



**WAUKESHA COUNTY
ENVIRONMENTAL ACTION LEAGUE**

Protecting Waukesha County's natural resources since 1978

Submitted Via Email

September 26, 2013

Film/Bag Workgroup Members:

Waukesha County Environmental Action League (WEAL) members appreciate this opportunity to offer comments on the proposed Recommendation for End-of-Life Management of Hard-to-Recycle Plastic Film.

WEAL understands Hard-to-Recycle Plastic Film (HTRPF) presents challenges. However, WEAL believes many obstacles with HTRPF can be addressed through Extended Producer Responsibility (EPR) initiatives, an emphasis on research and a genuine motivation to reduce the use of materials that are not recyclable, reusable or compostable.

WEAL has serious concerns with the proposed HTRPF recommendations because they focus on developing an energy sector, simplifying permits and suggests establishing a one-sided PR campaign to "spread awareness" supporting various types of combustion.

WEAL submits the following comments and alternative recommendations for consideration:

Developing a Wisconsin Energy Recovery Sector

WEAL does not agree with developing a Wisconsin energy recovery sector. Various forms of combustion the Workgroups is recommending will require large capital investments, contribute to fine, or ultra-fine particulates in the air, destroy resources, require landfilling for toxic ash or char and, for industrial boilers, perpetuate the burning of coal.

Additionally, HTRPF will not be the **only feedstock** for the types of combustion the Workgroup is recommending.



Alternative Recommendation:

The DNR should be given statutory authorization to request all Wisconsin generators of HTRPF to provide data on how much film is being generated as well as the composition for each type of film (the DNR can develop a method to assure proprietary information be kept confidential)

Establishing a database for HTRPF will provide a mechanism for industrial generators across the state to work with manufactures to find alternatives. If various types of film are impossible to recycle or reuse, grants can be established to fund research. Wisconsin has some of the most respected research institutions in the nation, and WEAL believes if HTRPF is determined to be a priority material, alternatives will be found.

Facilitate DNR Air and Waste Permit Application Processes

Air and Waste permitting may have some commonalities, however, each permitting sector has unique oversight and responsibilities. WEAL believes any restructuring regarding the permitting process should be more fully explored.

WEAL also questions how a Single-Point-of-Contact (SPOC) application process will be exclusive for HTRPF and requests information on how this will be achieved.

WEAL does not agree with the inclusion of biomass in a recommendation for HTRPF and questions what is meant by --- “exemptions planned for *‘likely’* emissions.”

Provide Communication and Spread Awareness to General Public

Although the HTRPF workgroup has taken a great deal of latitude with many of the proposed recommendations, the inclusion of “spreading awareness” to the general public on combustion, gasification, pyrolysis and anaerobic digestion is disturbing and goes far beyond the scope of HTRPF.

WEAL agrees, greater public awareness is needed for various forms of combustion such as mass burn incinerators, refuse derived fuel (RDF) incinerators, fuel pellets being burned at power plants, industrial boilers and cement kilns, gasification and pyrolysis staged incinerators, and anaerobic digestion. However, the “spreading awareness” the Film/Bag Workgroup is proposing is one-sided and neglects to acknowledge failed gasification and pyrolysis projects, high costs for constructing all types of incinerators, federal and state subsidies, numerous environmental issues associated with burning and projects that have contributed to debt defaults, and in the case of Harrisburg, PA, a large city filing for bankruptcy. (1)

Examples of “Spreading Awareness”

Air Pollution Loophole Challenge

A number of environmental groups are opposing an EPA loophole that is now allowing fuel pellets to be burned in various types of industrial boilers and cement kilns without public notification, Earthjustice has filed a lawsuit. (2)

Oneida Seven Generations Corp. (OSGC) Pyrolysis Staged Incinerator – Green Bay

WEAL presented public comments at every step of the permitting process and questioned many of OSGC’s assertions. When the Green Bay City Council learned OSGC misrepresented a number of details, including assurances there would be no emission stacks or any emissions, the Council revoked the permit and this decision was upheld by Brown County Circuit Court.

In addition to verbal assurances an artist’s rendering of the proposed project was widely distributed. The rendering didn’t depict any emission stacks; however, the permit application submitted to the DNR showed ten emission stacks with three being 60 feet in height. (3)

*** The OSGC project received federal loans, grants and funding from WEDEC.***

Alliance Federated Energy (AFE)

WEAL was particularly interested in AFE’s “Project Apollo” a \$225 million, 1200 tons per day (tpd) plasma arc gasification, staged incinerator proposed for Milwaukee County. (4)

WEAL members attended two “spreading awareness” presentations, one at Carroll University in Waukesha, and the other at UW in Madison. During both presentations AFE stated Project Apollo served as the company’s flagship project. We also heard there would be no emissions and gasifying waste was the “ultimate in recycling.”

During the UW presentation AFE presented a map showing Current Projects around the world. Current Project information was also available on the AFE website. The projects included Project Magellan (Jamaica), Project Heartland (Illinois), Project Coral Bay (Mauritius), Project Good Hope (Johannesburg, South Africa), Project North Sea (United Kingdom) and others.

Not one of the projects has been constructed and the Current Projects tab on the AFE website has been replaced with a box asking viewers of the site to check back for the latest project information. (5)

AFE’s flagship Project Apollo was discussed during a few meetings with the DNR; however, a permit application was never submitted. Anyone attending one of the many “spreading awareness” presentations would have thought Project Apollo was being

constructed and other projects all over the world were in the construction stage or were operational.

There are serious consequences with recommending spreading awareness because much of the information is not accurate, and in many cases, it is more fantasy than reality.

WEAL Recommendations

WEAL suggests the Film/Bag workgroup recommendations for HTRPF not be submitted to the Council on Recycling. As proposed, the recommendations streamline permitting, create a “Wisconsin Energy Sector” and support a biased “Spread Awareness” PR campaign.

Additionally, research to find viable alternatives for HTRPF shouldn’t be highlighted as an afterthought. Research should be the primary focus. It is also disappointing not to have Extended Responsibility (EPR) mentioned anywhere within the proposed recommendations.

WEAL Requests

Since the HTRPF workgroup is specifically recommending various forms of combustion there is a responsibility to “spread awareness” and share some of the Workgroup’s research.

WEAL asks the HTRPF Workgroup to provide information on successfully operating full scale commercial facilities for each combustion classification.

WEAL requests the following:

1. Names and locations of full scale commercial Pyrolysis and Gasification staged incinerators operating in the USA. (Please include cost for facility, types of feedstock, tons per day (tpd) how many tons are HTRPF, cost per ton for disposal and the amount of energy needed for operation and the amount of excess energy going to the grid).
2. Please provide the same information as requested in #1 for Pyrolysis and Gasification staged incinerators operating around the world.
3. Names and locations for Anaerobic Digesters using only HTRPF for feedstock.
4. Names and locations of industrial boilers using densified fuel pellets (Please provide pellet composition information, the ratio of pellets to coal, how many tpd of pellets are being burned and the average cost per ton for pellets).

WEAL is confident with research and an emphasis on working with manufacturers, alternatives that do not include burning will ultimately be recommended. Clearly, three meetings is not enough time to establish a HTRPF long-term strategy and to set policy.

Thank you for the opportunity to present comments, submit alternative recommendations and share information.

Sincerely,



Charlene Lemoine
Waste Issues Representative
Waukesha County Environmental Action League (WEAL)
www.weal.org

- (1) **“Harrisburg Files for Bankruptcy on Over Due Incinerator Debt”** Bloomberg News- 10/12/11 - <http://www.bloomberg.com/news/2011-10-12/pennsylvania-capital-harrisburg-files-for-bankruptcy-over-incinerator-debt.html>
- (2) **Air Pollution Loophole Challenge**
http://earthjustice.org/our_work/cases/2011/air-pollution-loophole-challenge
- (3) **“OSCG Plant Ruling Upheld by Judge; Appeal Likely”** Kalihwisaks - The Official Newspaper of the Oneida Tribe – 1/10/13
<http://www.oneidanation.org/uploadedFiles/January%2010,%202013.pdf>
- (4) **Project will Turn Milwaukee Trash Into Energy”** Milwaukee Journal Sentinel – 2/2/10 - <http://www.jsonline.com/business/83410837.html>
- (5) **Alliance Federated Energy website** - <http://www.afeservices.com/>

About WEAL:

WEAL is an all-volunteer, nonprofit environmental advocacy group established in 1978. WEAL was an early supporter of Wisconsin’s Recycling Law (Act 335), has backed numerous initiatives to reduce waste through expanded recycling, composting, extended producer responsibility (EPR) and is an ongoing supporter for Pay-As-You-Throw (PAYT) residential trash collection. WEAL is also an advocate for pursuing a Zero Waste strategy that does not include burning or burying resources.