22 construction labor unions
16 all working towards the same end.

17 We represent an area of 14 counties in and
18 around the Kansas City metropolitan area, of which a
19 significant portion of our members both live in Kansas
20 and provide services to Kansas businesses and
21 communities.

22 We wholeheartedly support your endorsement
23 of this construction and air quality permit. We want
24 you to put Kansans first. We want you to put Kansas
25 to work. With your approval, your recommendation,

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1 KDHE will approve this permit.

2 I want to recognize that you will be part
3 of the largest construction project in the middle of
4 the United States in untold years. The significance
5 of this financial impact, without any government
6 subsidy, is unprecedented. We encourage your support.
7 Thank you.

8 THE HEARING OFFICER: Richard Taylor.

9 MR. RICHARD TAYLOR: Thank you. My name is
10 Richard Taylor. I reside at 209 Belair, El Dorado,
11 Kansas 67042. I currently serve as the business
12 manager of the Plumbers and Pipefitters, Local 441,
13 and President of Kansas Building Trades Council. I'm
14 asking for support for the project.

15 Primarily, I wanted to talk about the jobs
16 that this project is going to produce during
17 construction. That's been talked about pretty
18 heavily. So I'm going to talk about another aspect of
19 what this project --

20 THE COURT REPORTER: Can you speak up?

21 MR. RICHARD TAYLOR: I want to talk about
22 another aspect of what this project will afford for
23 the building trades in the way of training for the
24 workforce in western Kansas.

25 All of the building trades plants that this

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1 project will support over for the next four years --
2 four-plus years -- to utilize our training programs,
3 to recruit and focus on residents of western Kansas,

4 and utilize them in our training programs, utilize
5 them on the project for their on-the-job training. So
6 over that four- or five-year period, we will walk away
7 from it with the highest trained, qualified, skilled
8 workforce in western Kansas and continue to work on
9 projects, such as school projects, manufacturing
10 plants and hospitals, all of the construction projects
11 that going on out there.

12 So that's an opportunity that we look
13 forward to and I think would be a long-term result of
14 this project going forward, not only the construction
15 project, but the construction jobs that would happen
16 during construction. But those opportunities that
17 have been talked about with the ability to be able to
18 train the workforce and leave it in place out there is
19 something that we desire as well. That would benefit
20 the communities out there for many years to come.

21 It's been important to show support to the
22 Holcomb station throughout the public comment process.
23 As communities throughout the state would not only
24 benefit from these jobs, there would be new tax
25 revenues, increase the demand for goods and services.

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1 This new plant will be good for Kansas
2 workers, their families, our communities and our
3 economy. The message is being sent on behalf of 1,500
4 Local 441 plumbers and pipefitters and more than
5 10,000 building trades craftsmen across the state.

6 I respectfully ask that you support the

7 numerous jobs that this project will provide for the
8 communities. Please provide this permit. Thank you.

9 THE HEARING OFFICER: Mike Ramsey.

10 MR. MIKE RAMSEY: Good afternoon. My name
11 is Mike Ramsey. I live at --

12 THE COURT REPORTER: You need to speak into
13 the microphone.

14 MR. MIKE RAMSEY: I live at 11755 North
15 167th West in Sedgwick County 67135.

16 THE COURT REPORTER: I'm sorry; I still
17 can't hear you.

18 MR. MIKE RAMSEY: I would like to thank you
19 for hearing the comments on the Holcomb Expansion
20 Project. I have attended most of the public hearing
21 sessions. My comments will be brief and kind of
22 summarize my thoughts.

23 A majority of the public comments to date
24 have supported the expansion project and support the
25 approval of the air permit. Most striking were the

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1 favorable comments from citizens living in the shadow
2 of the power plant and in other areas in the close
3 vicinity in western Kansas. They overwhelmingly want
4 to see this project move forward, along with the
5 majority of Kansans from across the state. The
6 reasons are obvious.

7 The job creation and economic impact for
8 the area is significant. The project will provide

9 more than 1,900 jobs during construction alone and
10 will also create hundreds of new permanent jobs in the
11 area. Kansans will benefit from these new jobs, the
12 tax revenues received and increased demands for goods
13 and services. We can ill afford to pass on this
14 opportunity to provide jobs and revenue for the state.

15 In addition, as consumers, we enjoy
16 adequate electrical power at some of the most lowest
17 electricity rates in the country. This project will
18 ensure we continue to meet growing energy demands. By
19 wisely using a diverse mix of domestic energy
20 resources, such as coal, wind, nuclear and natural
21 gas, Kansans can be assured our energy needs will
22 continue to be met at an affordable cost.

23 There has been some concern expressed from
24 a few citizen groups about emissions. Although I
25 understand the concerns they may have, I am reminded

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1 that this country has moved forward in commerce,
2 manufacturing, development, etcetera, by addressing
3 concerns and advancing ideas and technology to improve
4 the standard.

5 The new proposed unit will utilize the Best
6 Available Controlled Technology to ensure emissions
7 will be within standards set by the Clean Air Act.
8 These new units will be the cleanest in operation in
9 Kansas.

10 For the reasons I have stated, I support
11 the expansion of the Holcomb Power Plant for jobs and

12 economic growth, advancement of technology, security
13 in our future energy needs and the continued
14 affordability. I urge you to allow the process to
15 move forward by signing the air permit. Thank you.

16 THE HEARING OFFICER: Would you mind
17 providing us a copy so that we can ensure that we get
18 your oral comments? And that goes for everyone, so
19 that we get your oral comments as accurately as we can
20 into the record.

21 Kerry Stine.

22 MR. KERRY STINE: My name is Kerry Stine.
23 I am currently the training director for Plumbers and
24 Pipefitters Apprenticeship Training of Kansas, the
25 Apprenticeship Training Program for Plumbers and

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1 Pipefitters Local 441 in the state of Kansas. I
2 reside at 717 South Sierra Hills Street, Wichita,
3 Kansas.

4 As previously spoken by others that have
5 come to this podium, it is our intent to work with
6 those in the area of the Holcomb project to bring
7 about jobs, training, a better way of life for those
8 individuals there in that location through our
9 training program.

10 One of the things that wasn't mentioned was
11 that our training comes at no cost to the state of
12 Kansas or its citizens. It's solely provided by the
13 plumbers and pipefitters of the membership of Plumbers

14 and Pipefitters Local 441. So in that, we see the
15 interest of self-preservation, not only of our union
16 way of life but also the craftsmanship which are
17 people provide.

18 But now I would like to speak to you as a
19 citizen solely of the state of Kansas, as one who
20 lives by laws every day. And as I understand it, all
21 the requirements for this air permit have been met on
22 a state level and a federal level. And for one who
23 has to live by laws and expects them to be upheld as
24 they are legislated, I would expect the same thing in
25 regards to the permit for the Holcomb Power Plant.

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1 We live in a world that is rightly governed
2 by laws, and for us to not see that as the proper way
3 to go -- even those who are opposed to this project
4 desire to be able to live in a world governed by those
5 laws. And as those laws change to their favor in
6 regards to this, I would expect those laws to be
7 upheld in the same fashion. So with those comments in
8 mind, I respectfully request that this permit be
9 granted. Thank you.

10 THE HEARING OFFICER: Joe Douglas.

11 MR. JOE DOUGLAS: My name is Joe Douglas.
12 I live at 2804 Oxford Road in Lawrence, and I come
13 here as a citizen of Kansas and as a grandfather of
14 three young Kansans. I am opposed to the proposed
15 coal plant.

16 I'm not going to discuss any of the

17 technical issues. These are studied in depth by KDHE
18 and by Secretary Bremby for the earlier proposal. And
19 the correct decision, I believe, was made then that
20 the emission of massive amounts of CO2 poses a risk to
21 the health and welfare of the people of Kansas and the
22 world.

23 I am impressed that this plant would
24 pollute less than other coal plants in the country. I
25 am impressed that it would burn fuel in a very

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1 efficient way, but the fact remains that it will still
2 release huge amounts of carbon dioxide into the
3 atmosphere.

4 I think the issue, for me, is whether we
5 can continue to increase our production of CO2 or
6 whether we do everything that we possibly can to
7 reduce that production. I think the issue is
8 short-term profit versus long-term ill effects and
9 whether we continue to increase CO2 and let my
10 grandchildren deal with the consequences.

11 The facts really have not changed since the
12 earlier proposal. What has changed is the political
13 situation. And I think now that if Secretary Bremby
14 were to change his decision, it would be a political
15 decision, not one based on technology and public
16 health.

17 People don't often have the opportunity to
18 be a hero, to stand up for what they believe in the

19 face of powerful opposition and possible personal
20 risk, but this is just such an opportunity. And I
21 want to call on Secretary Bremby simply to do the
22 right thing, and by so doing, become a hero to me and
23 my children and my grandchildren and to the people of
24 Kansas. Thank you very much.

25 THE HEARING OFFICER: J.R. Behan.

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1 MR. J.R. BEHAN: Good afternoon. My name
2 is J.R. Behan. I live at 2924 Patty Place in Garden
3 City, Kansas. I currently serve as the mayor of
4 Garden City, one of the communities that will be most
5 impacted by the Holcomb Expansion Project.

6 There is unequivocal evidence that the
7 demand for clean, reliable, low-cost electricity is
8 growing in our region and state. Right now Kansas
9 enjoys some of the lowest electricity rates in the
10 country primarily because of the diversity of our
11 domestic energy resources. These resources,
12 specifically coal, natural gas and wind will help
13 ensure our ability to meet this growing consumer
14 demand in the future.

15 Many of you have no doubt heard about the
16 long- and short-term economic benefits associated with
17 the Holcomb Expansion Project, 1,900 construction jobs
18 over a four-year construction phase, and 334 new jobs
19 where workers will earn more than \$14 million per
20 year.

21 THE COURT REPORTER: Sir, can you speak up

22 into the microphone a little more?

23 MR. J.R. BEHAN: Sure. These jobs will
24 provide hundreds of Kansans with financial security to
25 help grow our local, regional and state economy. The

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1 future implications to our local tax base are
2 staggering. In 2009 alone, Sunflower Electric paid
3 more than \$8 million in property taxes.

4 Unfortunately, the economic and social
5 benefits associated with this project have taken a
6 back seat to debate about energy exports and emissions
7 from the Holcomb Expansion Project.

8 Few people have focused on the fact that
9 Sunflower is a leader in wind energy development and
10 remains committed to advancing practical and
11 cost-effective forms of alternative energy, as
12 evidenced by the fact that by 2016 at least 20 percent
13 of Sunflower's electricity will be generated by
14 renewable resources.

15 People have often overlooked the fact that
16 Sunflower was one of the first electric utilities to
17 meet the governor's 2007 challenge that called for 10
18 percent renewable electricity generation by 2010. Nor
19 do opponents of the Holcomb Expansion Project,
20 particularly those advocating for the expansion wind
21 technology as a primary electricity generation method,
22 point to Sunflower's diverse generation portfolio that
23 includes energy produced by 325 wind turbines located

24 in Gray County and west of Salina.

25 Detractors are hesitant to mention that the

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1 state-of-the-art Holcomb Expansion Project uses
2 technology that will result in 90 percent less sulfur
3 dioxide and nitrogen oxides, as well as 8 percent less
4 carbon dioxide emissions than current Kansas
5 coal-fueled units.

6 Put simply, the Holcomb Expansion Project
7 represents a job-creating boost to Kansas' economy.
8 It is a sensible approach that will help the state's
9 growing demand for clean, reliable, low-cost
10 electricity using a diverse mix of energy resources.
11 Sunflower Electric Power Corporation is using the most
12 advanced technologies available to ensure that the
13 Holcomb Expansion Project represents a positive step
14 in the evolution of electricity generation in Kansas.

15 For these reasons, we implore the Kansas
16 Department of Health and Environment to approve the
17 air quality permit, which meets all state and federal
18 regulations so construction can begin for this
19 necessary and long-awaited project. Thank you.

20 THE HEARING OFFICER: Jan Peters.

21 MS. JAN PETERS: Good afternoon. My name
22 is Jan Peters and I am with the Great Bend Chamber of
23 Commerce and Economic Development. That address is
24 1125 Williams in Great Bend, Kansas. First of all,
25 thank you very much for the opportunity to come and

1 address you this afternoon and for taking the time to
2 listen to all of these comments.

3 Those of us in Great Bend have a very
4 vested interest in this project, and we have been very
5 attuned to the project over the years. First of all,
6 I would like it known to the record that we are very,
7 very -- look forward to the leadership of both
8 Sunflower Electric and the governor and the decisions
9 that they have made thus far.

10 A number of comments have been made, but
11 the key elements that we represent and that we think
12 are at issue today for this plant are, No. 1, the
13 creation of the jobs and the additional tax revenue.
14 The second part -- for those of us as citizens and the
15 business community in Great Bend, as well as the state
16 of Kansas, we know that this will be affordable and
17 reliable base-load energy, and we are definitely in
18 support of that.

19 Last, but certainly not least, we are very
20 supportive of the innovative technologies using those
21 renewable resources to protect our environment, as we
22 know these are very valuable resources in the state of
23 Kansas. So for those citizens in the business
24 community in Great Bend, we are in support for the
25 issuance of this permit. Thank you again for your

1 time.

2 THE HEARING OFFICER: John Shepard.

3 MR. JOHN SHEPARD: Good afternoon. My name
4 John Shepard. I reside at 11612 Clay Circle (ph),
5 Wichita, Kansas 67209. I am with the Plumbers and
6 Pipefitters Local 441 in Kansas, and my jurisdiction
7 is the southwestern part of Kansas.

8 As supporting and representing 1,500
9 plumbers and pipefitters, we actively support the
10 Holcomb 2 Project, and we support the compromise that
11 was struck with Governor Parkinson and Sunflower
12 Electric. We are in support of all the jobs that are
13 going to be created and look forward to the
14 opportunities that will be available to the
15 apprenticeship program that's going to be established
16 in southwest Kansas.

17 We look forward to all aspects of this
18 project, as it will provide the future for pipefitters
19 in our area, pipefitters looking for the opportunity
20 to work on any maintenance or construction project
21 that may be available to them. Those are pieced
22 together to make a career for this individual.

23 We look at this 42-month time frame that
24 this project will be available. It will significantly
25 be able to support our members, and that is a major

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1 piece to a career for a pipefitter. We ask that you
2 please support this air permit and bring it to the

3 forefront to allow it to happen. Thank you for your
4 time.

5 THE HEARING OFFICER: At this time, we are
6 going to take a short break and we will reconvene this
7 hearing at precisely 4:00.

8 (Recess.)

9 THE HEARING OFFICER: Thank you. I am
10 reconvening this hearing at 4:00 p.m. I will call
11 another group of names. If you would, please come to
12 the front, Joe Lowandoush, Mark Calcara, John
13 Chrisman, Stephanie Iser, Sarah Cooper, Scott
14 Allegrucci, Jamie Maddy, Robin Woolner, and Todd
15 Newkirk.

16 Mr. Lowandoush, you can proceed.

17 MR. JOE LOWANDOUSH: My name is Joe
18 Lowandoush. I live at 1592 Blue Ridge Boulevard,
19 Kansas City, Missouri 64134. I also am a member of
20 Boilermakers Local 83, Kansas City.

21 I am here standing in support, again, of
22 the air quality permit for Holcomb 2 Power Plant and
23 for all the jobs that it will create for Kansas
24 residents, the economic development it will have
25 around Garden City and Holcomb and all the surrounding

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1 communities. Everything else has pretty much been
2 said. I stand in support. Thank you.

3 THE HEARING OFFICER: Mark Calcara.

4 MR. MARK CALCARA: My name is Mark Calcara.
5 I serve as General Counsel for Sunflower Electric. I

6 live in Great Bend, Kansas.

7 As General Counsel, since 2006, I have sat
8 in on at least seven of these hearings, never thought
9 that I would ever want to speak. I can't believe
10 there's anything that hasn't been said that couldn't
11 be said -- that hasn't been said that I could say.

12 Until the other day, I had a client who
13 said something to me that was so germane that it
14 struck the very heart of these proceedings that I felt
15 compelled to speak today.

16 In 2008, I was at a legislative hearing
17 that Representative Holmes asked -- that Dr. Ron
18 Hammerschmidt was at. And Representative Holmes asked
19 Ron, How is it that the Secretary can deny a permit if
20 the staff itself recommended it? It met all the
21 technical requirements for issuance. And
22 Dr. Hammerschmidt had kind of an interesting comment,
23 if not frightening to me in that sense. He said,
24 Well, the staff has to follow the rules, but the
25 Secretary has greater latitude. And I have to suggest

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1 to you that there is nothing further from the truth.

2 Anyone in the position of leadership,
3 anyone in the position of government that issues
4 permits of this nature are required to uphold the rule
5 of law, because it's the rule of law that ensure for
6 each and every one of us that we are treated fairly
7 before the law no matter our stature or statuses in

8 life; and the gentlemen in my office understood that.

9 As we were talking about a number of
10 different issues, he stopped me and said, Mark, I'm 85
11 years of age. I served in World War II. I didn't
12 serve long because I was wounded very early on and had
13 to come home. And he said this almost apologetically.
14 And then he went on to say, Now that I see what this
15 country is doing, I wonder whether or not I didn't
16 serve in vain.

17 I was emotionally overwhelmed. I
18 apologized to him profusely and said, I can't think of
19 anything that our generation can do that would be more
20 offensive to your generation than to squander the
21 rights and freedoms that you fought to preserve.

22 Now, he didn't ask me to come here today,
23 and I'm not sure what he was saying, if he did. But I
24 think he would make a simple request of you. He would
25 ask you to do what he and many other Americans of his

□

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1 generation did. He would simply ask you to do your
2 duty, to apply the law. And if this permit meets the
3 rules and the regulations for issuance for permit, let
4 no one prevent you from issuing this permit, but if it
5 doesn't, don't let anyone persuade you to issue before
6 its time.

7 This is the same thing that Sunflower asked
8 since 2006, how to apply the law fairly and justly to
9 us and the permit. And if it meets the requirement of
10 issuance, we ask you simply to do your duty.

11 I think any one of us who either supports
12 or does not support this permit really can ask you to
13 do no more or to expect you to do anything less, than
14 to apply the rule of law and issue this permit. This
15 simply is your duty. Thank you.

16 THE HEARING OFFICER: John Chrisman.

17 MR. JOHN CHRISMAN: My name is John
18 Chrisman. I live in Wichita, Kansas. I'm a member of
19 441. I have listened to a lot of comments and kind of
20 thought what I might say when I got up here and I kind
21 of referred back to when my grandfather came back from
22 the war. Things were pretty much at a standstill as
23 far as economic growth in the state of Kansas.

24 He went to work for the WPA. I wonder
25 where we'd be without the bridges he built. My dad

□

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1 worked on the first project there in Holcomb. I
2 wonder where I'd be right now as a second generation
3 pipefitter, if that opportunity didn't come from -- at
4 that time for him when, again, the State was at an
5 economic -- pretty much a standstill, jobs were nil to
6 be found.

7 I have already lost one good-paying job to
8 politics, and I hope that this doesn't go to stand and
9 see that I lose another opportunity to make a good
10 wage so that I can pay into the tax system, as always,
11 and to support the tax base, which we all know we are
12 struggling. So many of these well-paying jobs -- so

13 called -- have gone to the wayside, gone overseas or
14 gone by the way side because of politics. I hope this
15 isn't the same case. That's all I've got. Thanks.

16 THE HEARING OFFICER: Stephanie Iser.

17 MS. STEPHANIE ISER: My name is Stephanie
18 Iser and I am here representing myself, my family, my
19 neighbors, my coworkers and the church group that I am
20 currently involved with. My address is 2725 Holmes in
21 Kansas City, Missouri. Thank you for the opportunity
22 to speak here today and listen to my comments.

23 I'm opposed to the air permit and strongly
24 urge you to deny this permit. Although measures have
25 been taken to create less pollution through operations

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1 of the coal plant, the reduction measures are not
2 enough. Pollution that would be granted through the
3 air permit --

4 THE COURT REPORTER: Can you speak up,
5 ma'am?

6 MS. STEPHANIE ISER: Pollution that would
7 be granted through this air permit would negatively
8 affect quality, public health and water supply. The
9 best way to reduce carbon emissions is to have no
10 emissions by employing alternative clean, renewable
11 energy such as wind power.

12 Additionally, the permit is premature. The
13 EPA has new regulations going in place in 2011, and by
14 allowing this permit now, Sunflower Electric will be
15 able to operate under less restrictions. Why not wait

16 until the EPA regulations are in place before moving
17 forward?

18 Finally, a corporation, a cooperative or a
19 non-profit agency does not have the right to obtain an
20 air permit that would allow them to create mass
21 pollution. It's absurd that our air permits -- that
22 there are permits that can be granted for creating
23 pollution.

24 Please do the right thing and deny
25 Sunflower Electric the right to pollute our rivers,

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1 land and our public health. Thank you.

2 I just wanted to say that I am also
3 dropping off a comment for my husband, who is
4 currently unemployed and couldn't make it here today.

5 THE HEARING OFFICER: Sarah Cooper.

6 MR. SARAH COOPER: Hi, my name is Sarah
7 Cooper. I live in Kansas City, Missouri, at 101 East
8 36th Street. Thank you for this opportunity to speak.
9 I address you as a concerned human resident of the
10 region.

11 Throughout our history as humans on this
12 planet, numerous civilizations have collapsed and died
13 out, leaving an uninhabitable and desolate environment
14 in the wake. These collapses have been a direct
15 result of humanity's lack of foresight in our
16 decisions regarding resource extraction.

17 With the great power and intelligence we

18 have, comes great responsibility and requires wisdom.
19 Right now, today, as a young member of this
20 civilization, I resent the irresponsible, greedy and
21 thoughtless decisions my forefathers and mothers have
22 continually made in building our world. A world which
23 has made the living environment we depend on, our air,
24 soil and water unclean, uninhabitable and even
25 sterile.

□

84

1 How can we continue to build coal plants
2 when it is common knowledge that mountain top removal
3 processes destroy living communities, both human and
4 nonhuman, that coal plants pollute air and water, that
5 mercury in our water creates serious neurodevelopment
6 and reproductive disorders in our children?

7 My fear is that if we build this coal
8 plant, my children in turn will call us irresponsible,
9 greedy and thoughtless. There is no short-term
10 economic growth based on unsustainable practices worth
11 the damage that the Sunflower coal plant will create.
12 There is no time, with our current environmental
13 crisis, to mess around with less dirty energy. We
14 need clean energy and clean jobs based on the abundant
15 and renewable resources from the sun and the wind.

16 I do not support the building of this
17 Sunflower coal plant. I urge you to not approve this
18 permit for the sake of our progeny and all creation.
19 We don't need low emissions. We need no emission.
20 And this Sunflower coal plant is a big step in the

21 wrong direction. Thank you.

22 THE HEARING OFFICER: Scott Allegrucci.

23 MR. SCOTT ALLEGRUCCI: My name is Scott
24 Allegrucci. I represent the Great Plains Alliance for
25 Clean Energy, 220 Southwest 33rd Street, Topeka

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1 Kansas.

2 The Great Plains Alliance for Clean Energy
3 is grateful to the Kansas Department of Health and
4 Environment for this additional opportunity to comment
5 on the presumably complete draft permit, since the
6 time period from September 23, 2010, to the present
7 represents the only opportunity the public has had
8 access to all modeling and data. We appreciate your
9 diligence in protecting the rights of the public to
10 review that critical information and the opportunity
11 to provide comments on the more technical aspects of
12 the current draft permit.

13 Upon careful review, the current draft
14 permit is inconsistent and missing substantial
15 information. For example, multiple sliding-scale
16 emissions control targets are used rather than
17 specific or defined targets. A 25-year-old draft memo
18 from the EPA is cited for policy guidance. Ozone
19 modeling is omitted.

20 Several sections of the modeling data
21 include critical assumptions that are different from
22 or at odds with existing regulatory, scientific and

23 legal requirements for air quality permits and
24 modeling methodology.

25 The lack of short-term limits for criteria

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1 pollutants means that neither KDHE nor the public nor
2 the applicant will know whether this unit is in
3 compliance with existing air quality regulations until
4 after it is operational and too late to protect public
5 health.

6 Sections of the modeling data, especially
7 regarding particulate matter emissions, are based upon
8 parameters and thus yield results that are
9 inconsistent with other sections of the modeling data.

10 In several cases, the modeling parameters
11 described in the draft permit do not match the
12 modeling parameters actually utilized. Several
13 critical data points are clearly not listed or
14 provided or suggested by KDHE or the EPA in order to
15 meet compliance targets and allow the applicant to
16 abide by the rule of law as determined by regulatory
17 and judicial precedence and as specified by the United
18 States Congress.

19 Specific coal fuel sources are established
20 that suggest the applicant is either unaware of
21 existing Kansas statutes related to fuel sources for
22 new coal-fired power plants or intends to ignore those
23 statutory requirements established by the Kansas
24 governor and legislature in operating the proposed
25 unit.

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1 The applicant is allowed to avoid multiple
2 pre-construction requirements regarding hazardous air
3 pollutants, thereby avoiding compliance with basic
4 health and environmental quality protections that are
5 the current law of the land.

6 Five hundred hours of MET data are missing
7 from the submitted models. This alone suggests deep
8 and systemic problems with the draft permit and calls
9 into question the validity of the entire permit
10 process and the applicant's commitment to minimum
11 provisions designed to protect the Kansas public.

12 On their own, the technical shortcomings
13 identified in our written comments, already submitted
14 to the agency, will create long-term, substantial
15 costs for all Kansans in order to mitigate or respond
16 to health and environmental impacts related to this
17 project.

18 If this project was truly about keeping the
19 lights on, perhaps the rushed process would be
20 understandable; or if the project represented the only
21 or best way to create jobs in one region of the state
22 during the current worldwide economic recession,
23 perhaps its adverse impacts might be weighted
24 differently. Despite such claims by those who
25 directly benefit from the project, neither of these

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1 conditions accurately describes the current reality.

2 Tri-State Generation & Transmission will
3 have 80 percent equity stake in the project and the
4 power produced. The plant will itself be phased for
5 the western grid, so any electrical energy consumed in
6 Kansas will first have to be converted. In short,
7 it's a coal plant for Colorado.

8 However, Tri-State has publically stated,
9 as recently as this month, that construction on this
10 coal plant will not begin prior to 2016 at the
11 earliest, meaning the plant will not be operational
12 prior to 2020. And Tri-State's recent Electric
13 Resource Plan involved two dozen models, only two of
14 which suggested any need for new coal capacity, and
15 then it was only 300 megawatts in 2027.

16 The applicant has filed for information
17 with the Kansas Corporation Commission showing its
18 demand for electricity will not exceed current
19 capacity until 2018, assuming past demand growth
20 rates.

21 Regarding the potential for jobs and
22 economic development, we refer to Tri-State's timeline
23 for the start of construction and timelines for
24 implementation of new natural gas capacity, wind
25 energy and energy efficiency.

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1 THE HEARING OFFICER: Sir, your time has

2 expired. Would you please finalize your comments?

3 MR. SCOTT ALLEGRUCCI: For these reasons
4 and others outlined in our submitted written comments,
5 we respectfully ask the agency to carefully review
6 every aspect of the draft permit for consistency,
7 accuracy, compliance; reply to the questions and
8 comments of GPACE members; require the applicant to
9 provide sufficient modeling and data or to redo
10 insufficient modeling using consistent and correct
11 data, allow additional public review of an updated
12 draft permit; if necessary, amend the draft permit;
13 and if substantiated, deny the current draft permit.
14 Thank you for your service to all Kansans.

15 THE HEARING OFFICER: Jamie Maddy.

16 MS. JAMIE MADDY: My name is Jamie Maddy,
17 and I'm the Director of Corporate Development at
18 Chesapeake Energy Corporation. My address is 6100
19 North Western Avenue, Oklahoma City, Oklahoma 73118.

20 I very much appreciate the opportunity to
21 provide comments on behalf of Chesapeake Energy, the
22 most active driller of on shore natural gas in the
23 United States and other independent natural gas
24 operators in our country. We respectfully ask that
25 the Kansas Department of Health and Environment

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1 consider compelling Sunflower to justify the exclusion
2 of natural gas combined cycle technology as an
3 alternative to supercritical coal-fired generation in
4 the air permit application.

5 Further, we ask that the Kansas Department
6 of Health and Environment consider natural gas as a
7 cleaner burning and available alternative to coal
8 generation when making the final determination on
9 whether or not to grant the air permit.

10 Natural gas combined cycle generation
11 should be considered at the Holcomb expansion for the
12 following reasons: Combustion of natural gas emits
13 significantly less greenhouse gas, particulate matter,
14 hazardous air pollutants, mercury and lead than does
15 the combustion of coal.

16 EPA and Departments of Environmental
17 Quality throughout our nation are beginning to
18 consider natural gas as a Best Available Control
19 Technology for new electricity generation because of
20 the fuel's environmental superiority to coal.

21 Utilities across the country are beginning
22 to retire their coal fleets and look at alternatives
23 to coal for new generation because of the recently
24 heightened environmental, health and financial
25 considerations.

□

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1 Not only is natural gas better for the
2 environment of Kansas and the region, there is an
3 abundance of this cleaner burning fuel in the United
4 States, as well as in Kansas. Kansas is a net
5 exporter of natural gas and the fuel serves as an
6 environmental and economic driver to the state,

7 employs over 9,000 Kansans directly and nearly over
8 20,000 Kansans indirectly.

9 Combined cycle natural gas units are faster
10 and less expensive to build than supercritical coal
11 units. And, finally, Kansas should consider
12 diversifying the way in which power is generated in
13 the state. Approximately 73 percent of total
14 electricity generated in Kansas comes from coal-fired
15 generation, while only 5 percent is derived from
16 natural gas.

17 Energy resources produced in Kansas should
18 be seen as the preferential fuel choice for power
19 generation, if for no other reason than to grow the
20 economy and protect the state's clean air-shed, which
21 in today's regulatory environment is an economic
22 advantage.

23 Thank you for your time and consideration;
24 and on behalf of the nation's largest producer of
25 natural gas, I respectfully ask that the Kansas

□

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1 Department of Health and Environment consider cleaner
2 burning natural gas as a reliable, available and
3 environmental superior fuel for base-load power
4 generation in this state. Thank you.

5 THE HEARING OFFICER: Robin Woolner.

6 MR. ROBIN WOOLNER: My name is Robin
7 Woolner and I am not a specialist. So I'm not going
8 to waste your time going over details and facts.
9 That's not my role.

10 THE HEARING OFFICER: Sir, would you give
11 your address?

12 MR. ROBIN WOOLNER: 101 East 36th, Kansas
13 City, Missouri. I am an old world baker and I am an
14 organic farm. My farm is in Kansas City, Kansas.

15 So walking down the aisle here.

16 THE HEARING OFFICER: Sir, you need to
17 speak this way.

18 MR. ROBIN WOOLNER: So walking through this
19 hallway -- you guys remember walking through the
20 hallway to get here? And there's all of these
21 conference rooms.

22 THE COURT REPORTER: Sir, you're going to
23 have to speak up.

24 MR. ROBIN WOOLNER: The conference rooms
25 that are outside of this room. So there's all these

□

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1 conference rooms. They look exactly the same as --
2 there are all these different names. I find them
3 remarkable, because they have become nostalgic icons
4 that are no longer a part of our physical landscape,
5 but still kind of exist in our mind. So we have
6 wheat, which exists, but, as a baker, I can tell you
7 the wheat we buy today degrades our body.

8 We have the Homestead. We have the
9 Shawnee -- Shawnee Room. There's a Bison. There's
10 rivers still, but we don't really have clean rivers.
11 I don't know how often people go swimming in them, you

12 know, muddy -- Kansas City, it's not very clean.

13 Anyway, why have these things become like
14 icons? What is it today about the way we use our
15 resources? So, anyway, there's one more room and
16 that's the Pioneer. So I'm speaking today about, you
17 know, why are we -- why is there -- why did we come
18 here as pioneers and treat our environment this way?
19 Why aren't there bison left? Why don't we have clean
20 water?

21 So, anyway, I'm wanting to speak as kind of
22 this hope that maybe we can kind of take this concept
23 of pioneering, which has become something that is --
24 that I connect with in the environment and extracting
25 everything for personal uses, for greed into kind

□

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1 of -- I'm hoping for a new idea of what a pioneer is.

2 Here's my short little -- I'm concerned, as
3 a human being on this planet, that the building of
4 this plant and the harvesting of the coal will further
5 compromise the air, water and soil qualities. I'm not
6 too concerned about the soil qualities.

7 It is logical to me in these times of great
8 power to take such far reaching and devastating
9 actions as to negatively affect the quality of life
10 for our children and their children to come. I fear
11 that my grandchildren will see a day when there's not
12 one living thing left, that we will be remembered as
13 selfish, lazy, greedy people and take away their
14 rights to be at peace in nature. So what I'm strongly

15 encouraging everyone in this room to do today is to
16 take a walk in the prairie. Thank you.

17 THE HEARING OFFICER: Todd Newkirk.

18 MR. TODD NEWKIRK: Good afternoon. My name
19 is Todd Newkirk, 404 West 6th, Lebo, Kansas. I'm a
20 national representative for National Electrical
21 Workers. IBW represents about 725,000 members across
22 the United States, about 50,000 members in the
23 Midwest.

24 We are an active participant in the
25 international trading confederation on local climate

□

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1 change for the U.N. and have participated last year,
2 in 2009, in Copenhagen. We're also members of Unions
3 for Jobs and the Environment.

4 Today, I bring before you to let you know
5 that we believe that this permit has been submitted
6 timely and has been submitted with due diligence.
7 There's been a lot of work, proper research and a lot
8 of expenditure by Sunflower to bring it to this point.

9 This facility, as previous testimony has
10 indicated, will be required to use the Best Available
11 Control Technology, which will meet or exceed the
12 Clean Air Act Title 4 for sulfur, hydrogen oxide and
13 particulate matter.

14 This company, I believe, can be trusted.
15 They have proven it with their reduction on a test
16 basis of mercury on Unit 1 several years ago. So this

17 company will take on new technology as it becomes
18 available.

19 We have heard previous testimony today
20 about CO2 and the ability to capture CO2 on a broad
21 scale. We know it's not ready to become deployed in
22 this country at this time. Probably in our lifetime,
23 it will be an achievable goal for utilities to pursue
24 85 percent prior to capture.

25 The reality today is -- the previous

□

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1 testimony has also indicated about the high alliance
2 on control of fossil fuels. During my short
3 three-minute dissertation, we're going to have to
4 develop -- 2 1/2 minutes of the lights in this room
5 will be coming from coal-fired power in the Midwest.
6 That's a fact. Will that change in our lifetime?
7 Yes. That number will go down. But it's critical
8 that we get the new technology in place. We put the
9 best car on the road with the best technology we have
10 available today to move forward.

11 So with that, we need to move forward with
12 the permit to get the car off the production line into
13 operation. One thing I want to convey to the Kansan
14 constituents, there is no silver bullet. It's going
15 to take everything to make things recover in this
16 country, to make our future generation demands for
17 electrical usage by 2030 -- to achieve the goals set
18 by the economy.

19 A couple of years ago, there was 50 percent

20 increase in electrical usage. Today, it's a little
21 over 30 percent. So we can't say no to all types of
22 power. It's going to take everything. It's going to
23 take the right minds -- the best minds to set the
24 deployment forward. It's going to take all of us.

25 I stand ready to build this new unit along

□

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1 with subsidized wind turbines in this state.
2 Currently, we have over 1,900 turbines that have been
3 approved by the FAA. We are ready to move this new
4 technology of a supercritical plant in Kansas forward
5 from a construction operation, and we should be the
6 best producer in Kansas; petroleum, food and natural
7 gas and electricity. We should be proud of that
8 capability.

9 In closing, Secretary Bremby, please give
10 the permit the overdue due diligence. It deserves
11 approval by December 31st of this year. We are ready
12 to work. We are ready to work now.

13 THE HEARING OFFICER: Here's our next group
14 of names that I will call and ask them to come
15 forward, Jonathan Kahn, Sarah Tuttle, Vicki Goetz,
16 Anthony Schmidt, Margaret Bodle, Dave Yates, Kalen
17 Menske, Theo Bunch and Dave Kinder.

18 THE HEARING OFFICER: Mr. Kahn.

19 MR. JONATHAN KAHN: Thank you for the
20 opportunity to speak. My name is John Kahn. I'm an
21 attorney in Lawrence, Kansas. I'm here as a citizen.

22 My address is 1800 Indiana Street, Lawrence 66044.

23 I would like to urge that the Holcomb
24 Expansion Project not be permitted under current
25 regulations but delayed until it can be reviewed under

□

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1 the new or changing regulations that will address
2 greenhouse gases such as carbon dioxide sometime after
3 January 2, 2007.

4 I think it's an effort to grandfather in --
5 to build this plant under an old regulatory regime.
6 To approve this project now will produce irreparable
7 harm by irretrievable local greenhouse gases to the
8 environment. It seems to be kind of a forum shop or a
9 state-by-state race to the bottom that the federal and
10 environmental laws, like the Clean Air Act, were
11 tended to originally reach within in the early 1970s.

12 Since the coal will be mined in Wyoming and
13 less power will likely be used in Colorado, the real
14 underlying reason to build such a plant here is if it
15 will pass regulatory muster here. Particularly, if
16 the permit is approved for initial regulatory
17 emissions are imposed by the PA states in 2011.

18 While the jobs it will provide are
19 important, they are no match for the long-term harm,
20 such an additional plant will cost if constructed by
21 adding a large additional quantity of CO2 to the house.
22 Thank you.

23 THE HEARING OFFICER: Sarah Tuttle.

24 MS. SARAH TUTTLE: Hello, my name is Sarah

25 Tuttle. I am a citizen residing at 4405 Harrison

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1 Street, Apartment 1, Kansas City, Missouri 64110.

2 I come here today as a pregnant woman who
3 is concerned about our reliance in coal because of the
4 high content of mercury that is emitted into our
5 atmosphere raising CO2 levels, polluting our rivers and
6 affecting all life, thus affecting our own population
7 by increasing cancer rates and harming reproduction.

8 THE COURT REPORTER: Ma'am, can you speak a
9 little closer to the microphone?

10 MS. SARAH TUTTLE: As a pregnant woman, my
11 concerns are heightened because of the risks to my
12 unborn child. These risks include neuro-developmental
13 problems. Current research shows that one in ten
14 women of childbearing age carry body burdens of
15 mercury poison that create risks for giving birth to a
16 child with neurological problems.

17 I can't begin to understand how with this
18 knowledge the new coal plant could be constructed
19 affecting the health of you, me and all of the lives
20 that it touches. I am saddened by this, but have hope
21 for a brighter future for our children where renewable
22 energy solutions, such as wind and solar, are all they
23 know.

24 I have to believe that everyone, even those
25 who are favor of the Sunflower coal plant, have to

1 realize that coal is not the future, not for the few
2 permanent jobs it will provide, not for the,
3 hopefully, newly outdated nonrenewable energy that it
4 will provide to outside states. So let's make a
5 difference by caring for our health, our planet and
6 our children by saying no to coal and yes to wind and
7 solar.

8 So I respectfully ask for you to refuse the
9 permit for the Sunflower coal plant but perhaps
10 consider an effort for Sunflower's renewable energy
11 that they have. Thank you for your time.

12 THE HEARING OFFICER: Vicki Goetz.

13 MS. VICKI GOETZ: My name is Vicki Goetz.
14 I live at 1532 Bell, Lawrence, Kansas. I'm a
15 registered nurse and I was off work today and felt
16 like I should come and let you know I am opposed to
17 the coal plant.

18 I represent myself, but also all of --
19 there are a lot of people that are at work today that
20 are working and can't come. So I felt like I should
21 come.

22 It's obviously bad for your health, and
23 it's seems to me that the difference between -- like a
24 Camel non-filtered cigarette and a Light Marlboro
25 cigarette, they are both bad and bad for people, bad

1 for the environment. So I hope you will take that
2 into consideration.

3 And I realize a lot of people are talking
4 about jobs, all the pipefitters and the boilermakers.
5 I want them to have jobs, but Kansas has over two
6 million people. So I hope you consider all the people
7 of Kansas too in this decision and the health of
8 Kansas. Thank you.

9 THE HEARING OFFICER: Anthony Schmidt.

10 MR. ANTHONY SCHMIDT: My name is Anthony
11 Schmidt. I'm from Lawrence. I live at 1032 Oak Tree
12 Drive.

13 I would like to make an opposition
14 statement to the Holcomb power plant. This issue
15 baffles me. I constantly wonder, have we lost all
16 sense of responsibility for our citizens and maybe
17 lost our sense of the difference of right and wrong.

18 I am not a private interest group. I grew
19 up in Hays and I love Kansas and I love the Kansas
20 prairies and the Kansas lakes.

21 We're talking about making a 50-year
22 commitment to imported dirty coal with an influx of
23 maybe 1,500 temporary jobs from mainly out-of-state
24 union workers starting in about six years. There are,
25 at best, 70 permanent jobs starting in about ten

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1 years. Worst of all, we're cutting ourselves off from
2 access to the coming renewable energy economy.

3 There are safer and more effective options

4 immediately available, namely natural gas fired
5 electrical plants and wind energy. These are Kansas
6 resources, not Missouri and Wyoming coal resources.
7 Sunflower has held our state hostage with its
8 financial problems and political ambitions through two
9 legislative sessions, and I ask is our governor
10 kidding. Compliance on this issue is unconscionable.

11 The coal plant is a completely unnecessary
12 risk to our health. Coal combustion emissions cause
13 environmental degradation and health risks. Coal
14 pollutants contribute to four of the five leading
15 causes of death in the United States.

16 Coal-fired power plants deplete finite
17 water resources. Kansans have fought for generations
18 for the water we use to sustain our agricultural
19 systems. Why are we forfeiting the water we've worked
20 so hard for? Holcomb would use 3.9 trillion gallons
21 of water per year from the Ogallala Aquifer.

22 Mercury contamination, in almost every body
23 of water in the nation, has been linked to coal plan
24 emission. Mercury, particulate matter, coal ash and
25 ozone are what this plant has to offer our state.

□

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1 Mercury is responsible for numerous neurodevelopment
2 issues and rates of autism.

3 Climate change is occurring. Coal-fired
4 power plants are the leading cause. America's coal
5 plants produce 2 billion tons annually, which is 33

6 percent of our nation's total global warming
7 emissions. This plant will produce 6.7 million tons
8 per year. The effects of climate change are increased
9 temperatures and changes in the water cycle.

10 If we continue as we are, we can expect
11 temperatures in western Kansas to increase 2 to 3
12 degrees by the middle of the century and up to 8
13 degrees after that. Heat waves, increased numbers of
14 times of draught, longer lengths between spring freeze
15 and fall freeze are just a few of the conditions that
16 the coal plant has to offer.

17 For these reasons, I ask the Kansas
18 Department of Health to deny Sunflower this permit and
19 at the very least wait until the new year to see how
20 the federal government comes out on this issue. Thank
21 you.

22 THE HEARING OFFICER: Margaret Bodle.

23 MS. MARGARET BODLE: My name is Margaret
24 Bodle. I live at 1218 Tennessee Street, Lawrence
25 Kansas 66044. I have been a legal resident of that

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1 address since 1961, but I have spent a little bit of
2 time out of the country, but that continues to be my
3 legal address. I always vote there.

4 Spending time out of the country, I have a
5 different perspective on a few things. My big
6 realization when I came back to this country -- I'm
7 sure I will offend every single person in this room
8 when I say this, but it was definitely my subjective

9 experience when I came back, and every time I come
10 back is that this country is very, very young. We are
11 very young psychologically, and it seems to me we have
12 a great deal of difficulty in wanting immediate
13 gratification on things.

14 That's exactly what's gotten us in trouble
15 with the economy right now. People want what they
16 want when they want it. And it's not always in the
17 best interest of the long-term situation.

18 I have been hearing people speak about the
19 urgency of jobs, energy and resources. And, first
20 off, the situation with the jobs -- it's my
21 understanding that most of these jobs will actually be
22 out-of-state jobs, not necessarily benefitting
23 Kansans.

24 And the other aspect is that I don't
25 understand why people put so much importance on the

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1 jobs associated with this project and not the
2 importance of good jobs that will be associated with
3 moving green technology forward. Those jobs would be
4 much more long sustaining. They would employ more
5 people. So that's about the jobs.

6 As for resources, does it really make sense
7 to invest such a large amount of time and money that
8 is not sustainable and will inevitably incur greater
9 and greater regulations as times goes by. It reminds
10 me of the freeway stations on the west coast.

11 I am always baffled by why people have such
12 an issue with extending the rail system because it
13 would be inconvenient, but year after year after year
14 after year, there is constant tearing up to enlarge
15 the freeway system, which is never enough; and I think
16 that's kind of the same situation here.

17 We had a guy speak earlier in favor of the
18 coal plant that said that the plant would barely cover
19 what's needed or the amount of energy. So it's never
20 going to be enough. We need to move forward and look
21 at new ways.

22 We knew in 1974 that we had trouble with
23 non-sustainable sources of energy. And, yet, nothing
24 was done about it, because it wasn't an immediate
25 thing for people. It doesn't get easier as time goes

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1 by. It just gets harder if you continue down the same
2 path.

3 Let's do something now. Let's move in that
4 direction of new technology. The rest of the country
5 is leaving us behind. We have an opportunity to plant
6 a seed for a great future for this state. We can do
7 that. We should do it. I urgently beg you to see
8 this happen and not to go down the same road which is
9 leading to our destruction for all the reasons that we
10 have stated.

11 Yes, sometimes it's painful, but it's
12 necessary for greater good. And green technology is
13 not just -- green technology is not just the wind.

14 It's other things that haven't been experienced yet or
15 that we don't know about. So I really, really beg you
16 to -- I'm definitely not in favor of allowing the coal
17 plant to go forward, and the reason it's taken so long
18 is because there are things to consider. So please,
19 please let's not just run like a rabbit. Let's look
20 at the long-term implications of what we need to do.

21 THE HEARING OFFICER: Dave Yates.

22 MR. DAVE YATES: My name is Dave Yates. I
23 reside 3814 Overland, No. 1, Lawrence, Kansas 66049.
24 I would like to thank you folks for the opportunity to
25 voice my concerns and to Secretary Bremby, who I hope

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1 will be hearing this. Thank you.

2 My dad, also Dave Yates, was a World War II
3 combat veteran and my stepmom, Lahoma Dennis Yates, a
4 Kansas native and active presence in Kansas republican
5 politics for many decades, are buried side by side in
6 National Cemetery No. 1 in Fort Scott, Kansas.

7 My grandmother, Hazel, went to western
8 Kansas in a covered wagon in 1909. My family's blood,
9 sweat and tears are literally part of the landscape of
10 the state of Kansas. They loved Kansas and made their
11 lives here. I love Kansas, too, and that's why I'm
12 here.

13 Despite what Sunflower Electric and the
14 coal industry may say, coal is a dirty, primitive
15 technology, and it's negative impact on the health of

16 communities, both local and downwind, is an undisputed
17 fact. Claims of clean coal are factually fraudulent,
18 and claims to that effect by the coal industry are
19 nothing more than propaganda.

20 I have to tell you I am very conflicted
21 telling you that I want you to deny the permit,
22 because I consider the people who are for this plant
23 my neighbor. I know that western Kansas has got to be
24 hammered pretty hard by the economy.

25 Anyway, the Holcomb plant makes no sense

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1 from a health standpoint, and economically, it is an
2 epic failure. As you know, Mr. Secretary, economics
3 plays a huge part in the actual health of families and
4 communities. And for Holcomb 2, the math simply does
5 not work.

6 This has been a divisive issue for Kansans;
7 and given the loss of economic opportunity that
8 politicians and those lobbying for this power plant
9 are causing and the propaganda and misinformation they
10 are putting out in an attempt to permit the Holcomb
11 expansion, the people of Kansas have been essentially
12 lied to by their elected officials and by private
13 interests representing a dying industry.

14 Sunflower Power and their promoters have
15 made every attempt to divide the folks of western and
16 eastern Kansas. What Sunflower Power doesn't want the
17 public on both sides of the state to notice is the
18 math of the economics of this issue and the fact that

19 Sunflower Power has already benefitted financially,
20 via government bailouts on their loan agreements,
21 loans they have been unable to pay, funded by American
22 taxpayer dollars, in an amount close to \$400 million.

23 I'm betting there are farmers, ranchers and
24 citizens all over the state of Kansas who don't have
25 the luxury of a bailout. I guess that only works when

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1 you're an investment bank or a poorly run utility.

2 Sunflower has probably failed to tell
3 western Kansas that the bulk of the high-paying jobs
4 for their project will come from out of state, from
5 energy services, construction firms.

6 Over the next ten years, billions of
7 dollars will go out of state to pay for coal to fire
8 these plants. This, in a state, that is No. 3 in wind
9 energy potential. Even Arkansas, No. 17, in wind
10 potential, is kicking our butts economically with the
11 influx of high-paying wind energy jobs.

12 Noland County, Texas, is undergoing an
13 economic revolution powered by wind generation. And
14 for those of you unfamiliar about West Texas political
15 trends, let's just say they're not exactly what you
16 would call tree-hugging environmentalists.

17 They understand the economics of the
18 opportunity and how it brings dollars into their
19 towns, county and state, instead of shipping dollars
20 and power out of their state. Their economy has been

21 permanently boosted. Just ask the ranchers and
22 farmers whose dollars are flooding back into their
23 local communities.

24 To those of you in Topeka on both sides of
25 the aisle who have been playing political football

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1 with the economic and physical health of Kansas
2 citizens, shame on you.

3 Secretary Bremby, you have a reputation for
4 being thoughtful and fair minded. I ask you to hold
5 true to your reputation, despite intense pressure to
6 do otherwise, and please, please deny the permit for
7 the Holcomb expansion. Thank you for your time.

8 THE HEARING OFFICER: Sir, would you mind
9 leaving your copy?

10 MR. DAVE YATES: Sure.

11 THE HEARING OFFICER: Kalen Menske.

12 MR. KALEN MENSKE: My name is Kalen Menske.
13 I currently reside at 215 North 14th Street,
14 Manhattan, Kansas. I'm a student at K-State majoring
15 in horticultural production. I have a secondary major
16 in natural resources and environmental science.

17 First of all, I'd like to thank you for the
18 opportunity to speak here and for all your time and
19 effort you have put into the process. I don't have
20 much to say that hasn't already been brought to your
21 attention.

22 I would like to say that as a generation,
23 we are coming to see that the status quo is not

24 acceptable. We have some rather tall orders to
25 address, and we know --

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1 THE COURT REPORTER: Sir, can you speak
2 more into the microphone?

3 MR. KALEN MENSKE: We know that clean coal
4 is not the answer to the environment. It never has
5 and it never will. At one point, economic gain will
6 supercede the health of citizens and the world in
7 which we live. As a concerned citizen, I strongly
8 urge to deny this permit for the sake of Kansans and
9 for Kansans for generations to come. Thank you.

10 THE HEARING OFFICER: Theo Bunch.

11 MR. THEO BUNCH: My name is Theo Bunch. I
12 currently reside at 4405 Harrison Street, Kansas City,
13 Missouri, but I grew up in Kansas, right outside of
14 Manhattan, Kansas. I consider myself both, a proud
15 Kansan and someone who is proud of his heritage. I am
16 in love with the countryside.

17 I'm here today because I found out not long
18 ago that I was going to be a father. I come because I
19 believe that the decisions will directly affect by
20 future child. I am here because of the health of this
21 child means more to me then what can only be temporary
22 growth and temporary fossil fuel. It's temporary
23 money.

24 We are all struggling. We are all working.
25 And I personally hope that we choose to work for a

1 system that leads to long-term sustainable growth and
2 not for the booming influx of wealth that comes and
3 dries up like the coal towns, the coal.

4 The economic growth affects a few, a
5 minority, but the environmental health concerns are
6 shared by every citizen of this state and beyond. My
7 child will be affected long after the coal is burned
8 and the money is spent. All children will be
9 affected.

10 I believe it is the duty of the governing
11 body to protect the rights of the many over the wants
12 of a few. That's exactly how I see this. I believe
13 that it is my duty to protect the health of those who
14 cannot protect themselves. I believe we all have a
15 duty to the environment and the resources that we do
16 share in common. I urge you, as a father -- as a
17 future father, to deny this permit. Thank you.

18 THE HEARING OFFICER: Dave Kinder.

19 MR. DAVE KINDER: Dave Kinder, 4604
20 Woodland Drive, Lawrence, Kansas.

21 The opening comments talked about the air
22 quality permits and that there were no Class 1 areas
23 within 100 kilometers as, I guess, required by law.
24 So you mentioned the Great Sand Dunes was considered.
25 And for these reasons, I think it is a bad choice.

1 The Great Sand Dunes is 400 kilometers.
2 That's quite a distance. Also, the Great Sand Dunes
3 is west of Holcomb, and the air -- the prevailing wind
4 in Kansas is from the southwest, not west towards
5 Colorado. And, also, on this side of the Great Sand
6 Dunes, there is a sizeable mountain range and a 14,000
7 foot -- high mountain peaks there. So any pollution
8 from Holcomb would be blocked by the mountains.

9 So I find this hard to believe that this is
10 considered even a logical place to do it. Also, it
11 was mentioned that as a Class 1 area -- Wichita
12 Mountains National Wildlife Refuge, which is also
13 quite a distance, 250 miles south of Oklahoma. This
14 is also in the wrong direction of the prevailing
15 winds.

16 The next area mentioned, Class 2, was Scott
17 Lake, which is closer. I don't know how many miles,
18 maybe 40 or 50, but it's a Class 2 area, and it's in
19 the north direction.

20 And the other one mentioned was Holcomb,
21 Kansas. Now, that's right on the spot. You would
22 have tall smokestacks there that create winds --
23 prevailing winds. In southwest Kansas, it's only 20
24 or 30 mile-an-hour wind.

25 So I think a logical place would be

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1 northeast of Holcomb, considering probably Hays or
2 Great Bend as towns, or the Cheyenne bottoms or the

3 National Wildlife Refuge.

4 Also, you mentioned about the 75 permanent
5 jobs. Now, I think there's going to be more permanent
6 jobs lost. Somebody said something about water rights.

7 THE COURT REPORTER: Sir, I'm not
8 understanding what you're saying.

9 MR. DAVE KINDER: Water rights were brought
10 up in 2005. Both of those water rights brought up --
11 those farmers would have to go to dry-land farming.
12 During today, somebody mentioned we need the
13 electricity for the irrigations. And they didn't even
14 talk about the depletion of the water aquifer. So
15 that's kind of contradicting when you're not going to
16 have any water.

17 The permanent jobs -- you start at 75 here,
18 140 and 160 permanent jobs. I think the only
19 permanent jobs -- I mean, some permanent jobs will
20 increase in Hays in the health care workers that treat
21 children, elderly, pregnant women for mercury
22 poisoning and the particulates and asthma. I don't
23 like the loss of jobs.

24 And, also, it didn't talk about
25 transmission lines. This Holcomb electricity is going

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1 to folks in Colorado. This is only going to get
2 transmission lines to Colorado. So I urge you to
3 consider other places for the air quality programs.
4 Thank you.

5 THE HEARING OFFICER: The last group of
6 names that I have, if you will please come forward,
7 Bob Burkhart, Phil Petty, Laura Sterchi and Teresa
8 Zaffiro.

9 Mr. Burkhart, you may proceed.

10 MR. BOB BURKHART: My name is Bob Burkhart.
11 I represent the VFW Post. I'm a retired U.S. Navy
12 lieutenant commander.

13 THE HEARING OFFICER: Would you give your
14 address, please?

15 MR. BOB BURKHART: My address is 2632 North
16 Knoll Brook Court, Lawrence, Kansas.

17 My role as a VFW Post watershed marshall
18 requires my taking a social responsibility position on
19 public policies that will most likely adversely impact
20 health and safety of the environment. My federal oath
21 of office essentially says that I am to uphold the
22 U.S. Constitution against foreign and domestic and
23 guarantee life, liberty and the pursuit of happiness.

24 As we heard a number of comments -- and I
25 use the words "social responsibility" to mean the

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1 triple bottom line, mainly economics and environmental
2 methods. I completed the Kansas environment
3 leadership program. It was funded by the Kansas Water
4 Office and KDHE in 2005.

5 During that process, I was contacted by a
6 personal friend, Supreme Court Justice Bob Burns, who
7 was in the process of dying from kidney cancer. He

8 asked me to advocate his position on Kansas Supreme
9 Court's Golden Case ruling on special use permits.
10 Therefore, I request that you revisit under the rule
11 of law the Golden Case ruling and its outlines for
12 special use permits.

13 I would also like to point out there is
14 very little difference between bio-air and bio-terror.
15 The letter "T" stands for the time that it takes for
16 the impacts to accumulate in our toxic bodies downwind
17 from such an event.

18 It seems kind of ironic that Kansas State
19 University is funding a bio-terrorism center guided by
20 Jerry Jacks (ph), and at the time we are essentially
21 accepting a permit that reeks of bio-air. That
22 concludes my comments. Thank you for your time.

23 THE HEARING OFFICER: Phil Petty.

24 MR. PHIL PETTY: Good afternoon. My name
25 is Phil Petty. I reside in Manhattan, Kansas. I'm a

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1 pipefitter and a lifetime resident of Kansas. I
2 support the issuance of the air permit for the Holcomb
3 project.

4 Like every other construction worker, my
5 career has been made up of temporary jobs. All
6 construction projects are temporary. In fact, the
7 better we do our job, the more temporary it is,
8 because that means we completed the project ahead of
9 schedule.

10 During my career, I have had to work in
11 other states and have worked on various types of
12 generation plants. I understand the value of
13 renewable energy. My house has had solar-heated
14 domestic waters since 1986. Wind mills have provided
15 power for livestock water for decades.

16 Alternative fuels are very important for
17 our future. When a natural gas plant was built 70
18 miles from my house, foreign welders were brought in
19 to do the work. They were shipped in from overseas.
20 I did not have the opportunity to work on that
21 project.

22 Sunflower guarantees that the construction
23 workers on the Holcomb plant will be covered by a
24 collective bargaining agreement. That means there's
25 going to be a decent wage and benefits.

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1 I am currently the organizer for the
2 Plumbers and Pipefitters Local Union 441. I will
3 share the responsibility of assisting qualified Kansas
4 residents of obtaining employment during construction
5 of the plant.

6 Our future energy needs will require the
7 use of a variety of technologies, but currently the
8 Holcomb project is the only proposal ready and able to
9 move forward and provide reasonable priced energy.
10 Please issue the permit. Thank you.

11 THE HEARING OFFICER: Laura Sterchi.

12 MS. LORI STERCHI: My name is Laura Sterchi

13 and I live at 501 Holmes in Kansas City, Missouri. I
14 am a real estate agent that is green-minded. I am a
15 designer and a marketing communications professional.
16 I am also a supporter of healthy lifestyles.

17 As a child, I suffered intensely from upper
18 respiratory challenges such as allergies and asthma.
19 I also suffered from skin rashes and irritations such
20 as eczema. Over the years, I learned that these
21 health challenges were largely due to chemical and
22 environmental pollutants in the air, water and food
23 that I was ingesting. On top of that, I was taking
24 many prescription drugs, which really doesn't make
25 much of a difference in making me healthier. In fact,

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1 many times they made my health issues worse and more
2 complicated.

3 It took me many years to learn about the
4 toxic pollutants affecting our food, air, ground and
5 water systems and how it was related to my sensitive
6 health issues. It also took me nearly ten years to
7 relearn new ways of taking care of my body, how to
8 clean up the toxic residue still in my system and how
9 to feed myself with clean water, organic food and
10 cleaner air.

11 In addition, I became invested in learning
12 how to implement more natural and alternative health
13 care systems to heal my body. While I am still
14 challenged from time to time, I know that I am much

15 healthier now due to the changes I have made.

16 As a sensitive individual with these past
17 health issues, I am already familiar with the health
18 consequences that will occur if we allow the Holcomb
19 coal plant to be built in the state of Kansas. Coal
20 will never be completely clean.

21 Our air bodies have already been
22 compromised by the current energy system in place.
23 Let us not contribute to any further pollution by
24 building this old style of energy production. If
25 built, the coal plant threatens the very lives of our

□

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1 current and future generations, as well as all
2 ecosystems of the planet. It will pollute our air,
3 ground and water, thus impacting our own bodies,
4 lungs, hearts and overall body system functioning.

5 By permitting this coal plant, we are, in
6 essence, selling out our ultimate good, quality of
7 life and state of health for instant gratification of
8 electricity and the special interests of others that
9 are not concerned about healthy living.

10 Additionally, this project is ultimately
11 for Colorado's use. Please take this project back to
12 Colorado and let the people and businesses proceed
13 with this permitting process in their own state.

14 Technology for cleaner energy is getting
15 smarter every day. I would like to support the
16 creation of jobs in industries that research new,
17 clean energy models which ultimately promote healthy

18 and sensitive lifestyles.

19 Create jobs to teach people to rely less
20 upon old styles of electricity and return to normal
21 living more simply and locally. Teach people about
22 clean energy options. Hire people to create and build
23 this energy. Teach people about taking ownership of
24 their health by educating them on how we keep our air,
25 water and food clean. Teach people about alternative,

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1 gentle and natural health care for daily body
2 maintenance and overall health long term.

3 Let's put our time, energy and money
4 towards healthy creations, not ones that have already
5 proven to be toxic and dirty. The cost of our lives
6 and the amount we spend in health care and
7 environmental clean up to recover from the
8 consequences of dirty coal will far outweigh any
9 amount of money made or quick convenience gained by
10 coal-powered electricity. Thank you for your serious
11 consideration.

12 THE HEARING OFFICER: Teresa Zaffiro.

13 MS. TERESA ZAFFIRO: Hi, thank you for your
14 time. My name is Teresa Zaffiro. I am a graduate
15 student at the University of Kansas, 1614 Kentucky
16 Street, Lawrence, Kansas 66044.

17 I just moved to the state for graduate
18 school, so I can't claim to know much about the minute
19 details of the plant or this permit, but I have been

20 working on these issues as a student activist for a
21 while. So I feel like what I have to say can't go
22 unsaid.

23 Someone spoke earlier about duty. I think
24 it's our duty to protect the planet for future
25 generations. Coal in this specific project is a step

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1 backwards from that direction than where we should be
2 going, and I am not alone in my passions and my work
3 on this issue.

4 You look at the students and there are
5 people -- there are people in this room -- they're
6 just a small part of thousands, millions of students
7 working around the world for energy justice. We're
8 not naive. We know about economics, but we know that
9 economic justice and environmental justice do not have
10 to be at odds.

11 So I urge you, on behalf of the growing
12 students in the activist movement, the ones that are
13 going to inherit the catastrophic environmental
14 effects of climate change that coal and fossil fuels
15 are primarily responsible for, please deeply, deeply
16 consider denying this permit. In fact, deny this
17 permit and don't let our efforts and the efforts of
18 everyone else working for environmental justice in
19 this state and in other states around the world be in
20 vain. Thank you.

21 THE HEARING OFFICER: Is there anyone else
22 who desires to present oral and/or written comments at

23 this time? If you would, please state your name and
24 address.

25 MS. MARGARET TRAN: My name is Margaret

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1 Tran, and I live in Lawrence, Kansas.

2 We all have a right to a healthy, safe
3 environment. I want to thank everyone at KDHE for
4 working hard day in and day out to fulfill this
5 mission. Therefore, I am encouraging you to continue
6 this work by denying the proposed coal plant because
7 it does not contribute to the protection of Kansas
8 health and environment.

9 Arguments have been made that the coal
10 plant would create jobs, while the coal plant will
11 also create irresponsible environmental damage by
12 releasing pollutants that endanger the health of all
13 citizens, especially those who will live closest to
14 the coal plant.

15 The harms are numerous including mercury
16 that is linked to neuro-developmental issues in
17 children, nitrogen oxide emissions that cause an
18 increased number of asthma attacks and particulate
19 matter that's linked with increased blood pressure,
20 cardiovascular effects and death and increased rates
21 of lung cancer.

22 The creation of these environmental health
23 harms is not worth the creation of short-term
24 temporary jobs. I am proud to be a Kansan, and those

25 who have spoken with passion today and in the past on

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1 this issue have expressed the Kansas pride that we all
2 have in common to enjoy a healthy, safe environment.

3 So please make the right decision and deny
4 this air pollutant. Thank you for your time.

5 THE HEARING OFFICER: Is there anybody else
6 who desires to present oral and/or written comments at
7 this time?

8 MR. KIRK MILLER: I'm Kirk Miller. I live
9 at 393 198th Road, Havensville, Kansas.

10 I, too, believe in a green ecosystem. I
11 have 10,000 walnut trees on a farm. I was OCIA
12 certified farmer for five or six years, but my career
13 has been as a pipefitter, Local 441.

14 My farm is 15 miles up air flow from
15 Jeffrey Energy Center, and I know for me to support my
16 farm, I have to have power house work. The jobs that
17 the opposition to the power house are talking about
18 coming from out of state and everything -- they're
19 stepping outside of their field. The labor knows
20 where the jobs are coming from.

21 The economics they talk about -- you've got
22 a major power company that knows how they're going to
23 furnish the economics and take care of it. The things
24 I do know -- if it's not built there, it can be built
25 120 miles south in Texas, where there won't be any

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1 pollution controls of any type. The people working on
2 it wouldn't have any conditions whatsoever.

3 On the way home tonight, I will pass a
4 dairy farm. That milk will go to Missouri. Right
5 down the road three miles from it, I'll be passing a
6 beef farm. That grain came in from Nebraska. That
7 beef will be going to Iowa.

8 Then I will go by a hog farm. Those hogs
9 will be raised and they'll be taken to Oklahoma for
10 slaughter. We're stuck with 100 percent of the smell
11 and 100 percent of the manure, and yet the products
12 are going out of state. We are getting some products
13 here. We are getting labor here, and I am 100 percent
14 in favor of this power plant. Thank you.

15 THE HEARING OFFICER: Is there anyone else
16 who would like to present oral and/or written comments
17 at this time? Seeing none, this concludes the public
18 presentation of the comments during this hearing.

19 I would like to inform you the public
20 comment period for the proposed period has closed.
21 Any comments received after tonight's hearing will not
22 be considered. I express my appreciation to all of
23 you who took time to participate in today's hearing.
24 This hearing is now adjourned at 5:11 p.m. Thank you.

25 (Proceedings concluded at 5:11 p.m.)

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I, Sheila R. Vogt, a Certified Court Reporter #1513 within and for the State of Kansas, do hereby certify that the public hearing aforementioned was held on the time and in the place previously described.

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

Sheila R. Vogt, CCR #1513

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