

Exhibit 2

January 20, 2016

COMMONWEALTH OF MASSACHUSETTS

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PUBLIC MEETING - 2016 *

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PUBLIC MEETING HELD AT:

CENTRAL HIGH SCHOOL

1840 Roosevelt Avenue

Springfield, Massachusetts

January 20, 2016 5:47 - 8:00 p.m.

Public Health Council:

Helen Caulton-Harris Mattie Jenkins

Mary Ann Baker Milta Franco

Dr. Jeffrey Scavron Maria Navarro

Bill Carrithers Paris Howard

Jessica M. DeSantis

Court Reporter

Real Time Court Reporting
508.767.1157

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1 APPEARANCES:

2

3 On behalf of Palmer Renewable Energy:

4 Peter F. Durning, Esq. Mackie Shea, PC

5 Thomas A. Mackie, Esq. Mackie Shea, PC

6 Dale T. Raczynski. Epsilon Associates

7 Peter Valberg. Gradient Corporation

8 John E. Drost, Jr., Esq.

9

10

11 ALSO IN ATTENDANCE:

12 Michaelann Bewsee

13 Mr. Stillwell

14 Sarita Hudson

15 Donna Hawk

16 Dr. Matthew Sadof

17 Claire Miller

18 Stuart Warner

19 Jesse Lederman

20

21

22

23

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1 Ms. CAULTON-HARRIS: Okay. It is

2 5:47. So, we are going to move in to the biomass

3 hearing that is on your schedules. So, this --

4 we're moving into -- so, I just want to sort of

5 explain the process.

6 The process is that the proponent,

7 which, in this case, has been identified by the

8 city's law department as the developer, will

9 speak for 30 minutes. They will have then 15

10 minutes to take questions from the Public Health

11 Council.

12 The opponents will then speak for 30

13 minutes and have 15 minutes to take questions

14 from the Public Health Council. And, then there

15 will be a rebuttal period with the proponents

16 going first for 15 minutes, and then the

17 opponents going second for 15 minutes.

18 I know someone from PRE wanted to

19 make a statement about this process. I know

20 there was some back and forth with the city's law

21 department.

22 Is there someone who wants to

23 address this?

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1 Please say your name and who you're

2 representing, please.

3 MR. MACKIE: All right. Thank you

4 very much. My name is Thomas Mackie. I'm going

5 to speak really fast, but stop me if I'm speaking

6 too quickly. I'm an attorney in a law firm in

7 Boston called Mackie Shea and we represented

8 Palmer Renewable Energy throughout the process.

9 I just wanted to put on the record

10 the fact that Palmer Renewable Energy is not the

11 proponent of the concept of requiring a site

12 assignment under General Laws Chapter 143. This

13 was done pursuant to a petition from a number of

14 citizens in the City of Springfield that was

15 filed in 2011, and then renewed in October or

16 November of 2015. So, we believe that we should

17 be treated as the respondent, not the proponent,

18 but the law department has ruled. We object.

19 But; therefore, we will now proceed.

20 MS. CAULTON-HARRIS: Thank you. So,

21 just for the record, the three attorneys for the

22 City that gave an opinion to me, and each other,

23 was Ed Pikula, the city solicitor; Anthony

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1 Wilson, City Solicitor; and Thomas Moore, who is

2 here, who is also a City Solicitor. So, those

3 were the three individuals who advised on this

4 particular process.

5 So, we will move directly into the

6 hearing. This is -- we're sitting pretty

7 awkwardly for this. Just trying to figure out if

8 there is a way that we should move.

9 How are you feeling about being back

10 there in terms of --

11 MR. DURNING: There are two options.

12 We could go to the front or we could bring the

13 easel to the back. The lighting here is much

14 better and the microphone is set up here, but

15 unfortunately your chairs are not where they

16 should be.

17

18 (Tables being rearranged)

19

20 MS. CAULTON-HARRIS: I would

21 encourage the council to take notes.

22 MR. DURNING: Thank you very much.

23 My name is Peter Durning. I'm an attorney at

1 Mackie Shea working with Palmer Renewable Energy.
 2 We are going to have three presenters during our
 3 allotted 30-minute time. We're going to have
 4 Dale Raczynski, Peter Valberg, and Tom Mackie.
 5 And I will introduce the three of them. We'll
 6 start with Dale Raczynski, professional engineer
 7 with Epsilon.

8 MR. RACZYNSKI: Thank you.
 9 Can you hear me okay?

10 MS. CAULTON-HARRIS: Yes.

11 MR. RACZYNSKI: So, Dale Raczynski.
 12 Epsilon Associates. I've been working with
 13 Palmer Renewable Energy for about 10 years now on
 14 this project. My firm, Epsilon Associates,
 15 prepared all the applications that resulted in
 16 approvals for this project from the Mass DEP and
 17 from MEPA office of DOEA.

18 I provided testimony in some
 19 lawsuits on this project. I'm familiar with it;
 20 although, I must say, I haven't worked on it for
 21 three or four years now. But I can tell you some
 22 things about the project that I think it's
 23 important for you to hear. This is an extremely

1 clean biomass project. It is, in fact, the
 2 cleanest biomass plant project probably anywhere
 3 in the world based on its air pollution controls.

4 And, the reason for that is when
 5 this project was first proposed, it was proposed
 6 to use what's called construction and demolition
 7 wood. And, it actually got very far through the
 8 process and received draft approvals from Mass
 9 DEP, and had air pollution controls appropriate
 10 for that type of wood, which is dirtier than the
 11 type of wood that is now being proposed to use,
 12 which is green wood chips from tree trimmings,
 13 essentially.

14 So, the plant is on Page Boulevard
 15 at the existing Palmer Renewable Energy -- Palmer
 16 paving operation. And, this is rendering here,
 17 which you've probably seen. I think it's been in
 18 the newspaper about 30 or 40 times over the last
 19 several years.

20 This is a redring (phonetic) plant.
 21 And it includes a fuel storage building. It
 22 includes a boiler building. It contains a boiler
 23 where the wood chips are combusted in a stoker.

1 From there the exhaust gases go through a series
 2 of air pollution control systems, to include a
 3 dry scrubber, which removes sulfur dioxide and
 4 any acid gases. It has a fabric filter, which is
 5 the cleanest way to remove particulate matter
 6 from the facility. Then, from there, the gases
 7 go into what's called a Selective Catalytic
 8 Reduction System or SCR to remove N-O-X, nitrogen
 9 oxides, as an oxidation catalyst, which removes
 10 carbon monoxide involved with organic compounds.

11 As a result of extensive review
 12 process, this project received an air permit from
 13 Mass DEP and has very stringent conditions in it.

14 That materials that you will receive
 15 later, you'll get a link to the air permit. You
 16 can find it through Google, Palmer Renewable
 17 Energy air permit. It's on the DEP website
 18 still. It has an extensive response and comment
 19 section where DEP goes through excruciating
 20 detail about every comment that was made on this
 21 project during the public review process.

22 It is a minor source. It is a
 23 nonmajor source of air pollution. And, even

1 though it is, went through a public hearing
 2 process, which is typically not required for a
 3 minor source.

4 So, let's talk about the air
 5 emissions, which is one of things you're probably
 6 most interested in. The air emissions from this
 7 plant are extremely well controlled. And there
 8 are limits in terms of tons per year in the air
 9 permit.

10 Now, I'd just like to point out that
 11 I see a flyer that the opponents of this project
 12 put out very recently to attract people to come
 13 here tonight. And, that flyer has incorrect
 14 information in it as far as the emission rates
 15 for this plant, which I don't understand since
 16 this is publically-available information here.

17 I will give you an example. The
 18 flyer says that the tons per year of particulate
 19 that will be emitted from this facility is 44.6
 20 tons per year. The permit clearly states the
 21 limit is 34 tons per year.

22 For POC, the flyer says 22.3 tons
 23 per year. The permit says 11 tons per year.

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1 For NOx emissions, NOx, the flyer
 2 says 49. The permit says 38.
 3 CO, 99.6. The permit says 81.
 4 So, that's incorrect information
 5 that people are being provided about what this
 6 plant could emit. When they say it will emit,
 7 please understand those are the maximum emissions
 8 the plant may emit under its air permit. The
 9 stack will have continuous monitors. NOx, CO for
 10 particulate matter for SO2. There will be
 11 monitors in the stack measuring what's coming out
 12 exactly at all times.
 13 And the facility must be below those
 14 on pound per hour basis, concentration, and on a
 15 ton per year basis.
 16 In actuality, the emissions will be
 17 lower. For some compound, substantially lower.
 18 I'll use an example of carbon monoxide with a
 19 potential emit of 81 tons per year, but with
 20 oxidation catalysts, I can tell you that the

21 emissions will be far lower.
 22 We need guarantees from
 23 manufacturers in order to put them in an air

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1 permit. Manufacturers tend to be conservative.
 2 I'll give you an example. I was on
 3 a facility in Western Mass just last week for a
 4 new small power plant where the CO emissions were
 5 limited to 2 parts per million. The monitoring
 6 showed it was zero. There was zero emissions of
 7 carbon monoxide. So, just to give you an example
 8 of how these are worst-case emissions.
 9 Now, what do these emissions do?
 10 They come out a stack. The stack is 275 foot
 11 above the ground. It's a very tall stack. The
 12 stack is 6 foot diameter. The stack is -- the
 13 stack actually is coming out at 100 feet per
 14 second at the top of that stack.
 15 So, when I talk about 34 tons per
 16 year particulate, that sounds like a lot. Well,
 17 that's based on the fact that the plant could
 18 operate 8,760 hours per year. When we model
 19 these to do air quality dispersion modeling, we
 20 use grams per second. That 34 tons per year is
 21 one gram per second. So, what's coming out the
 22 top of that stack is one gram per second of
 23 particulate matter.

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1 Then it is dispersed. When the wind
 2 blows it pushes the plume, in some cases, and
 3 eventually some part of that plume intersects
 4 with the ground. And; therefore, you will
 5 surmise there will be a concentration of that
 6 pollutant in the air at that point.
 7 The model demonstrates that those
 8 concentrations when added to the existing ambient
 9 background must be below the national ambient and
 10 quality standard.
 11 Now, I'm going to show you a chart
 12 where we have taken and plotted for some of the
 13 pollutants.
 14 NO2, one hour average, NO2, nitrogen
 15 oxide, particulate matter of size two and a half
 16 by PM2.5. SO2, one hour average. And PM10,
 17 annual average. What these graphs show is as a
 18 percentage of the national ambient air quality
 19 standards, for the years 2009, when this facility
 20 was first permitted, and for current date for

21 2015. The blue line, in this case, for 2009, is
 22 the ambient -- existing ambient background level.
 23 So, for one hour NO2, that takes up 43% of the

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1 standard. The project's impact, at its worse
 2 case location, is 5% of the standard.
 3 The green bars show you what the
 4 background air quality is today. The background
 5 air quality is improved. In some cases,
 6 significantly so.
 7 If you look at PM2.5, the blue bar
 8 is the background in 2009, and the green bar is
 9 today. Instead of 80% of standard, it's only 48%
 10 of the standard. And, the facility's impact is
 11 1.5% of the standard. 1.5%.
 12 MR. SCAVRON: Could you go over that
 13 one more time?
 14 MR. RACZYNSKI: Yes.
 15 MR. SCAVRON: PM2.5.
 16 MR. RACZYNSKI: PM2.5 particulate
 17 matter. It's fine particulate matter as a
 18 national ambient quality standard on both a
 19 24-hour average basis and on an annual average
 20 basis.
 21 On a 24-hour average basis it's 35
 22 micrograms per cubic meter. What this shows is
 23 that the impact from the plant is only 1.5% above

1 that standard. So, when that is added to the
 2 background, here, current day, the total is 49.5%
 3 above the standard. So, the standard is 35. The
 4 total impact is about 17 micrograms per cubic
 5 meter. But the facility is only .5 micrograms
 6 per cubic meter. The facilities maximum impact.
 7 It's a very small percentage of the standard.

8 The good news is that the background
 9 has come down. The good news is that air quality
 10 has gotten much better in the last five years.
 11 The projects impacts are the same as they were,
 12 they're still very low, but there is much more
 13 margin between the background and the national
 14 ambient quality standard than there was
 15 previously.

16 MR. SCAVRON: But a higher percent
 17 --

18 MS. CAULTON-HARRIS: Dr. Scavron.

19 MR. SCAVRON: A higher percent --

20 MS. CAULTON-HARRIS: Could you hold
 21 your questions?

22 MR. SCAVRON: Yeah.

23 MS. CAULTON-HARRIS: Because we're

1 eating into their time and I don't want to do
 2 that.

3 MR. SCAVRON: Sorry.

4 MR. RACZYNSKI: So, some other
 5 issues that might be of interest with respect to
 6 nuisances. Okay. So, this project would be
 7 highly controlled. We also looked at the ambient
 8 impacts of all of the mobile sources, the trucks
 9 that would deliver materials. We included that
 10 in our air modeling. We included any fugitive
 11 emissions from the plant that might come from
 12 things like silos, ash silo and limestone silo.

13 We looked at noise. Noise is
 14 regulated by Mass DEP. Mass DEP requires us to
 15 go out and measure the existing ambient levels in
 16 the neighborhood, and then we do modeling to
 17 predict what the impacts of the plant will be on
 18 top of what's there already. And the DEP air
 19 permit limits noise and DEP standards is 10
 20 decibels above the back -- existing ambient
 21 background as what's allowed for a new facility.
 22 The permit limits it to 3 decibels. So, instead
 23 of 10, it's 3. 3 is really just an imperceptible

1 increase in noise. So, there would be no
 2 nuisance conditions from noise from the project.

3 How much time do I have?

4 MS. CAULTON-HARRIS: You have about
 5 21 minutes. Almost 20 minutes.

6 MR. RACZYNSKI: I'm going to turn it
 7 over to Peter Valberg to speak about the health
 8 risk assessment that he conducted. Thank you.

9 MR. VALBERG: Yes. Good evening.

10 My name is Peter Valberg, and I'm here to address
 11 the next step in the process after what
 12 Mr. Raczynski talked about, which is looking at
 13 those ground level concentrations and seeing what
 14 the health risk might possibly be.

15 Let me tell you about myself. I
 16 mean, I've been doing research and teaching in
 17 public health for many years. I was at the
 18 Harvard School of Public Health for 20 years.
 19 I'm currently at the Gradiant Corporation, which
 20 is an environmental consulting firm located in

21 the Boston area. And, I worked in this area on
 22 human health risk assessment for the U.S.
 23 Government, for the justice department for USEPA,

1 as well as people who are in the regulated
 2 community; such as, PRE here who are interested
 3 to know what the health impacts are.

4 And, so, the question is, why am I
 5 here? I'm here defending the human health risk
 6 assessment which was done for this project, you
 7 know, back in the 2010/2011 time frame.

8 And, during that time frame, we;
 9 meaning, myself at Gradiant, which is the
 10 environmental consulting company that did this
 11 work, got input from the Massachusetts Department
 12 of Environmental Protection and the Massachusetts
 13 Department of Public Health, and they provided
 14 the guidelines on how to do this health risk
 15 assessment. And we followed those guidelines.

16 And, then, once the health risk
 17 assessment was actually done, then it was also
 18 reviewed by those agencies as well. And,
 19 basically, they didn't find that there were any
 20 issues with that, that it was done correctly.

21 And, probably the most important
 22 thing to remember about this health risk
 23 assessment process is that you make very

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1 conservative estimates of the concentrations and
 2 the exposure values and so on. So, that, if
 3 anything, it tends to overestimate the potential
 4 for a health impact rather than underestimate it.
 5 So, once you have a result, as we
 6 did have in this case, that there were no adverse
 7 health affects expected, then you know that you
 8 do have a reliable result that would apply, even
 9 in the face of certain things that you can't
 10 quantify 100%.
 11 And, as I think that Dale mentioned,
 12 this particular project has been looked at
 13 numerous times. And, in fact, one of the quotes
 14 that the Mass Department of Environmental
 15 Protection made was that the PRE Gradient health
 16 risk assessment for the proposed facility
 17 provides a much more comprehensive evaluation of
 18 human health risks than what is typically
 19 included in an air emissions project proposal.
 20 So, again, it was compared to other

21 projects of this size that went way beyond the
 22 typical requirements.
 23 Now, what did the health risk

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1 assessment look at? Well, it looked at the air
 2 emissions from the project. And, these air
 3 emissions included emissions from the stacks, as
 4 well as potential emissions from truck traffic
 5 and fugitive dusts from materials being moved
 6 around on the site.
 7 And, what the assessment did, it
 8 took the ground level concentrations that had
 9 been predicted for these air emissions and found
 10 what the toxicity factors were for the various
 11 substances, and then predicted what the health
 12 risks were going to be and compared them to
 13 guidelines. And we found that the result was
 14 that they were well below the guidelines. In
 15 terms of typical results, like, say USEPA or
 16 other federal agencies use for judging health
 17 risks, that it met all of those criteria.
 18 I could go into that in more detail,
 19 and, hopefully, you'll have some questions, so
 20 forth.
 21 But the other point that I did want
 22 to make here is that the health risk assessment
 23 also looked into the existing health status of

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1 the Springfield area.
 2 And, here we looked in the report.
 3 We presented data on Springfield and the nearby
 4 communities and we summarized rates of cancer,
 5 asthma, cardiovascular disease, and other items.
 6 And these Massachusetts Department of Public
 7 Health statistics did indicate that for some of
 8 these disease rates, the Springfield area was
 9 elevated compared to the rest of Massachusetts,
 10 while, for other health statistics, they were
 11 below that.
 12 But I think what is really important
 13 is that in the background and health data that we
 14 looked at, we didn't find any indication that
 15 particulate concentrations and outside air were
 16 determining factors for these health statistics.
 17 And, YOU can look in the report. And there are
 18 other things that play into whether or not a
 19 particular community might have elevated health
 20 statistics or not.

21 But outdoor air is not one of those
 22 factors. And, so, you should combine that with
 23 the fact that this plant, I think as Dale

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1 emphasized, has a very minuscule impact on those
 2 outdoor air concentrations.
 3 So, there is two things going on
 4 here is the outdoor air, per se, is not a crucial
 5 factor in any of these health points, and the
 6 impact of this plant is small.
 7 So, I think that the -- in terms of
 8 looking at those community health conditions, the
 9 health risk assessment could also conclude that
 10 there wasn't any evidence that the plant would
 11 affect that.
 12 Again, I had a number of things that
 13 I was going to say about the fact that it had
 14 been reviewed a number of times.
 15 One other thing I wanted to say is
 16 we looked at that health risk assessment again,
 17 now in 2016, just to make sure nothing had
 18 changed since 2010. And, we found some of the
 19 toxicity values had gone up and down a little
 20 bit. But they did not change the conclusions of
 21 it. It didn't move any particular impact from
 22 below levels of concern to above levels of
 23 concern. If anything, that the impacts overall

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1 went down.
 2 I guess the one thing that I think
 3 is quite important maybe to look at here. And,
 4 I'm hoping that you can see this relatively well.
 5 I probably should have made it much larger.
 6 What this particular graph shows in
 7 the green line, which goes from year 2000 to year
 8 2012, it shows the air quality, the PM2.5 levels
 9 in the springfield area over that period of time.
 10 And, what's very striking is air
 11 quality has improved dramatically in the
 12 Springfield area over that time for particulate
 13 matter. And that's been true across the State of
 14 Massachusetts as well. Air quality has improved
 15 in the Boston area as well.
 16 The other line that's plotted on
 17 here is the trend in asthma emergency room visits
 18 in Springfield.
 19 And, what you notice here is it kind
 20 of bounces up and down as you go across the
 21 various years; however, that trend, the level of
 22 emergency room visits, has remained constant.
 23 So, if you will, this is kind of empirical

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1 evidence that, you know, even though the outdoor
 2 air, the outdoor air has improved, levels have
 3 fallen considerably over that period of time.
 4 The levels of impact in that particular health
 5 endpoint hasn't at all. And, we looked at this
 6 in the case of a number of health endpoints.
 7 Finally, here is another one since I
 8 know there was a fair amount of emphasis on
 9 asthma.
 10 Here, again, is the green line. You
 11 notice it's going from an annual average PM2.5
 12 concentration kind of in the 15 microgram per
 13 cubic area down to about 8 micrograms per cubic
 14 meter.
 15 And, the red line here in this case
 16 is the pediatric asthma that's derived by the
 17 Massachusetts Department of Public Health in
 18 terms of school surveys. They go around the
 19 schools all around Massachusetts and ask the
 20 school nurses approximately how many kids are
 21 reported to have asthma or wheezing and stuff
 22 like that.
 23 And, the red line shows, again, that

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1 that particular endpoint bounces around a lot.
 2 As Massachusetts Department of Public Health
 3 suggests, it's probably due more to indoor air
 4 conditions in schools and so forth.
 5 But, clearly, compared to the trend
 6 in air quality, you know, you don't really see
 7 any hint that there is a following of one of
 8 those things with respect to the other.
 9 So, again, kind of empirical
 10 evidence.
 11 I suppose the other thing I should
 12 mention. I think that Dale may have mentioned
 13 it. Look at the scale which goes from
 14 approximately 15 down to 8. The annual average
 15 impact at this plant at the maximum impact point
 16 is 0.05 micrograms per cubic meter. And, so, I
 17 maintain that if you had an air quality monitor
 18 right at the point where the maximum impact was,
 19 you wouldn't be able to detect that impact
 20 because the daily fluctuations of PM2.5, as you
 21 measure on the monitor, something that all of us
 22 can look up, are far in excess of 0.05.
 23 So, there are emissions. There are

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1 impacts. But, you know, they are truly small.
 2 So, since my time is limited, I'm
 3 going to wrap up and say that, you know, based on
 4 all the stuff that I have looked at, I think my
 5 overall conclusion is that, you know, my
 6 understanding from working on this project and my
 7 professional opinion on the air quality impacts
 8 of this PRE project, I feel that it cannot be
 9 expected, it cannot be expected to result in a
 10 nuisance or be harmful to Springfield inhabitants
 11 or injurious to their estates or dangerous to
 12 public health or intended by noisome and
 13 injurious odors. I think it's a small plant and
 14 it's extremely well controlled.
 15 And, I will stop there.
 16 MR. DURNING: Thank you, Peter.
 17 And, our last speaker is going to be Tom Mackie.
 18 Thank you.
 19 MR. MACKIE: Good evening. Thomas
 20 Mackie from Mackie Shea. I'm here on behalf of
 21 Palmer Renewable Energy. I'm an attorney. So
 22 I'm going to talk law stuff.
 23 First of all, I will be delivering a

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1 letter to you that lays out everything I'm going
 2 to say tonight. I've also already delivered it
 3 to the law department this afternoon. And, you
 4 will also receive written copies of the
 5 statements that were made, much more wholesome,
 6 along with some exhibits attached to that. And,
 7 we'd be happy to provide more information.
 8 I wanted to go over really quickly
 9 what the history of this project is for purposes
 10 of putting it into context. And, I'm going to do
 11 this rapidly.
 12 In 2008, the City of Springfield
 13 City Council issued a special permit to this
 14 project at the time when it was proposed to be a
 15 C&D combustion facility.
 16 In 2011, the DEP issued a draft air
 17 plan approval. That was in February.
 18 In March of 2011, the city council
 19 revoked the special permit for that -- for that
 20 project, and prefiled a lawsuit in Land Court,
 21 which is currently pending with regard to that.
 22 In June of 2011, the DEP issued the
 23 conditional air plan approval.

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1 And, in July of 2011, Michaelann
 2 Bewsee, other citizens and some environmental
 3 groups filed an appeal of that air plan approval.
 4 In November of 2011, the building
 5 commissioner of the City of Springfield issued a
 6 building permit for the project.
 7 And, in December of 2011, Ms. Bewsee
 8 and certain other citizens and the City Council
 9 appealed the grant to the building permit to the
 10 Zoning Board of Appeals.
 11 In December of two thousand --
 12 September of 2012 -- I'm sorry. In January of
 13 2012, the ZBA revoked those building permits
 14 based on the applications that were filed by Ms.
 15 Bewsee and City Council.
 16 In September of 2012, the DEP,
 17 pursuant to the appeal filed by Ms. Bewsee,
 18 entered final decision approving the plant
 19 approval after what was over a two-year-long
 20 adjudicatory hearing process.
 21 In August of 2014, PRE was
 22 successfully reversing the Zoning Board of
 23 Appeals revocation of the building permits and

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1 the Land Court reinstated the building permits.
 2 In September of 2014, the City
 3 Council and Bewsee filed an appeal of that
 4 decision with the Appeals Court.
 5 In September, 2015, a year later,
 6 the Appeals Court upheld the Land Court's
 7 decision reinstating the building permits.
 8 And, finally, in September -- not
 9 finally. I'm sorry. In September of 2015, Ms.
 10 Bewsee and City Council requested that the
 11 Supreme Judicial Court took a further appellate
 12 review of the Appeals Court decision upholding
 13 the building permits.
 14 In October of 2015, October 30th,
 15 the Supreme Judicial Court denied further
 16 appellate review. And, before the ink was dry on
 17 that denial of further appellate review by the
 18 SJC, in November of 2015, the same petitioners
 19 were before this Public Health Council seeking to
 20 stop the project yet again.
 21 In the original special permit that
 22 Palmer Renewable had with the City of
 23 Springfield, they agreed to a host community

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1 agreement, but together with the air plan
 2 approval, it includes --
 3 Can you hear me? I'd rather be
 4 doing that. I'm sure you'd rather be listening
 5 to that.
 6 Palmer Renewable agreed to over \$2
 7 million in host community benefits in addition to
 8 other multiple benefits. There is, in September
 9 of 2008, a host agreement with the city under
 10 which there are hours of operations governing
 11 delivery of fuel. There were rules with regard
 12 to cueing of trucks on Catabolt Drive not
 13 allowed. There were truck routes agreed upon.
 14 There was an agreement to do quarterly meetings
 15 with the neighborhood followed by semi-annual
 16 meetings in the second year of operation.
 17 \$667,000 in physical improvements to the city
 18 infrastructure, noise reduction enhancements
 19 agreed upon, city hiring preferences for all
 20 employees, including social service organizations
 21 in the City of Springfield. A Green Net Energy
 22 permit \$25,000 annually. Reimbursement of the
 23 cities legal and consulting fees. An annual

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1 environmental review at the cost of Palmer
 2 Renewable of \$10,000 every year by the city.
 3 Additional support for city fire protection for
 4 the hazard response training, et cetera. And
 5 then preference for the city to purchase Palmer
 6 Renewable's green power.

7 In the air plan approval, if you
 8 find it, where Mr. Raczynski pointed out to you.
 9 It's also, I think, included in our material, but
 10 it may not be.

11 Palmer Renewable agreed to another
 12 \$1.3 million in additional public health project
 13 spending over the first three years, with
 14 \$433,000 per year with the specific intent of
 15 improving indoor air quality in schools and
 16 retrofitting public vehicles. The concern about
 17 how asthma in the school system was heard loud
 18 and clear. And, as the Massachusetts Department
 19 of Public Health clearly pointed out, Asthma is a
 20 multi-factorial disease depending on many
 21 factors, many of which have to do with indoor air
 22 quality.

23 I don't think you're going to be

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1 able to see these. I have copies of these that I
 2 will hand out when I'm done. I'm going to go
 3 through some flip charts of things I considered
 4 inconsistencies.

5 The Public Health Commission -- this
 6 is the statute which establishes the Public
 7 Health Commission. This is Chapter 533 of the
 8 Acts of 1980.

9 And, it says that the Public Health
 10 Council shall make and promulgate rules and
 11 regulations such as Board of Health and the
 12 Commonwealth may do pursuant to special or
 13 general law.

14 With regard to the actual
 15 enforcement, it says, the commissioner -- that is
 16 the Director of Health and Human Services in the
 17 City -- shall perform the duties and accept as
 18 provided above, shall have all the powers of the
 19 Board of Health under this general and special
 20 laws.

21 The notice of this hearing says that
 22 the -- after this hearing the Public Health
 23 Council will conduct a public hearing in

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1 accordance with Chapter 111, 143 on noisome trade
 2 site assignment. That's not correct. The Public
 3 Health Council is an advisory body. It writes
 4 regulations. It would be the commissioner that
 5 would hold the hearing.

6 There is case law in Massachusetts
 7 that absolutely unequivocally says that when
 8 there is a more specific provision of General
 9 Laws, Chapter 111 passed, after an earlier
 10 provision of Chapter 111, that the more specific
 11 provision governs.

12 In this case, it talks about garbage
 13 trucks. Board of Health attempted to regulate
 14 garbage trucks using Section 22 of the Chapter
 15 111. 111 is where all other public health laws
 16 are found.

17 And, there was, later on, a statute
 18 that said, no, Board of Health should regulate
 19 garbage trucks under 31C of 111.

20 The Court said they did not have the
 21 authority to use section 122 because a more
 22 specific later provision was enacted.

23 Here. General Laws, Chapter 111,

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1 Section 143 is the act -- the law under which the
 2 Board of Health may act to regulate noisome or
 3 trades, nuisances and the like.

4 There is a more specific, more
 5 recent provision. That law was passed in the
 6 1600s.

7 In 1970s, the legislature passed
 8 111, Section 142(b). It says, the Department of
 9 Environmental protection shall control air
 10 pollution. However, the law specifically says in
 11 a later-enacted provision in Chapter 31C of 111,
 12 that a Board of Health may adopt regulations
 13 governing air pollution --

14 MS. BENSEE: Excuse me. A half an
 15 hour has just been reached.

16 MS. CAULTON-HARRIS: I have two
 17 minutes left, Michaelann.

18 MR. MACKIE: Subject --

19 MS. CAULTON-HARRIS: I have him
 20 starting -- let me just say.

21 I have him starting at 5 minutes of
 22 6:00. So, there is two minutes left.

23 MR. MACKIE: Subject to the approval

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1 of the Department of Environmental Protection,
 2 any regulation is subject to the approval of the
 3 Department of the Environmental Protection. The
 4 Public Health Council has no regulations
 5 governing this.

6 Under the statute, the Public Health
 7 Council may request the DEP's advice prior to
 8 seeking a site assignment. The Public Health
 9 Council did request DEP's advice. There is a
 10 letter that I will provide to you from the DEP to
 11 the Director of Health and Human Services
 12 essentially saying that all of the noisome or
 13 nuisance and trade or nuisance conditions that
 14 were expressed in the letter are covered by the
 15 air plan approval that DEP issued.

16 I'm going to skip that one.

17 MS. CAULTON-HARRIS: You do have one
 18 minute.

19 MR. MACKIE: Thank you. I'm going
 20 to leave the rest of these.

21 Under General Laws Chapter 111,
 22 Section 150, which is part of the noisome trade
 23 statute, it provides for damages to the entity

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1 that is regulated if the entity is unlawfully
 2 prohibited from operating. That is the only law
 3 that I'm aware of where it expressly says that a
 4 public board can be held liable for damages.

5 Our law firm is the only law firm
 6 that I'm aware of who has ever recovered such
 7 public damages.

8 The Board of Health in the Town of
 9 Freetown we've recovered in excess of \$3 million
 10 damages for unlawful implication of Section 143.

11 I urge the City not to take this
 12 measure at this time to reject this petition on
 13 the basis that there is an undue exposure to
 14 liability.

15 MS. CAULTON-HARRIS: Thank you.

16 It is 6:25, it will be 6:40. The
 17 Public Health Council has 15 minutes to ask
 18 questions. I will conclude that at 6:40.

19 Public Health Council, who would
 20 like to begin?

21 Okay. Dr. Scavron?

22 DR. SCAVRON: Okay. So,
 23 Mr. Raczynski, this is -- you told us this is the

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1 cleanest project in the world. How do you know?
 2 How do you know the air impact of this proposed
 3 project?

4 MR. RACZYNSKI: What I am saying is
 5 that the level of air pollution control for a
 6 biomass plant of this type, there is no -- I do
 7 not know of any other power plant with the level
 8 of air pollution control that this plant has.

9 And, the reason for that is it was
 10 started off as a C&D wood. And we kept those
 11 levels of air pollution control. So, it's a
 12 highly controlled --

13 DR. SCAVRON: So, where are the
 14 other plants that are using near this quality
 15 control? Where are those plants that are using
 16 this technology, minus one or two aspects of it
 17 so this would be the cleanest? Where do we look?

18 MR. RACZYNSKI: Well, there are
 19 hundreds of biomass plants throughout the world.
 20 There is at least 100 in the United States.

21 There are plants that have elements
 22 of these controls. None of them have all of them
 23 together.

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1 So, for example, the SCR that I
 2 mentioned, the NOx, was retrofitted to some
 3 existing plants in northern New England, New
 4 Hampshire and Maine and Vermont. There have been
 5 SCR systems adding on to older plants. None of
 6 those plants have the scrubbers on them. The dry
 7 scrubber, for example, is unique to this plant.

8 And, it's been -- the dry scrubber
 9 technology is very robust. It's been used on
 10 many other types of plants. In fact, the Mount
 11 Tom plant, when it was operating, had a dry
 12 scrubber like this one.

13 So, it's over-controlled. It
 14 doesn't really need a dry scrubber. In other
 15 words, if we proposed this plant today in another
 16 state -- and I can point -- I did a project in
 17 Vermont a couple of years ago. It didn't have a
 18 dry scrubber. The state determined it didn't
 19 need one.

20 So, this one has one, even though
 21 it's not needed. It will be there. It will
 22 operate, which means it will be more highly
 23 controlled than it otherwise would need to be if

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1 it was proposed as a green wood plant.
 2 DR. SCAVRON: So, are any of those
 3 other plants located in dense-population areas
 4 that are environmental-justice communities? In
 5 other words, we're talking about putting this
 6 plant in an area where there are lots of people
 7 with a lot of health disparities. Are there any
 8 others we can look at like that?
 9 MR. RACZYNSKI: There are plants of
 10 all types in EJ areas. In Boston, there are many
 11 power plants in Boston, okay, much larger power
 12 plants. The Matep plant is in the middle of the
 13 Longwood Medical Area.
 14 DR. SCAVRON: Which plant?
 15 MR. RACZYNSKI: Matep, M-A-T-E-P.
 16 Is a power plant that provides all the steam and
 17 electricity and hot water to the entire Longwood
 18 Medical Community in Boston.
 19 DR. SCAVRON: Right.
 20 MR. RACZYNSKI: That's a much larger

21 plant than this. The EJ aspects of this had been
 22 addressed through the -- both the air plan
 23 approval process and the MEPA process. The

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1 project had enhanced public participation, and we
 2 did the equivalent of enhanced analysis for the
 3 project by virtue of having done a health risk
 4 assessment. So, the EJ aspects of this have been
 5 addressed. The Mass DEP addressed this in
 6 response for comments. They found that there
 7 were no disproportionate impacts on EJ areas.
 8 The air quality impacts were quite low from this
 9 project.
 10 The DEP found that. The MEPA office
 11 found that. This was treated as though it was a
 12 major source. So, there is no problem with it
 13 being in EJ areas.
 14 DR. SCAVRON: Do I have a couple
 15 more questions?
 16 MS. CAULTON-HARRIS: You do, but let
 17 me see if there is anyone else that has a
 18 question. Is there anyone else who has a
 19 question?
 20 Mr. Carrithers.
 21 MR. CARRITHERS: I think this is
 22 Mr. Raczynski?
 23 MR. RACZYNSKI: Yes.

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1 MR. CARRITHERS: You mentioned green
 2 wood chips in the construction site. You have a
 3 permit to do construction waste now? Not
 4 anymore, that's gone?
 5 MR. RACZYNSKI: That's gone. That's
 6 no longer on paper.
 7 MR. CARRITHERS: So, all you can do
 8 is --
 9 MR. RACZYNSKI: Green wood.
 10 MR. CARRITHERS: -- green wood right
 11 now.
 12 MR. RACZYNSKI: The air permit is
 13 very specific about this. The air permit says,
 14 though shalt only use green wood. It prohibits
 15 the use of any waste materials, any C&D wood.
 16 Any other type of wood is prohibited by the air
 17 permit. So, it's not an incinerator. Okay?
 18 That's been decided all the way up to the Supreme
 19 Judicial Court. This is not an incinerator. It
 20 was proposed as a C&D wood plant, which some

21 might think is like an incinerator. It has the
 22 air pollution control that would be required if
 23 it was an incinerator. But it's not. It's using

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1 green wood chips. It's from tree trimmings.
 2 There is no toxic compounds in these green wood
 3 chips. There is actually limits on the heavy --
 4 any heavy metals in the air permit. They have to
 5 test the wood to prove it's not C&D wood.
 6 So, I mean, this is
 7 highly-controlled, highly-regulated,
 8 well-monitored. There will be particulate
 9 monitors around the perimeter of the site.
 10 One other thing I would just like to
 11 mention. NOx, for example. Another thing that
 12 wasn't mentioned is they're voluntarily going to
 13 get off-sets of the NOx emissions during the
 14 ozone season. So, it wouldn't have any impacts
 15 on ozone.
 16 So, this runs above and beyond all
 17 requirements.
 18 MS. CAULTON-HARRIS: So, we want
 19 to -- anybody down here want to ask a question
 20 before I bring it back to Dr. Scavron.
 21 I'll bring it back to Dr. Scavron.
 22 DR. SCAVRON: So, Mr. Valberg,
 23 particulate matter 2.5 is a problem for asthma.

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1 Since you did your health impact
 2 analysis in 2011, a lot has been learned about
 3 incremental increases in particulate matter and
 4 asthma, not just when you reach the threshold
 5 that's set by the government, but any incremental
 6 increase in PM2.5 on asthma.

7 What do we need to look at to see
 8 what would be, in a health impact analysis, what
 9 would be the incremental affect on people in our
 10 community from the increase in 2.5 from whatever
 11 they were to whatever they would be?

12 Now, I hope we don't talk too much
 13 about, that asthma hasn't increased in the
 14 emergency rooms. I think that's not a good
 15 measure of anything other than the very
 16 aggressive medical care we are giving, case
 17 management we are giving our families of children
 18 with asthma.

19 But we have an enormous asthma
 20 problem. 20% of our school children are reported
 21 to have asthma. We need to protect those
 22 children and health impact analysis, health
 23 impact analysis is what we have available.

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1 So, we need to be as direct and as
 2 critically-minded as possible when we do that in
 3 order to say to our families and our children,
 4 don't worry, there won't be any change.

5 So, in the last five years there's
 6 been tremendous increase in knowledge about this
 7 stuff.

8 What -- do you have anything that
 9 makes you say there still is no impact on asthma
 10 in our densely-populated community?

11 MR. VALBERG: Yes. Thank you. I'd
 12 be glad to respond to that. I think there is a
 13 couple things to remember.

14 First of all, remember that the
 15 national ambient air qualify standards that are
 16 set by USEPA and are periodically reviewed and
 17 updated and so forth, are set, you know, not just
 18 for the general population. They're set to
 19 protect density populations. They're set to
 20 protect asthmatics and so forth.

21 So, that if you just look at the
 22 outdoor air particulate that is in the
 23 Springfield area, those graphs that you were

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1 seeing, and the graphs that I was showing, show
 2 that the air particulate levels are far below the
 3 national ambient air quality standards for PM2.5.

4 So, I would agree with you in the
 5 sense that air particulate can be a cause of
 6 asthma if it's allergic. If there's components
 7 of a particulate that were a trigger, an immune
 8 reaction or an allergic reaction; however, when
 9 you're already down at these very clean levels,
 10 and if you also recognize, which I didn't get to
 11 in my particular talk, that for all of us,
 12 exposure to air particulate is primarily indoors.
 13 And the indoor sources having to do with cooking,
 14 cleaning, exposure while you're driving, and so
 15 forth. Those are, in fact, exposure sources that
 16 contribute to particulate far more than outdoor
 17 particulate, let alone the contribution from this
 18 plant, which is very small.

19 So, let's say that if you feel that
 20 a given case of asthma may have some contribution
 21 from particulate, per se, that particular result
 22 is going to crop up in situations far different
 23 from this. I mean, it's going to crop up in

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1 situations where people are exposed to, you know,
 2 indoor candle smoke to barbecue smoke to lawn
 3 mowing and so forth. Those are all sources that
 4 give you much greater exposure.

5 So, in response to your question, I
 6 think that because the levels are below the
 7 national ambient air quality standards by a
 8 pretty wide margin, because those standards are
 9 set for protection of these density populations,
 10 and because we have no mechanism by which the
 11 inert nonbiologically active components of
 12 particulate will trigger these kinds of asthma
 13 attacks, I feel that you can be fairly reassured
 14 that this particulate level is not the cause of
 15 asthma in Springfield.

16 DR. SCAVRON: So, I was asking,
 17 there is an incremental increase in particulate
 18 matter. And, regardless of whether it reaches
 19 the ambient level of not, even if it's low, an
 20 incremental increase has been shown much more
 21 recently than 2011, I will grant you, but much
 22 more recently that it does increase asthma. It
 23 does increase asthma rates if you go from, you

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1 know, 12 to 20 or 18 to 24 below the ambient
 2 level; yet, it still increases asthma.
 3 Do you have a comment or are you
 4 aware of that or do you think that's relevant.
 5 MR. VALBERG: I'm not aware of any
 6 studies that look at levels as low as what we're
 7 seeing here where we have Springfield, the annual
 8 averages of eight or nine.
 9 I mean, I think the USEPA looked at
 10 the studies, both for asthma and other health
 11 endpoints and said, when you get to statistical
 12 associations that are reported at these very low
 13 levels, that you cannot rule out the fact that
 14 that may be due to confounding factors or due to
 15 chance and so on. And that's why, consequently,
 16 they have not revised the ambient air quality
 17 standards down to that level because the level of
 18 scientific support is not sufficient.
 19 DR. SCAVRON: So, I will say that
 20 there are studies --

21 MS. CAULTON-HARRIS: We have one
 22 minute for this portion of the hearing.
 23 Go ahead, Dr. Scavron. This is

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1 going to be the last comment, and you can
 2 respond.
 3 DR. SCAVRON: What do we do on our
 4 worst air pollution days?
 5 MR. VALBERG: I think you just have
 6 to look at what the worst air pollution days are
 7 and what the components are.
 8 I think -- you know, Massachusetts
 9 has always had a problem with ozone. So, that,
 10 when you talk about worst air pollution days,
 11 that you may be talking about ozone exceedance
 12 days.
 13 This particular plant, as Dale
 14 mentioned, is going to have NOx offsets and so
 15 forth that will -- first of all, it doesn't emit
 16 any ozone at all. And, then, secondly, it will
 17 have NOx offsets that will essentially help the
 18 ozone situation in the ozone season.
 19 MS. CAULTON-HARRIS: Okay.
 20 MR. RACZYNSKI: I would mention just
 21 also, the ozone is now essentially containment.
 22 We're not having the same problems we've had with
 23 ozone in the past, if you look at the data.

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1 Thank you.
 2 MS. CAULTON-HARRIS: Thank you.
 3 Okay. So, that ends the first
 4 presentation by the developer. We're going to
 5 take maybe four minutes to change out.
 6 So, if the next group could get
 7 ready to testify that would be -- to present, I
 8 should say, that would be helpful.
 9 MS. BENSEE: I'm Michaelann Bewsee
 10 with Stop Toxic Incineration in Springfield, and
 11 a raise for social justice. I must say, it's
 12 hard not to want to jump straight to rebuttal,
 13 but I'm going to restrain myself.
 14 I do want to say, though, that I
 15 think, you probably all know that the science is
 16 always ahead of regulations. And I know that PRE
 17 makes a great deal out of the air permit and
 18 other permits its passed, but if the science
 19 weren't ahead of the regulations, we would
 20 never -- we would have gotten rid of led paint

21 much sooner than we had and DET. So, as far as
 22 I'm concerned, DEP's regulations are not
 23 protective of vulnerable populations.

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1 But I want to get a couple of other
 2 things out of the way first before I talk more
 3 about that.
 4 One is around the truck traffic.
 5 Now, PRE estimates there's going to be about 140
 6 trips a day. Those are not round -- each one is
 7 halfway. So, about 70 trucks a day. And they
 8 agreed to retrofit trucks from their fuel
 9 supplier so that those 25 trucks won't emit very
 10 much pollution. But we have no guarantee that
 11 those are the only 25 trucks that are going to be
 12 used to deliver green wood chips to the
 13 neighborhood. And, reduced pollution and noise
 14 does not mean no pollution and noise.
 15 The second point I'd like to make
 16 before I'd get to the environmental-justice issue
 17 is around climate change. The DPE issued a
 18 commission to study called the Manomet study to
 19 determine whether or not burning wood was carbon
 20 neutral, and they determined that it was not
 21 carbon neutral. In fact, the efficiency level of
 22 Palmer Renewable's plant is so low that they
 23 recently asked the Department of Energy Resources

1 to relax its standards for renewable energy
2 credits so that PRE could get renewable energy
3 credits, even though it operates at an efficiency
4 level that would put it ineligible, otherwise,
5 for renewable energy credits.

6 Now, does the Public Health Council
7 have a right to take climate change into
8 consideration? I say you do.

9 And, in fact, one of the documents
10 that I'm sharing with you is from -- let me get
11 the right state agency. Mass Department -- it's
12 the Bureau of Environmental Health, the Mass
13 Department of Public Health has just put out a
14 study and a paper on corroborating with boards of
15 health across the state to look at the health
16 impact that will come about because of climate
17 change.

18 So, the Commonwealth certainly
19 thinks that climate change is relevant to the
20 state of health. And, I think you will find that
21 that is true also.

22 But, climate change is happening
23 now, but it's going to take a while before we see

1 all of the impacts.

2 So, what I want to focus on is the
3 fact that we have -- and you have smaller
4 versions of this in the packets.

5 This is Springfield colored in for
6 the environmental-justice communities. In fact,
7 the state is revising its environmental justice
8 policy right now. One of the things it's
9 considering is saying that if you have a city
10 that has two thirds of its population actually is
11 considered to be environmental justice, you may
12 as well say that the whole city is an
13 environmental-justice community.

14 Now, right about here is where
15 Palmer Renewable Energy wants to build its plant.
16 The blue area is -- means that it meets -- that
17 area meets all the qualifications to be an
18 environmental justice community.

19 The green is two -- three factors.
20 Green is two factors. Yellow is one factor.

21 We're not in good shape in
22 Springfield. We have a number of very vulnerable
23 communities, in addition to which children and

1 elders are even more vulnerable than people who
2 live in an environmental justice community.
3 Elders because our immune systems are not as
4 great, our lungs are not as great. And children
5 because they're growing. In fact, exposure to
6 air pollution for infants can stunt lungs in a
7 way that they never will recover from. And, I
8 can give you written information on that.

9 It's not good enough. I mean, it's
10 just not -- what PRE is imposing is just not good
11 enough to make sure that people in Indian
12 Orchard, East Springfield, and the rest of the
13 city will suffer no effects.

14 I remember meeting with the
15 developer one time and asking him if he could
16 assure me that not one person would suffer
17 ill-effects from PRE's operation. And, he said,
18 no, he could not assure me that that was true.

19 I also -- I guess the last point
20 that I would like to make is when you have a --

21 when you have a lot of money, you can hire a lot
22 of lawyers. You can hire a lot of experts.

23 A health risk assessment is not the

1 same as a health impact assessment, which we have
2 asked for and not been able to get.

3 There was no MEPA evaluation of this
4 plant. The developer has very carefully made it
5 just small enough that a MEPA review was not
6 triggered. So, I don't know why that came up as
7 if there was a MEPA review and it passed, because
8 that's not the case.

9 MR. STILLWELL: I was asked by your
10 local community to come up and see if I could
11 shed some light on our experiences with a plant
12 very similar to the one that's being proposed.

13 I live in Plainfield, Connecticut.
14 And, this gentleman asked if there was another
15 plant very similar to what your PRE is proposing.

16 And, the PRE that we have in
17 Plainfield, I looked at the air permits for both
18 facilities, and our PRE, which is burning demo
19 waste, is very similar to the one that you have
20 here.

21 And, what I'd like to do is just
22 give you -- in 2014, January of 2014, Plainfield
23 Renewable Energy started their plant up.

1 In February of 2014, we filed our
 2 first nuisance complaint against them.
 3 In the past two years, we filed 295
 4 nuisance complaints against Plainfield Renewable
 5 Energy. They have a very similar plant, a very
 6 similar process to what Palmer Renewable Energy
 7 is proposing for your community. I'd like to
 8 break those 295 complaints down for you.
 9 We filed four noise complaints.
 10 Typically, the plant isn't very noisy. But on
 11 occasion, I think during a quick shutdown, they
 12 would emit noise levels that sounded like a jet
 13 airplane taking off. And, they could be heard
 14 about a mile and a half away from the plant.
 15 We filed four complaints for black
 16 smoke from the stack. We're not sure what caused
 17 it. Wood fuel is not a consistent fuel like fuel
 18 oil. So, they have issues that they have to go
 19 through to file these complaints with the
 20 Connecticut DEP.

21 We filed 28 complaints for wood
 22 chips being deposited on the streets and in
 23 people's front yards. There are two routes, one

1 into the plant, and one out. And, the route of
 2 trucks coming out of this plant is constantly
 3 littered with wood chips. They're being blown
 4 into peoples' yards. And, in the worst instance,
 5 these peoples' yards look like they've been
 6 mulched, when, in fact, they haven't been.
 7 We have filed 62 dust complaints.
 8 You have in front of you a couple photographs.
 9 Those are just taken during a recent snowstorm.
 10 Matter of fact, I think it was last week.
 11 The first photograph shows the roof
 12 of our high school located in the north end of
 13 town. Note the color of the snow on the roof.
 14 The second photograph was taken of PRE's wood
 15 storage and processing building. You don't have
 16 to hold it close together to see that in 24 hours
 17 the roof of that building turns brown. That's
 18 brown from fusion and dust emissions.
 19 The dust is coming from their
 20 conveyors. It's coming from their front end
 21 loader moving dust chips around. It's coming
 22 from their screening operation. It's coming from
 23 their regrinder, and it's coming from the dumping

1 of trucks in the facility.
 2 They have a similar wood processing
 3 facility and storage facility that Palmer is
 4 proposing for your community.
 5 That dust is sufficiently mobile to
 6 going from underneath that roof, straight up,
 7 some of it is deposited on the top of the roof,
 8 the rest of it gets blown out into our community.
 9 Our residents can't open their windows or their
 10 doors in the summer because this dust is so
 11 persistent. They're at the mercy of the
 12 direction of the wind.
 13 Along with that, those dust
 14 complaints, we've filed 30 complaints for
 15 disabling or operating pollution controlled
 16 devices disabled.
 17 They have a similar pollution
 18 control system that's being proposed here in
 19 Palmer. They're going to use water sprays. They
 20 simply don't work. And, in the winter, they're
 21 absolutely useless. The lines freeze up. I know
 22 Palmer has proposed to heat their lines. But, as
 23 that water comes out, it comes out as a very fine

1 mist and it instantaneously freezes when the
 2 temperatures are low and you can't combine with
 3 the wood dust and help it to drop out.
 4 We have filed 164 complaints for bad
 5 odors. Let me read you some of the descriptions
 6 of the odors that our residents have provided.
 7 "A strong wood odor." I guess that's
 8 understandable. "A rancid wood odor." "Smells
 9 like paint or varnish or solvent-like odor." "A
 10 vinegar smell." "Vomit or vomit mixed with sour
 11 milk." "Choking strong wood odor." "Smoky wood
 12 odor." "Odor that burns the eyes, nose and
 13 throat." That may be caused not only by the
 14 odor, but by the fine particulate. "Smells like
 15 a rotting animal carcass."
 16 Everybody-- the developer might
 17 like you to think that the wood has a pleasant
 18 odor like your Christmas tree. It doesn't.
 19 Different species of wood have different odor
 20 characteristics. Red oak, white oak. White oak
 21 has earned the nickname piss oak because of the
 22 bad odors that it produces.
 23 You take that, cut it up, and split

1 it for core wood you get an odor.
 2 Grind that same tree up into small
 3 particles you're generating more surface area,
 4 you're getting more odor. Take 10,000 of those
 5 trees, grind it up and put it in a big pile over
 6 at PRE's facility is, the odors become
 7 unbearable.

8 When you put wood in a big pile and
 9 constantly turning it you're constantly
 10 reintroducing those odors.

11 I would urge you, I would urge you
 12 to do everything within your power to stop this
 13 plant for the benefit and the health of your
 14 community.

15 You also have a hand out there, I
 16 heard one comment that there were no ill-health
 17 effects associated with clean, green wood.

18 You have a safety datasheet in front
 19 of you. Page one, listed under health effects,
 20 carcinogen category 1A. That's clean wood. It

21 doesn't include glues. It doesn't include
 22 preservatives. Go to the page for listed health
 23 effects. I think it's on page three. May cause

1 skin irritation, may cause respiratory
 2 irritation, causes eye irritation.

3 We know that for a fact when you
 4 walk by this plant your eyes start burning.

5 If you look at page six, wood dust
 6 listed by NTP. Wood dust is known to be a human
 7 carcinogen. Wood dust listed by IARC, group 1,
 8 carcinogenic to humans sufficient evidence of
 9 carcinogenicity. We have this dust blowing all
 10 over town. We can smell the plant up to two
 11 miles away. We routinely smell it within a
 12 half-mile radius. The people can't open their
 13 windows in the summer anymore, and we're living
 14 across the street from this plant, because of the
 15 dust and the odor. Thank you.

16 MS. HUDSON: Hi, I'm Sarita Hudson.
 17 I am the Pioneer Valley Asthma Coalition Manager.
 18 I work with partners for healthier community,
 19 which is a western Massachusetts public health
 20 institute.

21 And I'm here today to advocate for a
 22 health impact assessment. As Michaelann said,
 23 there has not been a health impact assessment

1 that takes into account both the possible impacts
 2 from incineration and the increase in air
 3 pollution from truck traffic to and from the
 4 plant.

5 We need to assess the potential
 6 health effects of the proposed biomass plant and
 7 make recommendations for responses to health.
 8 And, in particular, it's really important to do
 9 this based on health disparities and the
 10 environmental-justice community experienced here
 11 in Springfield.

12 Air pollution, as you know, is a
 13 major health danger for children and adults.
 14 It's, as Michaelann mentioned, it's linked to
 15 health risks including low birth, asthma attacks,
 16 lung cancer, cardiovascular disease, and
 17 susceptibility to infections.

18 Actually, I have some copies here
 19 that will show you some of the charts that would
 20 speak to asthma and cardiovascular disease here
 21 in Springfield.

22 So, asthma is a serious problem.
 23 And, yes, we -- the asthma right now, the

1 estimated 18% of adults in Springfield have
 2 asthma. And, and somewhere between 17 and 21% of
 3 children, school children have asthma.

4 And, this is twice as much as
 5 nationally, and well above other communities here
 6 in the state.

7 And, when you look specifically at
 8 the morbidity due to asthma, we're looking at ER
 9 rates that are three times higher than the state.
 10 Double the national rate. And you also see those
 11 same double -- double the ER rates for chronic
 12 obstructive pulmonary disease or COPD.

13 We see double the rate of
 14 hypertension emergency room visits. 15% higher
 15 hospitalization rates for strokes. So,
 16 cardiovascular disease is a problem as well.

17 And, then when we look at this
 18 through lens of race and ethnicity.
 19 Springfield's black and latino residents
 20 experience even worse health outcomes.

21 So, we're looking at a community
 22 that has health disparities already from the rest
 23 of the state, and then we look specifically at

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1 our latino and African American community members
 2 who have even worse health outcomes.
 3 So, when we're looking at whether --
 4 if we wanted to look at how do you decide if a
 5 plant or a casino or whatever kind of enterprise
 6 that you are going to begin, you have to really
 7 think about what are the health impacts on this
 8 community, not looking at it as a level community
 9 across. We have to think about where those
 10 health disparities exist, and we have to think
 11 about who are the vulnerable populations in our
 12 community.
 13 It sounds like there was a health
 14 risk assessment, but it was not the kind of
 15 health impact assessment that really brings in
 16 the community, that is a participatory project
 17 where you can really learn what the concerns of
 18 the community are; you take into account whether
 19 there's environmental justice communities, in
 20 particular, and you look at those health
 21 disparities. That's the kind of health impact
 22 assessment that is needed for this biomass plant.
 23 I also included a picture of the

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1 environmental-justice community, as well as a
 2 chart from the EPA on their EJ screen project
 3 that really shows how we match up in
 4 environmental-justice communities compared to the
 5 rest of our area and nationally. And, you can
 6 see we still -- springfield has a really high
 7 environmental-justice community if we look
 8 statewide and nationwide.
 9 The public health concerns from the
 10 proposed biomass plant have not been addressed in
 11 the approval process, and we urge the Springfield
 12 Public Health Council to institute a site
 13 assignment review to protect the health and
 14 well-being of all of Springfield and its most
 15 vulnerable residents.
 16 Thank you.
 17 MS. HAWK: Good evening. My name is
 18 Donna Hawk. I am a member of the leadership
 19 board for the American Lung Association of the
 20 northeast. I am presenting this from the
 21 director of public policy, Casey Harvell,
 22 H-A-R-V-E-L-L.
 23 Dear members of the committee, the

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1 American Lung Association in Massachusetts is
 2 grateful for the opportunity to speak on the
 3 health concerns we have with the proposed biomass
 4 plant. We would urge the committee to further
 5 examine potential, harmful health impacts during
 6 a formal site review.
 7 The American Lung Association is the
 8 oldest voluntary health organization in the
 9 nation and our mission is to save lives by
 10 improving lung health and preventing lung
 11 disease.
 12 To this end, we work to reduce the
 13 burden of lung disease on individuals and their
 14 families because we believe everyone has the
 15 right to breathe healthy air.
 16 The lung association has been
 17 involved in the process for many years. Back in
 18 2009, we submitted comments to the Massachusetts
 19 Department of Environmental protection outlining
 20 our concerns with negative health impacts from
 21 biomass emissions.
 22 In the subsequent years our resolve
 23 has only been strengthened. We do not support

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1 biomass combustion for electricity production.
 2 The emissions from biomass include
 3 harmful particulate pollution. While everyone is
 4 at risk from particle pollution, the youth,
 5 elderly, and those with pre-existing respiratory
 6 diseases, like asthma, COPD are at greater risk.
 7 Massachusetts has a higher asthma rate than the
 8 national average.
 9 When the Center for Disease Control
 10 last estimated asthma among 38 states, including
 11 Massachusetts, the average for the 38 states was
 12 9%, while Massachusetts was 9.8%.
 13 For the same year, 2008, the
 14 Massachusetts Department of Public Health
 15 estimated that the rate of asthma in Springfield
 16 to be significantly higher, 16.4%. These
 17 averages include many vulnerable children with
 18 whom lungs are still developing.
 19 The more we learn about air
 20 pollution, we find it is more dangerous than we
 21 previously thought and that health impacts occur
 22 at levels once thought to be safe.
 23 In late 2013, the world health

1 organization declared particle pollution to be
2 carcinogenic. The introduction of this biomass
3 plant has the potential to bring harmful
4 pollution to Springfield along with acute and
5 chronic adverse effects.

6 Additionally, if the site review is
7 ordered, the impact of the diesel trucks making
8 delivery should be factored in. Diesel emissions
9 and that particle pollution adds to the emissions
10 from the plant producing more carcinogenic
11 pollution in our air. No idling must be strictly
12 adhered to.

13 The Lung Association urges the
14 public health committee to consider the public
15 health impact that the emissions of the proposed
16 plant will bring to Springfield.

17 Thank you for your time and
18 consideration.

19 DR. SADOF: My name is Dr. Matthew
20 Sadof and I'm a pediatrician and the Chair of
21 Pioneer Valley Asthma Coalition Group, and a
22 co-developer of the asthma and health working
23 program at Baystate Medical Center.

1 The Asthma Coalition includes many
2 community-based organizations, the vast majority
3 located here in Springfield. As you know, our
4 mission is to improve the quality of life in
5 individuals, families, and communities affected
6 by asthma in the pioneer valley.

7 Our membership includes healthcare
8 organizations, health insurance companies, local
9 and state and public health agencies, housing
10 organizations, community organizations, academic
11 institutions, and community members and local
12 residents.

13 The members of the Springfield
14 Health Department are members of our coalition.

15 Seven years ago, I came before you
16 to express my opposition to the proposed biomass
17 electricity generation facility. My concerns
18 then, as they are now, were the adverse health
19 effects that such a facility would have in a
20 place -- in the heart of an urban area like
21 Springfield, a city that is still, as much as
22 previously designated, as an
23 environmental-justice community. My concerns

1 have not decreased with time.

2 In fact, seven years later, the
3 health risks posed by such a facility and the
4 health challenges faced for our community are
5 even more well known as mentioned previously by
6 others who spoke earlier.

7 Springfield still bears in
8 disproportionate burden to asthma. Emissions
9 from this plant, in spite of what the hired guns
10 have mentioned, and the associated diesel truck
11 deliveries will still place our communities and
12 members with asthma, children and adults, at
13 increased risk for illnesses related to their
14 asthma. There will be increased health costs
15 associated with these illnesses and a reduced
16 quality of life.

17 Children with asthma will miss more
18 days from school and, as a result, perform more
19 poorly in school. In this way, their asthma
20 affects their ability to learn and will adversely
21 affect their capacity to succeed, further
22 potentiating the disparity that exists in this
23 community.

1 The statistics were mentioned,
2 asthma is higher in Springfield. That was
3 mentioned by several people here earlier.

4 As a physician, as a participant in
5 our communities effort to improve the lives of
6 people with asthma, I continue to oppose the
7 location of Palmer Renewable Energy biomass here
8 in Springfield as a result of the health risks
9 created by this proposed plants emissions for our
10 community and my commitment to protect the health
11 of our children.

12 I think we need a nonbiased
13 environmental assessment and not an assessment
14 paid for by the company for the sake of nonbias.

15 As I look around this room and I
16 think of where we are today, I recognize that
17 this plant is probably going to be built
18 regardless of community opposition and the
19 complete disregard for the real health impacts
20 that it will likely cause.

21 Springfield is a special place with
22 people who are committed to the well-being of our
23 community. The city, the schools, the

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1 Springfield Housing Authority, the Department of
 2 Public Health, parks, buildings and recreation.
 3 The Asthma Coalition have a very long productive
 4 history of working together to develop tools to
 5 improve indoor air quality and improve asthma
 6 health for children and seniors in our city.
 7 Our track record is pretty good, but
 8 disparity still persists.
 9 In the past seven years,
 10 hospitalizations have improved due to several
 11 programs, including intensive asthma home
 12 visiting initiatives, school-based asthma
 13 programing and the work we've done in cooperation
 14 with the city to improve indoor air quality in
 15 schools, department buildings, and other
 16 city-owned buildings.
 17 The effort to locate the proposed
 18 plant portrays this history, but it doesn't have
 19 to.
 20 If this plant is approved, I urge

21 you to consider creating a fund to support
 22 programs that will offset the adverse health
 23 effects that will be caused by the decline in air

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1 quality. This fund can be focused on three
 2 specific needs. One, you will need a robust
 3 well-resourced school nursing program to provide
 4 care for the increased asthma experienced by the
 5 children and the staff in the schools. Two, we
 6 will need a well-funded program that will monitor
 7 and improve indoor air quality in all public
 8 housing and in all public buildings. And, three,
 9 we will need programs that will support the
 10 efforts of homeowners and landlords to improve
 11 the indoor air quality in Springfield homes.
 12 This includes supporting home visiting programs
 13 to help families with asthma identify mitigating
 14 asthma triggers.
 15 Many of the programs readily exist
 16 in our city. I urge you, as members of the
 17 Springfield Public Health Council, to join these
 18 efforts to explore how the city can further
 19 support this with the funding of this effort to
 20 achieve this success.
 21 In doing so, you will be
 22 implementing measures that offset the adverse
 23 health effects linked to this proposed plant's

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1 emissions.
 2 We have worked well together to
 3 improve the health of our community in the past.
 4 I know we can do this in the future. Let's take
 5 this opportunity to devote the resources needed
 6 to make Springfield a leader in an effort to
 7 improve indoor air quality in very specific and
 8 measurable ways that not only can improve health,
 9 but improve the quality of life for our families.
 10 And, I thank you for this
 11 consideration.
 12 MS. HUDSON: I also want to share.
 13 We have a letter from the Hampden District
 14 Medical Society, from Dr. Kevin O'Callaghan where
 15 they also note that they -- that the Hampden
 16 District Medical Society and the Massachusetts
 17 Medical Society established policy against the
 18 building biomass plans for the generation of
 19 electricity.
 20 And, on January 19, 2016, the

21 executive committee reviewed the policy and
 22 reconfirmed its position against biomass plants
 23 considering the advances in technology, as well

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1 as renewed and urgent concern of climate change,
 2 burning plant materials is an even less
 3 attractive energy source. So, I will pass that
 4 letter out.
 5 MS. CAULTON-HARRIS: Thank you. We
 6 are at 7:15. So, at this point, I'm going to
 7 open it up to the Public Health Council to ask
 8 questions if you'd like to.
 9 DR. SCAVRON: Ms. Bewsee, I would
 10 like to ask you what are the three factors that
 11 make up the environmental justice.
 12 MS. BEWSEE: Yeah. One is income.
 13 In fact, the new policy that is being drafted
 14 right now is changing that criteria.
 15 Can I have my chart back? Thanks.
 16 And, you'll have this in your packet.
 17 But the first is income, then
 18 English isolation, then minority and income is a
 19 combination. Minority and English isolation is a
 20 combination.
 21 So; basically you have minority
 22 population, income, and English isolation. And,
 23 as you can see, we hit all of those in the PRE

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1 neighborhood.

2 DR. SCAVRON: Mr. Stillwell, are you

3 here?

4 MR. STILLWELL: Yes.

5 DR. SCAVRON: So, what happens when

6 you make your complaints? What kind of recourse?

7 What kind of response happens when you make your

8 complaints?

9 MR. STILLWELL: All the complaints

10 are handled by Connecticut DEP.

11 DEP will come out and investigate.

12 And we've gotten different responses with time.

13 The biggest number of complaints have been odor

14 and dust. PRE Plainfield is under a compliance

15 order right now to control dust. I believe it's

16 still open. It was issued by the DEP. We're

17 still seeing dust. The photographs that I showed

18 you were taken just after the last snow storm,

19 which I think was Monday, this week.

20 DR. SCAVRON: Was there recourse

21 against the ownership of the plant? I mean, does

22 something happen when they do things that they

23 said they wouldn't do?

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1 MR. STILLWELL: We haven't seen any

2 of that recourse yet, no. About two years ago,

3 about the same time the plant was made,

4 Connecticut decided to combine the Department of

5 Energy and the Department of Environmental

6 Protection into one. And, clearly, there is a

7 little bit of preferential treatment going on in

8 the production plants in Connecticut now.

9 You know, we're also in Connecticut.

10 We're having economic problems, like most states.

11 You just stole GE from us, gone up to Boston.

12 Any politician who would suggest anything that

13 might impact jobs is shunned, probably not unlike

14 Massachusetts.

15 The odor investigations. We have

16 gotten to a point where we file our complaints

17 weekly because daily just became too much.

18 The DEP does come out and

19 investigate. They initially said, we don't

20 detect any odors. They then said we detect

21 odors, but they're not a nuisance. I think that

22 probably depends on the percipient. When the DEP

23 inspector goes back to Hartford, the nuisance

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1 goes away. If you're living across the street

2 and you're trying to have a picnic in your back

3 yard, and the wind is blowing in your direction,

4 you're getting that dust. You're getting that

5 odor. It doesn't go well with your hamburgers

6 and hotdogs.

7 The last response that we got from

8 the DEP on odors was that they believed that it

9 was the incoming trucks causing the odors. The

10 incoming trucks come in, sealed up, doors sealed,

11 canvassed. They have a 200,000 cubic yard pile

12 of wood chips. They're constantly tossing. Of

13 course the trucks aren't causing the odors.

14 We feel that the DEP is kind of

15 coddling the people over at PRE, but we're going

16 to be persistent.

17 DR. SCAVRON: Just for point of

18 clarification.

19 Did you say yours was construction

20 demolition wood, not green --

21 MR. STILLWELL: Yes, they are

22 burning C&D, and I haven't even touched on that

23 issue because it's not an issue you have here.

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1 Clearly, you know, carcinogenic

2 properties of wood dust are a concern to you.

3 That's clean wood dust. For us, we also have

4 concerns that that dust contains led. Our PRE

5 was issued a notice of violation for accepting

6 contaminated fuel, knowing that it was

7 contaminated and allowing it to still come in. I

8 believe they received notice of violations five

9 times in the first two years of operation.

10 MS. FRANCO: You stated noise was

11 also mentioned.

12 MR. STILLWELL: Yes.

13 MS. FRANCO: So, what happened with

14 that?

15 MR. STILLWELL: In Connecticut,

16 noise is delegated to local authority. In

17 Plainfield, that's our police department. We

18 call the police department and they investigate

19 it. They told us, yes, there is a lot of noise

20 over there, but we are not equipped to deal with

21 it. We can quiet down a noisy party. We can

22 tell you to stop shooting fireworks, but we don't

23 know how to deal with industrial noise.

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1 Connecticut has a noise statute, but
 2 the DEP doesn't enforce it.
 3 MS. FRANCO: The incinerator is a
 4 loud noise, right?
 5 MR. STILLWELL: Yeah. If you live
 6 across the street, you can hear it all the time.
 7 I don't believe, because of the distance from the
 8 property line, that they're exceeding the noise
 9 statute. But the real property line, nobody's
 10 tested back there because it's vacant property
 11 and a railroad track.
 12 MS. FRANCO: And, nothing is being
 13 done?
 14 MR. STILLWELL: No.
 15 MS. JENKINS: You did --
 16 MS. CAULTON-HARRIS: Can you give
 17 the microphone because we need to -- the recorder
 18 needs to -- or is the recorder down there with
 19 you?
 20 MR. STILLWELL: I think it's over
 21 there.
 22 MS. CAULTON-HARRIS: It needs to
 23 pick it up so why don't we give you the

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1 microphone and you can ask the question.
 2 MS. JENKINS: I see on the top all
 3 this here. What have the parents and school
 4 department done about the health issues of this
 5 school? I'm sure some must be going inside that
 6 building. What is the effect on the kids'
 7 health?
 8 MR. STILLWELL: Well, the school is
 9 located in the north end of town, and PRE is in
 10 the south end of town. So, there is no impact.
 11 MS. JENKINS: No impact on the
 12 school?
 13 MR. STILLWELL: No. The purpose of
 14 that is to show you that in the same 24-hour
 15 period, the snow on the roof of the school is
 16 snow white. The snow on the roof of PRE, because
 17 of all the dust emissions, has turned brown.
 18 After a few days, it starts to look like
 19 chocolate milk.
 20 MS. JENKINS: But even though the
 21 snow has turned brown, in that snow, there is
 22 something in the snow once it melts?
 23 MR. STILLWELL: Right.

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1 DR. SCAVRON: The school doesn't get
 2 it. He's saying the school doesn't get it. The
 3 plant is the one that gets brown.
 4 MS. JENKINS: So, the school is far
 5 away from the plant?
 6 MR. STILLWELL: Right. There is no
 7 direct impacts on the school. There have been
 8 some direct impacts on kids waiting at the school
 9 bus across the street.
 10 MS. JENKINS: Okay.
 11 MR. STILLWELL: When the wind is
 12 blowing in that direction, they're standing out
 13 in that dust.
 14 MS. JENKINS: Waiting for the buses?
 15 MR. STILLWELL: Yes.
 16 MS. CAULTON-HARRIS: Any other
 17 questions from down this end?
 18 Okay, Dr. Scavron, you're back on.
 19 DR. SCAVRON: Dr. Sadof, you seem to
 20 emphasize in what we can do to mitigate the
 21 problem indoor pollution, indoor changes.
 22 Are you indicating that the indoor
 23 pollution is more important for asthma than

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1 outdoor pollution?
 2 MR. SADOF: Well, I think they're
 3 both important. I know that the experts hired by
 4 PRE said that outdoor air pollution is not
 5 important. As you mentioned, there is a lot of
 6 emergency data showing even low-level
 7 particulates can worsen asthma.
 8 And, what it also does -- I'm a
 9 pediatrician, and I work a lot with medically and
 10 socially interact with children. And their
 11 growing lungs don't grow as well when they're
 12 being adversely affected by pollution and smoke.
 13 It really does inhibit lung growth. There's been
 14 a number of studies that show that.
 15 And, this is a life-long disability.
 16 And, this persists well into adulthood. So, I
 17 cannot tell you that -- I cannot -- I have no
 18 knowledge of anywhere where it says that outdoor
 19 air pollution is -- does not affect asthma. It
 20 does affect asthma.
 21 You drive through the New Jersey
 22 Turnpike. It's very near to my heart. There's
 23 lots of bad air pollution there. And, you can't

1 beat it, you're driving in a big city.
2 You know, Springfield has a long
3 history of poor air quality. Fortunately, it's
4 improved somewhat, but do we really need to back
5 step?

6 DR. SCAVRON: So, one more question,
7 then if we have time, Ms. Hudson, is about a
8 health impact analysis.

9 What do we need, in your opinion,
10 for a health impact analysis as far as, you know,
11 what kind of process, what kind of time line,
12 what kind of expenditures to have a valuable
13 health impact analysis, what would we need?

14 MS. HUDSON: So, I'm not going to
15 speak to how much it would be cost. I can't
16 really speak to that.

17 But what it would include is a
18 participatory process that includes all of the
19 communities and all of the site holders that
20 would be impacted by this, by the plant. It

21 would include doing research on -- up-to-date
22 research on what impacts of air pollution, on the
23 impacts of PM2.5. I know there's a lot of new

1 research since 2009 or 2011, when that health
2 risk assessment was done.

3 It would also include looking at --
4 we know that traffic-based air pollution is a
5 very serious problem and also impacts on asthma.
6 So, we'd be looking at the increased traffic.

7 So, I think that we're looking at
8 something that would be bringing in the community
9 and looking at how this impacts on an
10 environmental-justice community, a vulnerable
11 population that already is experiencing all of
12 these health disparities, and whether or not
13 there is -- what are the ways that we would have
14 to mitigate or what are the recommendations that
15 would be made about the plant to make sure that
16 we wouldn't have those negative impacts.

17 So, a lot of scientific review, as
18 well as participatory process to really make sure
19 that we've addressed all of the concerns of the
20 community members, and that we've looked into the
21 most recent science to make sure that we're
22 taking into account, you know, what's the best
23 way to bring in new energy opportunities, as well

1 as what's the impact -- what's the latest that we
2 can know about what the impacts would be in a
3 plant like this.

4 DR. SCAVRON: So, it sounds like it
5 would take professionals. It would take time.
6 It would take organizing. It wouldn't be done in
7 a week or a month. It would take longer than
8 that.

9 Ms. HUDSON: I think that you should
10 take --

11 DR. SCAVRON: I would imagine there
12 would be considerable time, expense, organizing?

13 MS. HUDSON: This is a professional
14 job.

15 DR. SCAVRON: Thank you.

16 MS. HUDSON: Yes.

17 MS. CAULTON-HARRIS: You got two
18 minutes. Michaelann, any closing remarks.
19 Anybody?

20 Okay. We've got two minutes. Thank
21 you so much. If you're all set, thank you.

22 So, now we'll take the proponents
23 rebuttal or anything they want to tell us in

1 terms of what they have heard during this period.

2 So, I'll ask them to come back up.

3 MR. MACKIE: Thank you for affording
4 us the opportunity. I wanted to go over a couple
5 of points. This is Tom Mackie again. Then Mr.
6 Raczynski is going to respond specifically to
7 some of the statements that were just made in the
8 prior presentation. And, I'm going to ask
9 Mr. Durning to help me out here.

10 One of the comments that I would
11 like to make is you need to make the distinction
12 between broad sweeping and generalizations and
13 site specific analysis based upon real data that
14 was prepared and compiled from existing public
15 record and extensive epidemiological research.

16 The EPA updated the national ambient
17 air quality standards from PM2.5 after a
18 five-year review process in 2012.

19 Those new PM2.5 standards are the
20 ones that we've been making comparisons to
21 tonight. Included in the EPA review is a review
22 of all the epidemiological studies, including all
23 of the studies that were cited by Ms. Bewsee in

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1 the air quality and plant approval appeal. And
 2 the hearing officer made determinations with
 3 regard to whether those various studies that were
 4 referred to contradicted the conclusions that
 5 were drawn by Palmer Renewable.
 6 This is done after a two-year
 7 process of expert testimony that was filed on the
 8 pains and penalties of perjury before an
 9 independent hearing officer. Included amongst
 10 the plaintiffs in that lawsuit would be
 11 Conservation Laws Foundation, the Toxics Action
 12 Center, and Ms. Bewsee's group and others.
 13 So, there was no shortage of
 14 resources on their behalf, including at least two
 15 expert witnesses, one of them was a professor of
 16 public health from BU, and another one was an air
 17 quality expert. And, all of that was fully
 18 vetted. There is a 51-page adjudicatory decision
 19 that came out of. It dealt with great detail of
 20 the question of whether or not there was an
 21 effect on public health and whether or not the
 22 environmental-justice criteria were properly
 23 evaluated.

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1 The conclusions are set forth on
 2 this one piece of paper, which we were hoping
 3 we'd get big enough for you to read.
 4 But here is what the hearing officer
 5 concluded after an independent assessment
 6 including, by the way, I should indicate, the
 7 head of the Department of Environmental
 8 Protection Office of Research and Standards, I
 9 believe, is a Ph.D toxicologist.
 10 In sum, the scientific evidence is
 11 not presently strong enough to support regulating
 12 below the recommended national ambient air
 13 quality standards. The EPI identified levels
 14 whereby, quote, scientific evidence of
 15 association is the strongest between PM levels
 16 and adverse health effects, i.e., the
 17 quantitative estimate of health risk. And, where
 18 there is appreciably less confidence in the
 19 estimates of risk because of uncertainties and
 20 limitations.
 21 So, the whole process that EPA went
 22 through to evaluate what the national ambient air
 23 quality standard took into account was a review

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1 of all the epidemiological evidence, including
 2 review by the scientific advisory board at the
 3 EPA, recommendations from is staff, result of
 4 years of litigation between the EPA and
 5 environmental agencies on how these standards
 6 were set, including specifically that some of the
 7 testimony that -- reports that were not
 8 specifically referenced to tonight.
 9 You also didn't hear anybody say
 10 anything specifically about the actual
 11 conclusions of the health risk assessment. No
 12 one said that the data was invalid. Nobody said
 13 that the predictions were inappropriate. Nobody
 14 said that the risk assessment was wrong. What
 15 you heard were generalizations about what might
 16 be better.
 17 Now, with regard to the
 18 environmental-justice question. It was fully
 19 litigated before the DEP. The petitioners
 20 argument that the Mass DEP reliance on the NAAQS
 21 does not sufficiently consider the particularly
 22 susceptible subpopulations in the area is not
 23 persuasive.

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1 In order to protect the public
 2 health, the primary national ambient air quality
 3 standard are designed to be protective of each
 4 subpopulation, not simply the average individual,
 5 with an adequate margin of safety and without
 6 regard to cost. That's what the federal law
 7 requires. That's what the EPA did. That's what
 8 the hearing officer found.
 9 You have to assume that there was
 10 conspiracy between the DEP enforcement --
 11 permitting officials. The people reviewed this
 12 under the MEPA statute. The Department of Public
 13 Health and the State of Massachusetts, the
 14 commissioner of the DEP and the hearing officer
 15 would find otherwise.
 16 MR. RACZYNSKI: Dale Raczynski
 17 again. The first thing I'd like to say is about
 18 the Plainfield and renewable energy plant. I'm
 19 familiar with the plant. I've not been on site
 20 to the plant, but I actually have an interest in
 21 it. So, I actually took a photo of it one day as
 22 I was driving down to visit my sister in
 23 Connecticut.

1 I'm going to show you a photo here.
2 I'm going to point out that there is a massive
3 outdoor woodpile right at the entrance to the
4 plant.

5 Woodpile. Woodpile. That's an
6 outdoor woodpile.

7 This was taken on June 18th, 2014.

8 The Palmer Renewable Energy project,
9 the only similarity is in the initial PRE. It's
10 green wood only. It's not C&D wood. C&D is
11 going to be dustier. The boiler is different.

12 The boiler at that plant had many starter
13 problems. It was a gas arcasion (phonetic)
14 boiler, an entirely different type of boiler.

15 I'm sure there many upsets during
16 the start-up of that plant that could lead to
17 noise; it could lead to odor; it could lead to
18 dust. It's fundamentally different. There are
19 plants that are operating in a much better --
20 that have very good acceptance in the community.

21 I would point you to the Burlington Electric
22 Plant in Burlington, Vermont. It has
23 overwhelming support from the community. It's a

1 the board where the wood storage is?

2 MR. RACZYNSKI: The wood storage is
3 in this building here.

4 On noise, this plant is designed to
5 have no noise impacts on the neighbors by putting
6 the boiler building to shield any of the noisy
7 operations down by the woodpile. It's indoors.
8 We're not grinding dry wood, which is C&D, wood.
9 It's fundamentally different.

10 So, I would contend that it's not
11 fair to compare this project to an existing C&D
12 wood-fired plant. That I cannot vouch for what
13 their design was upfront. I don't know how it's
14 being operated. All I can tell you is this plant
15 will be designed to meet the air permit. It will
16 have monitors around the -- particulate monitors
17 around the edge. If there are problems with
18 fugitive dust, those monitors will pick that up.

19 So, it's going to be under even more
20 scrutiny than that plant.

21 As far as MEPA goes, Michaelann
22 Bewsee mentioned that this project did not go
23 through MEPA. That is just not true. This

1 green community. It's adjacent to community
2 farms. It's adjacent to a condo association.
3 They've had very good success. In fact, the
4 plant manager of that plant came and spoke at the
5 air permit hearing for this project and talked
6 about his experiences.

7 Any project, the first of its kind
8 is going to have start-up problems. Noise. The
9 four noise complaints about a very loud sound,
10 that sounds to me like what's called a steam
11 blow. It was a steam release from a vent. That
12 vent can -- there can be silencer to that vent.

13 So, can I sit here today -- can I
14 stand here today and tell you any plant during
15 start-up is going to be perfect? No. There is
16 always going to be some hiccups.

17 The plant has a very stringent air
18 permit. The conditions require it to have no
19 fugitive dust concerns. I would assure you that,
20 in reviewing this, when it goes to final design,
21 I will personally be involved and ensure that it
22 does not have these kinds of problems.

23 MR. MACKIE: Can you point out for

1 project filed an expanded environmental
2 notification form. It was determined by the MEPA
3 office that it was not required to do an
4 environmental impact report.

5 The extended notification -- the ENF
6 basically served as the same as an EIR. Then
7 there was a notice of project change when it went
8 to the -- from green -- from C&D wood to green
9 wood. Notice of project change, which was, in
10 effect, another EIR type of document that MEPA
11 signed off on. There's an extensive record on
12 this. In the MEPA process and in the air permit,
13 and I advise you to look at the responsive
14 comment document where there is many, many pages
15 on this. Greenhouse gases were looked at. There
16 was a greenhouse gas analysis done in the notice
17 of project change, voluntarily.

18 Really, I would contend that your
19 review -- if you're going to review greenhouse
20 gases from this project, which is a worldwide
21 phenomenon, I think that goes way beyond the
22 scope of a noisome trade, greenhouse gases.

23 This plant has an effect. It's --

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1 any green wood plant is inherently -- does not
 2 have the same efficiency as a gas-fired plant,
 3 for example. That's just the way it is. That's
 4 the nature of it.

5 This plant has a requirement to
 6 achieve a certain level, which is about 28%
 7 efficiency, which is actually pretty high for a
 8 green wood fire plant. That's in the air permit.

9 So, greenhouse gases were addressed
 10 in the MEPA process.

11 MR. VALBERG: Peter Valberg again.
 12 Just have three quick comments. One was that
 13 with regard to the asthma question. I mean, I'm
 14 not trying to minimize that question at all. I
 15 think asthma is a concern. And, in fact, you
 16 know, asthma cases should be addressed, potential
 17 causes of those asthma, both diagnoses and asthma
 18 exacerbations should be addressed. However, one
 19 of the guiding principals of toxicology is the
 20 dose makes the poison. And, so, there certainly

21 may be an elevated levels of particulate that
 22 causes exacerbations of asthma. There may be
 23 certain types of air particulate that cause

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1 exacerbations of asthma, but I think it's important
 2 to keep that dose makes the poison thing in mind.

3 In Massachusetts, there, in fact,
 4 have been studies that look at populations living
 5 within the same airshed that have the same air
 6 pollution problems and; yet, they have wildly
 7 inspirant (phonetic) asthma diagnoses and asthma
 8 preference. So, there is clearly something going
 9 on.

10 This is not even in the question
 11 that I mentioned earlier of time transient
 12 asthma, which are quite broad and also world
 13 wide. And its air quality is not a matter of
 14 asthma diagnoses have gone up. So, that there is
 15 a lack of correlation there.

16 And, these studies in Massachusetts
 17 looked at the airshed and saw differences in
 18 asthma diagnoses between communities that had the
 19 same airshed. So, that's point No. 1.

20 Point No. 2 on the health impact
 21 analysis. When we met with the Massachusetts
 22 Department of Health, they were going to do a
 23 health impact analysis. And they, in fact, said,

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1 yes, there should be something more done and
 2 we'll do it.

3 And, what they saw was the thing
 4 that needed to be included, which was the benefit
 5 of a plan. When you're doing a health risk
 6 assessment, you're really looking only at the
 7 potential negative side. Like, what could it
 8 cause in terms of disease or increased risk of
 9 disease.

10 And what they said, well, you also,
 11 in a health impact analysis, need to consider
 12 benefits to the community. If it's increased
 13 taxes or increased jobs or if it's increased
 14 actual donations from the developer to the
 15 community, those also need to be taken into
 16 account.

17 And, the final thing I was going to
 18 say is that the -- there was a spokesman here
 19 talking from the American Lung Association. As
 20 you all from the Public Health Commission

21 probably know, the American Lung Association
 22 looks at cities all across the United States. It
 23 gives them what they consider a grade in air

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1 pollution.

2 And, what wasn't mentioned in that
 3 presentation is that the American Lung
 4 Association has, in fact, ranked Springfield for
 5 24-hour air particulate concentrations. And,
 6 their grade was A.

7 I don't know that they give any
 8 higher grade for pollution levels, that they're
 9 low enough in Springfield to merit a grade of A
 10 from the American Lung Association. And, this
 11 kind of links back to my initial comment is that
 12 I think asthma is an important problem to
 13 address, but I think that it's perhaps, you know,
 14 not fruitful to really say, oh, if we could only
 15 clean up the air by an additional one microgram
 16 per cubic meter that asthma would go down
 17 dramatically. I just don't think that's where
 18 the source of the problem is.

19 MS. CAULTON-HARRIS: Okay. Thank
 20 you.

21 DR. SCAVRON: Can we ask some
 22 questions?

23 MS. CAULTON-HARRIS: No.

1 DR. SCAVRON: I do have some
2 questions.

3 MS. CAULTON-HARRIS: And, you can
4 follow-up after this other rebuttal, but --

5 DR. SCAVRON: Okay.

6 MS. CAULTON-HARRIS: And, then you
7 can ask anybody a question for 10 minutes, but I
8 want to be fair to both sides.

9 DR. SCAVRON: That's fine.

10 DR. CAULTON-HARRIS: Thank you.

11 I'm going to ask Michaelann and
12 supporters and group to come back up for
13 rebuttal.

14 MS. BEWSEE: I just want to make a
15 couple of quick points. Palmer Renewable Energy
16 actually did intend to burn construction and
17 demolition debris. And, it was only community
18 organizing and at public hearing, where they
19 decided that the barriers, the opposition, was
20 too high and they were going to switch to burning
21 green wood.

22 Sorry. Climate change is a role of
23 the Public Health Council to the degree that it

1 Springfield. It's bigger than Springfield. And,
2 your job is to stand up for the health of
3 Springfield. So, I encourage you to lead into
4 that. And, thank you so much.

5 DR. SADOFF: You know, there is no
6 recommended dose for particulates just like there
7 is no recommended dose for led. And, I can't
8 help but think about what happened in Michigan
9 and how a little caution could have prevented
10 something like this. And, I'm wondering whether
11 or not we need to exercise a little caution here.

12 And, I'm wondering why the biggest
13 argument from the legal team was the threat of a
14 huge lawsuit. I'm very concerned about that. As
15 a pediatrician, I've been speaking for the
16 children in the city for 18 years and I respect
17 all of you. And thank you.

18 MR. WARNER: Thank you for
19 entertaining all of us this evening. I just have
20 a quick issue to raise as far as the fuel

21 sourcing. As we know, the original proposal was
22 for a C&D.

23 MR. MACKIE: Is this rebuttal or is

1 affects public health.

2 Please don't feel threatened.

3 That's it.

4 MS. MILLER: Hi. I'm Claire Miller
5 from Tax Exemptions. I just want to, first of
6 all, say thank you all so much for being a member
7 of this board. It's important, such a powerful
8 commission for the health of Springfield. I know
9 you all take it very seriously. So, thank you
10 for your time and your effort.

11 I feel as if the developer is trying
12 to wow us with the fact that the state gave it an
13 air permit. The state DEP is thinking about it
14 based on the state level of, you know, state
15 level of air pollution. I know, as you know,
16 that your job is thinking about Springfield.
17 That's different. Just because the state has
18 given an air permit doesn't mean that you have to
19 agree there aren't impacts for the health of
20 springfield. Those are two separate things.

21 One other thing I would like to say
22 is that they kept talking about the NAAQS. That,
23 also, is not determined just based on

1 this something new?

2 MS. CAULTON-HARRIS: Oh, I'm sorry.
3 This is rebuttal. So, if you have
4 something to rebut in terms of what they said,
5 that would be --

6 MR. WARNER: All right.

7 MS. CAULTON-HARRIS: And, please
8 state your name for the record and town of
9 origin.

10 MR. WARNER: Stuart Warner. I live
11 in north of Amherst. We receive Springfield air
12 as a matter of course during the summer.

13 I'm not sure it's a rebuttal. I
14 guess it's a question of asking the Public Health
15 Council to be aware of the fuel source and be
16 aware of a potential for switching in the future,
17 even asking for a commitment that they will never
18 switch in the future or pass a regulation that
19 the fuel source is kept exactly as it is in the
20 current permit.

21 The other thing that is not tested
22 by the DEP is stack emissions for the led,
23 mercury, things like that. That's done by truck

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1 testing as we've heard. The truck testing
 2 protocol of five trucks a week is about 1% of the
 3 truckload out of 340 trucks per week. That's
 4 another issue the Public Health Council can
 5 investigate in the site assignment hearing to
 6 determine whether that's sufficient. Are there
 7 more trucks that are not being tested that are
 8 delivering potentially contaminated fuel?
 9 MS. CAULTON-HARRIS: Thank you.
 10 MR. LEDERMAN: Good evening. My
 11 name is Jesse Lederman and I reside at 22
 12 Clarendon Street. I'm a life-long resident of
 13 the City of Springfield.
 14 I would ask that the gentleman
 15 remove this from the -- this is not pertaining to
 16 what I'm talking about. I'd like it to not be
 17 displayed during my comments. Is that possible?
 18 MS. CAULTON-HARRIS: I'm sorry.
 19 What is it you're asking?
 20 MR. LEDERMAN: I'd like the easel to
 21 be removed. This doesn't pertain to what I'm
 22 talking about. It's not a part of my public
 23 comment, neither is this case law.

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1 MS. CAULTON-HARRIS, We can't see
 2 that, but.
 3 MR. LEDERMAN: You can't see it. I
 4 would submit for the record that this being
 5 presented is not a part of my public comment in
 6 any way. But I just wanted to raise some
 7 questions. There were a lot of things said both
 8 during the proponent's PRE's presentation and
 9 also during their rebuttal. I would submit to
 10 you that I am not an attorney. I am not in a
 11 position to give you legal advice, but I know
 12 that many of you, if not the majority of you are
 13 not attorneys as well.
 14 But I would say that there's
 15 something that's been called into question is the
 16 authority of the Public Health Council to hold
 17 site assignment hearings and the city council
 18 cases that have liability. The city could be
 19 held liable if site assignment hearings were held
 20 or if some sort of mitigation was imposed by the
 21 Public Health Council.
 22 What I would submit to you is that
 23 these individuals are paid lawyers that are

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1 producing shared responsibility to their client,
 2 and their statements reflect such. I wouldn't
 3 submit in anyway that they're being untruthful,
 4 but I would ask you to consider where their
 5 comments are coming from.
 6 And, I would also say that I do
 7 believe that there should be some legal opinion
 8 offered to you by an unbiased attorney. And I
 9 know that there are rules about how that can be
 10 sought out. This is a public hearing. But I
 11 would ask you to definitely consider your options
 12 when you consider where your legal advice is
 13 coming from.
 14 You know, I would also say that I've
 15 walked the neighborhood that PRE is proposing to
 16 build this incinerator in. I've walked it for
 17 the last five years. I've walked it as an
 18 activist organizing on this issue and I've walked
 19 it as a candidate for the City Council. And I've
 20 talked to the people who have built their homes
 21 there and raised their families there.
 22 And, as the Public Health Council,
 23 your job is to be concerned about the public

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1 health of those residents, of those children, of
 2 those seniors. Your job is not to be concerned
 3 with liability. Your job is to be concerned with
 4 their public health.
 5 Concerned for liability lies with
 6 the fine men and women that represent us in our
 7 city solicitor's office. And if a lawsuit was
 8 brought, I maintain that they would defend us
 9 just as well as they always have.
 10 So, in terms of the city council
 11 cases that have been brought, they talked a lot
 12 about those. Those don't deal with public
 13 health. They deal with land use law. They deal
 14 with local ordinances. Your job is public health
 15 and I would submit to you that you should
 16 consider that as you move forward in your
 17 decision.
 18 That being said, the decision that
 19 you're here to make tonight is just whether or
 20 not to hold a site assignment hearing and whether
 21 one is appropriate. And, I consider the evidence
 22 in light of that as well.
 23 Finally, I would ask as part of my

1 public comment that if you could raise your hand
2 if you reside here in the great City of
3 Springfield.

4 And, raise your hand if, like me,
5 you are opposed to this biomass incinerator.

6 FROM THE FLOOR: We are.

7 MR. LEDERMAN: And, raise your hand
8 if you are being compensated financially for your
9 time here this evening.

10 And, I would submit to you that
11 perhaps the experts who have testified are on
12 retainer, but.

13 So, I thank you very much for your
14 time. I would hope you consider all the
15 testimony here. Thank you.

16 MS. CAULTON-HARRIS: All right.
17 Okay. So, Dr. Scavron, you had a question you
18 wanted to ask.

19 DR. SCAVRON: I need to go back to
20 Mr. Raczynski and ask if the Matep plant in

21 Longwood is a biomass plant?

22 MR. RACZYNSKI: Nope, I said that.
23 It's not a bio -- it's a large diesel plant.

1 DR. SCAVRON: So, if we were to try
2 to get testimony, not necessarily from the plant
3 manager. Let's say from citizens who live around
4 a biomass plant that would be as much like the
5 one that Palmer would like to build. Where would
6 we go, Burlington?

7 MR. RACZYNSKI: You could go to
8 Burlington, but this plant would be a lot cleaner
9 than Burlington.

10 DR. SCAVRON: So, there are no
11 plants as clean as this?

12 MR. RACZYNSKI: That's correct.

13 DR. SCAVRON: And, why is that? Why
14 doesn't anyone want this cleaner plant?

15 MR. RACZYNSKI: Why doesn't anybody
16 want this cleaner plant?

17 DR. SCAVRON: Yeah. You're willing
18 to do it and nobody else needs to do it or it's
19 not necessary or I don't understand.

20 MR. RACZYNSKI: So, as I explained,
21 that this plant started out as C&D wood. And, it
22 put in all the same air pollution controls that
23 were required, more so even than Plainfield. The

1 permit for this plant is more stringent than the
2 Plainfield facility, which is designed to burn
3 C&D wood. The permit is more stringent than
4 Burlington or any other existing biomass plants.

5 I think that's a good thing.

6 I can't -- I cannot tell you why --
7 the reason why those plants aren't as stringent
8 is because when they were permitted, the DEPs of
9 those states decided that the controls that were
10 proposed were sufficient. Okay?

11 In this case, I can tell you that
12 our Mass DEP has very, very stringent
13 requirements. They're more stringent than
14 Connecticut. I would think that would be a good
15 thing. Right? That's a good thing for
16 Springfield. That Mass DEP, which has it's
17 office here in Springfield. I mean, they could
18 be to the site in about five minutes if there was
19 a concern.

20 I believe they would take concerns

21 very seriously and would hold the plant, speak to
22 the buyer, if you will, to make sure it performs
23 as permitted.

1 DR. SCAVRON: Or else what happens?

2 MR. RACZYNSKI: Or else they should
3 be subject to very large fines.

4 DR. SCAVRON: Shutting it down?

5 MR. RACZYNSKI: I could point --

6 DR. SCAVRON: Diminishing output?

7 MR. RACZYNSKI: I could point you to
8 many multimillion dollar fines that the Mass DEP
9 has issued to plants that have not met their air
10 permit. The Agawam facility has had very large
11 fines. There are existing power plants in
12 Massachusetts that have hundreds and hundreds of
13 thousands, multimillion dollar fines. Mass DEP
14 is very serious about compliance.

15 So, that's a deterrent.

16 DR. SCAVRON: I have one other
17 question. Unfortunately, I have been around for
18 a long time and I remember the presentation when
19 it was C&D wood that was going to be burned.

20 And, the information I got, when I
21 asked, was identical. That there was actually no
22 impact on the health of the residents of
23 Springfield, despite the fact that it's a much

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1 more toxic fuel that would be burned.
 2 Is that correct? This is -- that
 3 was equally as clean as this will be?
 4 MR. RACZYNSKI: No, this is cleaner.
 5 This is absolutely cleaner.
 6 DR. SCAVRON: Okay. But there
 7 was -- again, there was no impact on the public
 8 health.
 9 MR. RACZYNSKI: We did a health risk
 10 assessment, which showed there was no significant
 11 impact. The same air pollution controls. There
 12 was somewhat higher emissions from the use of C&D
 13 wood, but they were still well below all the
 14 ambient toxic levels the DEP sets for those
 15 pollutants. There were very stringent limits on
 16 the amount of metals in the C&D wood. It had to
 17 presorted at another facility. So that's why it
 18 was acceptable to DEP. And, it was DEP who
 19 stopped the process. It wasn't anyone else.
 20 DEP said -- gave us a draft permit
 21 and then stopped the process and decided to put
 22 it on hold to see if they wanted to go through a
 23 health impact assessment.

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1 That's when it changed to green
 2 wood. Green wood is much cleaner than C&D wood.
 3 You have the benefits of the air pollution
 4 control that would have been there for C&D wood,
 5 but they're a lot cleaner.
 6 MS. CAULTON-HARRIS: We're moving
 7 very close to hearing additional testimony right
 8 now. So, I would really like to, unless there
 9 are any further questions.
 10 So, let me just, as an end to the
 11 process say that we will not be closing this
 12 hearing tonight. This is still an open hearing.
 13 We will take written testimony for the next week
 14 from individuals who would like to give it to the
 15 Public Health Council.
 16 The Public Health Council will
 17 convene as a body of the whole to close out the
 18 public hearing. We can't do that unless we come
 19 back together. So, I'm not sure whether it will
 20 be at our February meeting. But we will come
 21 back together to discuss --
 22 Thank you.
 23 The information that was passed out

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1 here will be put on the city's website. We're
 2 going to try to create a portal so everybody's
 3 information is up there. But, if not, then the
 4 information will be available for anyone in the
 5 public who wants to view any of these documents,
 6 including including anything folks submit during
 7 the week process.
 8 So, today is Wednesday. So, we will
 9 accept public comments until next Wednesday,
 10 which is the 27th.
 11 And then we will convene after that
 12 to have discussion in terms of what we hear. The
 13 Public Health Council may decide it needs
 14 additional information or has additional
 15 questions. And, so, at that point, we'll come
 16 back together again to ask those questions and
 17 try to get clarification once there is a
 18 discussion.
 19 So, I want to thank you for coming
 20 very much. And, thank you for your presentation.
 21 We'll look forward to bringing this to conclusion
 22 as soon as possible.
 23 But, again, thank you very much.

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1 Okay? So, you know, what I need
 2 from the Public Health Council is a motion to
 3 conclude this meeting, but not close out the
 4 public hearing process.
 5 So, can I have a motion to adjourn?
 6 Milta is the first one. It has been
 7 moved by Milta Franco, seconded by Paris Howard
 8 that we adjourn.
 9 Is there any discussion on that
 10 motion?
 11 Hearing none, all in favor.
 12 Opposed? The I's have it. The
 13 motion carries. So, we look forward to
 14 reconvening.
 15
 16 (Hearing concluded)
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COMMONWEALTH OF MASSACHUSETTS

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I, Jessica M. DeSantis, Court Reporter, do hereby certify that the foregoing testimony is true and accurate to the best of my knowledge and ability.

WITNESS MY HAND, this 2nd day of February, 2016.

Jessica M. DeSantis

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jmd