

# OSGC Trash Incinerator

# Representation Considerations

- A comedy of errors and mistakes by OSGC?
- Concealment or suppression of the truth?
- Suggestion of falsehood and suppression of truth?
- Silence where there is a duty to speak?
- Half-truths calculated to mislead?

# OSGC's CEO, Kevin Cornelius claims there are no stacks

Mr. Cornelius stated the heat is generated from a natural gas burner that runs on product gas. The system does have to be started up by propane or natural gas. Once you get rolling, you're on your syngas. He added there are no smoke stacks, no oxygen, and no ash. There is carbon and ash which

[http://www.ci.green-bay.wi.us/mins\\_agd/minutes/20110221MN2796.html](http://www.ci.green-bay.wi.us/mins_agd/minutes/20110221MN2796.html)

09/01/2011

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Page

actually could have been tested and go right into organic farming. There are no fallout zones. There are some dioxins but no PCB's. This all goes into slag in here.

Kevin Cornelius, chief executive officer of the company, assured aldermen that the 60,000-square-foot biomass plant was a good fit for the city's industrial west side.

Cornelius, however, also said the facility would operate cleanly and would not pollute the environment.

"There are no smokestacks," he said. "For those of us in Green Bay, we know what that means."

Source: 022111 Green Bay City Council Minutes

Source: 030211 GBPG Article

OSGC omits  
emissions  
stacks from  
its detailed  
image  
rendering  
provided to  
residents.

Why?

Source: 072711 OSGC Open  
Letter



## Oneida Seven Generations Corporation

### An Open Letter to Brown County Residents about OSGC's proposed Renewable Energy Project

Dear fellow Brown County Resident;

There is a lot of deliberate misinformation, and outright scare tactics, circulating about the Oneida Seven Generation Corporation's proposed renewable waste facility to be located on Green Bay's west side. The single, most important thing for the community to understand is that *the facility cannot be built or operated without approval from government agencies (DOE, WDNR, EPA, etc.) that are entrusted to protect public health and safety.* These agencies have technical and scientific experts on staff who are evaluating every aspect of the proposed facility.

The *WDNR has made a preliminary determination that the application meets state and federal air pollution control requirements* and the WDNR's own *Environmental Assessment has determined the proposed project will not cause significant adverse environmental effects.*

What is often lost in the discussions about the proposed facility is its many environmental benefits. OSGC's facility will serve as a recycling center first, and then it will generate electricity by gasifying the waste that is not recyclable. The project brings together three proven technologies into a single process (recycling, Pyrolysis / gasification, and using product gas to generate electricity). The end result will *increase Brown County's recycling volume, decrease the amount of waste going into landfills and significantly benefit the environment.*

Many communities across the country realize the benefits of this type of renewable energy. *Appleton recently proposed a biogas system* which will use methane gas from the city's wastewater treatment plant to fuel boilers that heat the plant's buildings. While that system is not identical OSGC's, the concept and general operation is the same. In addition, generators to be used by the OSGC project are *no different than generators used throughout Wisconsin to produce electricity.* There are currently 31 such gensets in use in Wisconsin. In fact, *Brown County's eastside landfill uses a genset to create electricity from the product gas produced at its landfill.*

The proposed Green Bay facility *continues to receive extensive support.* We believe the small but vocal number who oppose the project either do not understand (or want to understand) that this is not an incinerator (which would require the actual burning of materials), have other renewable energy agendas (such as zero waste or wind energy). Some may simply oppose it because it is an Oneida business project.

It is our pledge to the community that we will build a facility that meets or exceeds all standards, is safe to operate, provides good paying jobs, and reduces the amount of waste going into area landfills. It is part of our mission to make sure whatever projects we undertake have a positive impact on the next seven generations. This facility will do just that.

Sincerely,

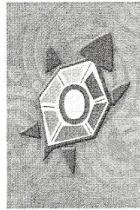
Kevin Cornelius  
Chief Executive Officer  
Oneida Seven Generations Corp.



Rendering of proposed facility.

To learn more, visit: [www.osgc.net](http://www.osgc.net)

## OSGC's 122910 Flyer



### Oneida Seven Generations Corporation

P O Box 257, Oneida, WI 54155

Phone: 920-347-0500 Fax: 920-347-0504

[www.osgc.net](http://www.osgc.net)

December 29, 2010

Dear neighbor,

Thank you for attending the Oneida Seven Generations Corporation Open House on December 16, 2010. We appreciate your interest in the project and hope you learned more about our renewable energy facility. While for some this is an emotional issue, it's important to understand the facts about this facility.

- It will be located in what is, and has been for many years, an industrial park that is zoned light industrial. The facility meets that definition. The land is held in trust for the Oneida Nation by the U.S. Government.
- The Oneida Industrial Park is flanked on one side by the Ashwaubenon Industrial Park and, on the other side, by Austin Straubel Airport.
- It will meet or exceed current federal standards for safety, emissions and pollutants.
- The gasification technology to be used is not new nor is it an experimental prototype.
- There is no incinerator. There will be no smokestacks (like those associated with coal-fired plants).
- There will be little noise or odor. All work will be done inside a closed facility.
- Traffic counts for that area of Packerland Drive range from 9,200 to 11,400 vehicles per day. At most, the facility will receive up to 25 trucks per day (Monday through Friday only).
- When in operation, the facility will employ approximately 30 people.

A number of people at the Open House asked what the next steps will be and what the timeline is for the project. We are currently reviewing and discussing comments received from the public and continue to evaluate our site location. When we are prepared to move forward, we will keep you informed about the process (including regulatory approval process) and provide an approximate timeline.

At some point, it is likely we will have another public open house. Based on your feedback, we will hold it in a larger venue with a sound system, to better accommodate the number of attendees.

In the meantime, please visit our website: [www.osgc.net](http://www.osgc.net) or [www.wte.org](http://www.wte.org) to learn more about the facility. Thank you.

Sincerely,

Kevin Cornelius  
Chief Executive Officer  
Oneida Seven Generations Corporation

# More stack claims?

# And no odors either!



**REQUEST FOR CITY ACTION - PLAN COMMISSION**

(Submit two copies to the City Clerk's Office, Room 106, City Hall)

Date: 12-4-11  
Petitioner: TODD PARZICK / BROADWAY MANUFACTURING, LLC Phone Number: 920-336-3400  
Address: 311 FRANKLIN STREET City: De Pere State: WI Zip Code: 54115  
Property Owner: DICK PIKROUS / D&T ENTERPRISES Phone Number: \_\_\_\_\_  
Parcel Numbers (required): 6-3043  
Location of Property: HURBUT STREET  
Attach maps and legal descriptions (required).

To: Honorable Mayor and Common Council, c/o City Clerk

I, TODD PARZICK, respectfully request that the City of Green Bay take the following action:

**Attach Zoning Petition Form with first four items.**

- ☐ Rezone Property (\$300.00 Review Fee)  
☒ Conditional Use and CUP Amendment (\$300.00 Review Fee), including Single Lot Duplexes  
☐ PUCD/PURD and PUCD/PURD Amendments (\$350.00 Review Fee)  
☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)  
☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)  
☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)  
☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)  
☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]  
☐ Development District Map Amendment (\$200.00 Administration Fee)  
☐ Driveway Variance (\$200.00 Administration Fee)  
☐ Official Map/Area Development Plan Amendment (\$200.00 Administration Fee)  
☐ Plat of Right-of-Way (\$200.00 Administration Fee)  
☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)  
☐ Street Name Change (\$200.00 Administration Fee)  
☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)  
☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)  
☐ Other (\$200.00 Administration Fee): \_\_\_\_\_

Petitioner Signature(s): \_\_\_\_\_

Review Fee: \_\_\_\_\_ Voucher No.: \_\_\_\_\_ Zoning Petition No.: 11-07  
2-8-11

Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

Recycling & Processing Facility

See Attached Info

Please contact the Planning Department in Room 608, City Hall, (920) 448-3400, if you have any questions.

The CUP application  
was silent about stack  
heights

Source: 020411 CUP Application

Stacks are omitted from detailed image renderings OSGC submitted to the City of Green Bay with the application



Source: OSGC Plans exhibit submitted for Conditional Use Permit Application

Stacks are omitted from detailed image renderings OSGC submitted to the City of Green Bay with the application



Source: OSGC Plans exhibit submitted for Conditional Use Permit Application

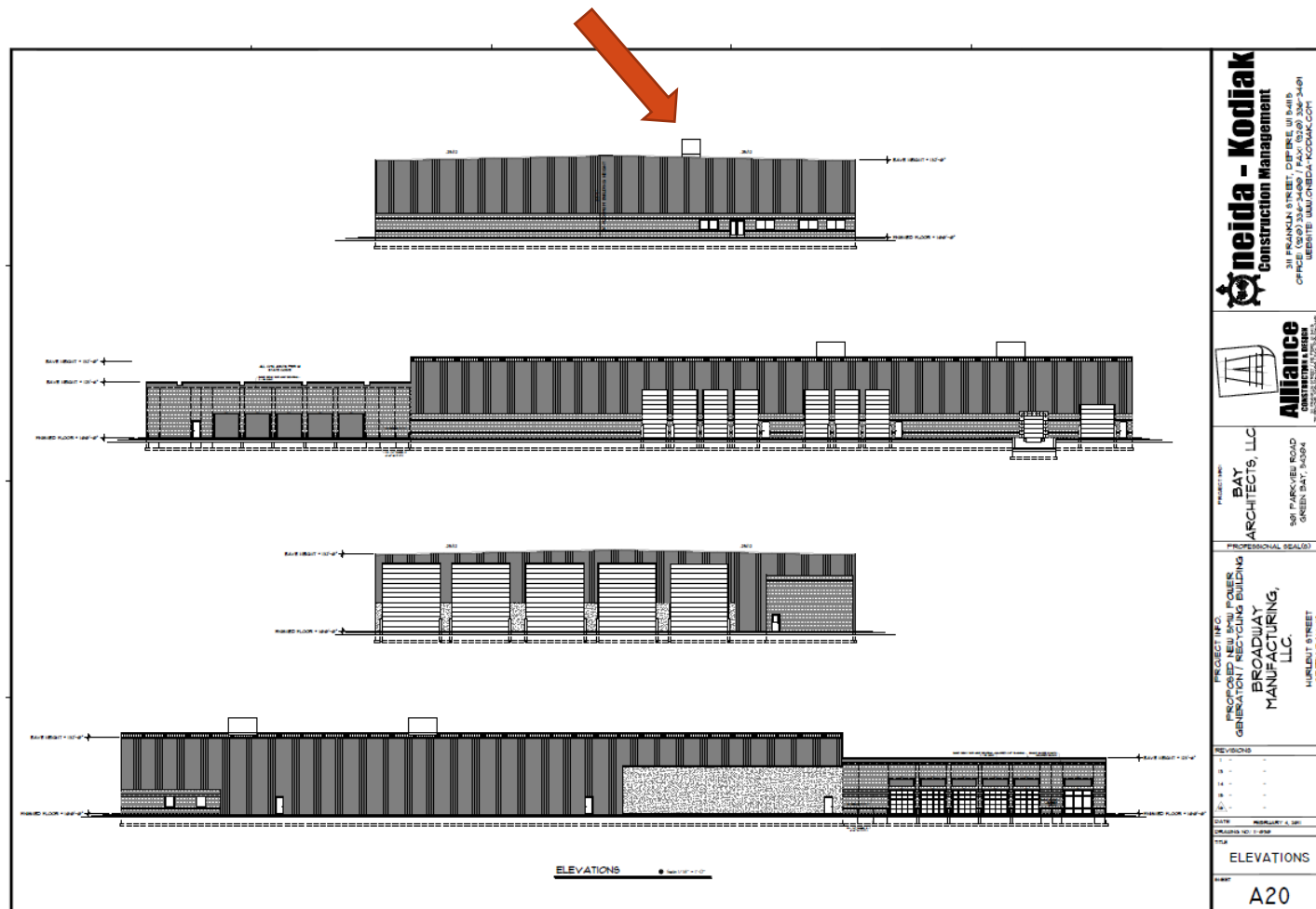


Stacks are omitted from detailed image renderings OSGC submitted to the City of Green Bay with the application



Source: OSGC Plans exhibit submitted for Conditional Use Permit Application

Stacks heights omitted from detailed plans exhibit identifying elevations that OSGC submitted for the CUP application



Source: OSGC Plans exhibit submitted for Conditional Use Permit Application

# Half truths in the application exhibits submitted to the City of Green Bay?


Source: OSGC Process and Technology exhibit submitted for Conditional Use Permit Application

## Facts

### History:


- Waste-to-Energy Systems have been used in Europe since 1890's.

### Today there are:

- 
- 87 Waste-to-Energy Plants in the US
  - 400 Waste-to-Energy Plants in Europe
  - 190 Waste-to-Energy Plants in Japan
  - China plans on investing \$2 Billion in Waste-to-Energy Plants in order to meet its carbon dioxide reduction goal of 45%.

## Compare to:

### Unproven technology:

- 
- **Claim:** "Today there are 87 Waste-to-Energy plants in the US."
  - **Reality:** Not one of these 87 plants is a commercial, permitted pyrolysis gasification facility for municipal solid waste (MSW).
  - **Reality:** ACTI's website doesn't even mention pyrolysis.

### Not an Incinerator?

- **Claim:** OSGC and ACTI claim the process is not incineration and does not use "...any type of incineration or burning..."
- **Reality:** The proposed process is a two-stage incineration process. The first step is the heating of the waste and creating syngas, but the second step is incineration and involves the direct burning/combustion of the syngas.


Source: 030711 Greenaction Evaluation of Proposed OSGC Incinerator

# Half truths in the application exhibits submitted to the City of Green Bay?

Source: OSGC Emissions exhibit submitted for Conditional Use Permit Application

## Independent, Peer-Reviewed Studies

Extensive studies have recently been completed by trusted California authorities. For example, a 2006 peer-reviewed study conducted by the University of California, Riverside, on behalf of the California Integrated Waste Management Board, analyzed third-party emissions data from three thermal technology facilities:

- 
- **International Environmental Solutions** - Operates a pyrolysis facility in Romoland, California that utilizes solid waste

### IES Pyrolysis Plant in Romoland, California:

- **Claim:** Company officials refer to a pyrolysis plant in the Los Angeles, California area as an example.
- **Reality:** The only existing commercial pyrolysis plant designed for treatment of solid waste in the Los Angeles area – or anywhere else in the United States to our knowledge – is the demonstration plant in Romoland, California operated by IES.
- **Reality:** The IES facility is a problem-plagued pyrolysis plant. This facility does not have commercial permits despite years of attempts.
- **Reality:** In October 2010, IES was fined \$6000 by the South Coast Air Quality Management District for a 2009 violation of: "Operating equipment which puts contaminants in the air without having a permit to operate."

**Compare to:**



Source: 030711 Greenaction Evaluation of Proposed OSGC Incinerator

# Half truths in the application exhibits submitted to the City of Green Bay?

## Emissions from Thermochemical Conversion Technologies

### International Environmental Solutions

International Environmental Solutions (IES) operates an Advanced Pyrolytic Treatment Thermal Conversion System that consists of a retort chamber followed by a thermal oxidizer and air pollution control equipment. Material is fed by a screw conveyor into the retort chamber, which maintains a temperature of 1400-1800 °F in a low oxygen environment. Air locks are utilized at each end of the chamber to minimize fugitive emissions. Ash and char exit the chamber through a lock hopper into a collection bin. The pyrolytic gases are ducted to a thermal oxidizer that is equipped with a 5 MM Btu/hr natural gas-fired burner. Exhaust gases from the thermal oxidizer are vented to waste heat boilers for energy recovery. The air pollution control system consists of selective non-catalytic reduction unit for NO<sub>x</sub> control, a baghouse for PM control, and a scrubber unit for control of acid gases and volatile metals.

After initial baseline testing to determine the appropriate NO<sub>x</sub> control devices for its Advanced Pyrolysis System demonstration plant in Romoland, California, International Environmental Solutions (IES) conducted numerous source tests on various waste streams, including municipal solid waste. The testing conducted with MSW was observed by UC researchers. During 2008, IES and its consultants compiled all of the information necessary to file for a full-term operating permit from the SCAQMD. The permit is currently awaiting approval. In January, 2009, the SCAQMD issued a moratorium on all new permits to operate due to litigation unrelated to the IES application. IES expects the permit to operate will be granted once the moratorium is lifted.

Emissions results were obtained from a compliance source test report. Performance and emissions results are shown in the following Table.<sup>9</sup>

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- **Claim:** Company officials refer to a pyrolysis plant in the Los Angeles, California area as an example.
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Source: 030711 Greenaction Evaluation of Proposed OSGC Incinerator

Source: OSGC Emissions exhibit  
submitted for Conditional Use Permit  
Application

**Why keep referring to Romoland??**



# The Reality

- Attempting to construct stacks in excess of 35 feet is a violation of city ordinance and the conditional use permit under Wisconsin law, which has been ruled “noncompliance with the terms of a CUP is tantamount to noncompliance with a Town ordinance.” (*Town of Cedarburg v. Shewczyk*, 2003 WI App 10, P16 (Wis. Ct. App. 2002)).
- The U.S. Supreme Court has long held a “statement of a half truth is as much a misrepresentation as if the facts stated were untrue.” (*Equitable Life Ins. Co. v. Halsey, Stuart & Co.*, 312 U.S. 410 (1941)).

## CUP Chronology

Date	Event	Representation
02.04.11	Application filed for Conditional Use Permit	CUP application and filed document was silent about stack heights. Exhibits omit stacks from image and elevation renderings of the proposed facility.
02.09.11	Notice to Property Owners of CUP request	
02.15.11	OSGC provides Myths v. Facts to the City of Green Bay	States the "proposed Pyrolysis system is a completely closed loop system so all gases and wastewater are contained."
02.16.11	OSGC provides Renewable Energy Facility: Fact Sheet to the City of Green Bay	States "There will be no smokestacks such as those associated with coal-fired power plants."
02.21.11	Green Bay Plan Commission recommends CUP approval	The Minutes indicate Mr. Cornelius represented to the Plan Commission "there are no smoke stacks..."
02.22.11	Notice to Affected Property Owners	
02.22.11	Press Gazette headline: "Gasification plant gets conditional-use permit" announcement that Green Bay Plan Commission granted a Conditional Use Permit for the incinerator	
03.01.11	Green Bay Plan Commission report to the City Council meeting, and City Council approval of the conditional use permit	The report states: "Information provided by the applicant was sent to Plan Commission members in advance of this report." The conditional use permit does NOT specify any stack heights may exceed the city's 35' maximum.
03.02.11	Press Gazette headline: "Gasification plant gets Green Bay Council OK" announcement that Green Bay's City Commission approved a Conditional Use Permit for the incinerator	The article quotes Mr. Cornelius : "There are no smokestacks."
05.12.11	Oneida Seven Generations Corporation files its Proposed Plan of Operation with WDNR	States "odors and contaminant dispersion issues may be alleviated through increasing stack heights..."
06.21.11	Amended Oneida Energy, Inc., Permit to Construct Application	Based on information submitted by OSGC, DNR identifies 10 stacks: <ul style="list-style-type: none"> <li>• 3 X 60 feet, 1 X 45 feet, 3 X 40 feet, and 3 X 7.5 feet</li> </ul>
07.12.11	DNR Preliminary Determination 11-JJW-071	Based on information submitted by OSGC, DNR identifies 10 stacks at the above heights
07.27.11	OSGC Open Letter to Brown County Residents	OSGC omits emissions stacks from its detailed image rendering provided to residents.

# The CUP requires compliance with all provisions of the GB Municipal Code

RESOLUTION AUTHORIZING  
CONDITIONAL-USE APPROVAL  
AT 1230 HURLBUT STREET  
(ZP 11-07)

March 1, 2011

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Page 2

That, pursuant to Zoning Petition 11-07 and the recommendation of the Plan Commission on February 21, 2011, the City of Green Bay does authorize a conditional-use permit to allow for a solid waste disposal facility within the General Industrial (GI) District located on the following described property at 1230 Hurlbut Street:

BAYPORT INDUSTRIAL CENTER NO 1 RE-PLAT LOT 5 A  
COUNTY PLAT (Parcel Number 6-3043)

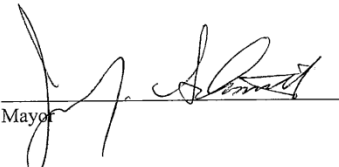
Said conditional-use permit shall be granted subject to:

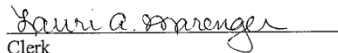
- a. Compliance with all other regulations of the Green Bay Municipal Code not covered under the conditional-use permit, including the City building code, building permits, standard site plan review and approval.
- b. All Federal and State regulations and standards related to the proposed use including air and water quality.
- c. The front façade, facing the street, shall be faced with all masonry or a mix with stucco as required under Section 13-905, Green Bay Municipal Code.
- d. Service areas shall be screened with an approved combination of berms, landscaping, and walls or fences architecturally complementary to the principal building per Section 13-905(d) Site Design Criteria, Green Bay Municipal Code.
- e. All ground and/or roof mounted mechanicals shall be screened per Section 13-1815, Green Bay Municipal Code.
- f. In the event the state determines the proposed use is a tax exempt recycling and/or a solid waste facility, as provided under State statute, the property owner voluntarily agrees to a payment in lieu of taxes for the City portion of taxes based upon the City's assessed value.

g. The land is not eligible to be put into Trust with the Bureau of Indian Affairs; however, the property owner agrees that it shall at no time attempt to put the land into Trust.

Adopted March 1, 2011

Approved March 2, 2011

  
Mayor

  
Clerk

bc

Attachment – Map

The CUP does NOT specify any stack heights may exceed the city's 35' maximum

Source: 030211 CUP

# Green Bay municipal code limits stack heights to 35 feet unless the CUP specifies a greater height

## SECTION 2. DIMENSIONAL STANDARDS

**13-908. Dimensional and area requirements.** Lot area and setback requirements shall be as specified in Table 9-2.

**Table 9-2. Dimensional and Area Requirements, Industrial Districts**

	LI	GI	BP
<b>Minimum Lot Area (sq. ft.)<sup>d</sup></b>	10,000 sf	20,000 sf	20,000 sf
<b>Maximum Floor Area Ratio</b>	none	none	0.75
<b>Maximum Height (feet)</b>	35 <sup>a</sup>	35 <sup>a</sup> (none by CU)	35 <sup>a</sup> (none by CU)
<b>Maximum Impervious Surface Coverage</b>	80%	80%	70%
<b>Building Setbacks</b>			
Front Yard minimum	none	none	15
Side Yard	6 <sup>b,c</sup>	6 <sup>b,c</sup>	10 <sup>b</sup>
Rear Yard	6 <sup>c</sup>	6 <sup>c</sup>	15

Notes to Table 9-2

- a. Smokestacks, water towers, and similar structures may exceed the maximum height limit as specified by conditional use.

Source: Section 13-908, Table 9-2, Green Bay Municipal Ordinances

# DNR now reports OSGC plans 10 stacks – 7.5 to 60 feet in height

Stack Parameter Summary.

Stack ID	Actual Exhaust Point or Fugitive	Circular or Rectangular	Discharge Direction	Exhaust Obstacle	Diameter or Width (if rect.)	Length (if rect.)	Height	Temp.	Normal Flow Rate	Maximum Flow Rate
			U, D, H	Yes/No	ft (m)	ft (m)	ft (m)	°F	ACFM	ACFM
S01	Actual	Circular	U	No	1.0	--	40	550	945	945
S02	Actual	Circular	U	No	1.0	--	40	550	945	945
S03	Actual	Circular	U	No	1.0	--	40	550	945	945
S11	Actual	Circular	U	No	1.33	--	60	950	11,890	11,890
S12	Actual	Circular	U	No	1.33	--	60	950	11,890	11,890
S13	Actual	Circular	U	No	1.33	--	60	950	11,890	11,890
S21	Actual	Circular	U	No	5.74	--	7.5	90	32,262	32,262
S22	Actual	Circular	U	No	5.74	--	7.5	90	32,262	32,262
S23	Actual	Circular	U	No	5.74	--	7.5	90	32,262	32,262
S31	Actual	Circular	U	No	2.57	--	45	1,832	20,458	20,458



Source: 071211 WDNR Preliminary Determination 11-JJW-071



# 10 Planned Stack Heights: 2.29 to 18.29 Meters

**Table 13**

Oneida Energy Inc. Sources Included in Air Quality Impact Analysis

Source ID	Source Description	Easting (X)	Northing (Y)	Base El	Stack Ht	Temp	Exit Vel	Stack Dia
		(m)	(m)	(m)	(m)	(K)	(m/s)	(m)
S01	RICE 1	418160.9	4933077.4	180	18.29	783	43.26	0.406
S02	RICE 2	418158.6	4933075.8	180	18.29	783	43.26	0.406
S03	RICE 3	418156.6	4933073.5	180	18.29	783	43.26	0.406
S05	Retort Oven 1	418148.9	4933003.4	180	12.19	561	5.97	0.305
S06	Retort Oven 2	418144.3	4932999.3	180	12.19	561	5.97	0.305
S07	Retort Oven 3	418139.7	4932994.7	180	12.19	561	5.97	0.305
S08	Flare	418130.2	4933117.8	180	13.72	1273	20.0	0.784
S09	Cooling Tower 1	418148.3	4933091.2	180	2.29	305	6.3	1.750
S10	Cooling Tower 2	418145.1	4933088.7	180	2.29	305	6.3	1.750
S11	Cooling Tower 3	418142.4	4933086.0	180	2.29	305	6.3	1.750

*Stack Height and Downwash Considerations*



Source: 062111 Amended Oneida Energy, Inc.,  
Permit to Construct Application

# Obviously, 'Stacks': 10 of them

ONEIDA ENERGY – GREEN BAY						
Stack Parameters						
Source ID	Model ID	LOCATION (UTM83)	HEIGHT (M)	DIAMETER (M)	VELOCITY (M/S)	TEMP (K)
S11	S01	418161, 4933077	18.29	0.41	43.26	783.2
S12	S02	418159, 4933076	18.29	0.41	43.26	783.2
S13	S03	418157, 4933073	18.29	0.41	43.26	783.2
S01	S05	418149, 4933003	12.19	0.30	6.11	560.9
S02	S06	418144, 4932999	12.19	0.30	6.11	560.9
S03	S07	418140, 4932995	12.19	0.30	6.11	560.9

Preliminary Determination, FID No. 405223720, Permit Nos. 11-JJW-071, 405223720-P01

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S31	S08	418130, 4933117	13.72	0.78	20.0	1273.
S21	S09	418148, 4933091	2.29	1.75	6.33	305.4
S22	S10	418145, 4933088	2.29	1.75	6.33	305.4
S23	S11	418142, 4933086	2.29	1.75	6.33	305.4



Source: 071211 WDNR Preliminary Determination 11-JJW-071

# All these emissions from OSGC's 'closed loop system'?

## C. Total Facility Emissions

### Criteria Pollutants Emissions.

Pollutant	Potential to Emit (PTE)*	
	Pounds per hour	Tons per year
PM <sub>10</sub> / PM <sub>2.5</sub>	1.21 / 1.20	5.26 / 5.23
Sulfur Dioxides	4.94	19.4
Nitrogen Oxides	23.2	99.4
Volatile Organic Compounds	10.3	40.6
Carbon Monoxide	23.1	88.8

### Hazardous Air Pollutant Emissions.

Pollutant	Potential to Emit (PTE)*		
	Pounds per hour	Pounds per year	Tons per year
Chromium III (7440-47-3) sf	1.6E-03	14.0	7.0E-03
Mercury (7439-97-6) sf	1.8E-04	1.53	7.7E-04
Nickel (7440-02-0) sf	1.7E-04	1.52	7.6E-04
Dioxin/Furans as TEQ (-) sf	9.2E-09	8.1E-05	4.0E-08
Copper (7440-50-8) s	1.9E-03	16.6	--
Iron Oxide (1309-37-1) s	1.7E-03	14.9	--
Tin (7440-31-5) s	3.6E-03	31.5	--
Selenium (7782-49-2) sf	2.4E-03	21.0	1.1E-02
Antimony (7440-36-0) sf	3.7E-03	32.4	1.6E-02
Hydrogen Sulfide (7783-06-4) s	0.21	1,840	--
Formaldehyde (50-00-0) sf	1.73	15,155	7.58
Acetaldehyde (75-07-0) sf	2.1E-02	184	9.2E-02

Remember –  
10 tall stacks are  
needed for all  
these emissions

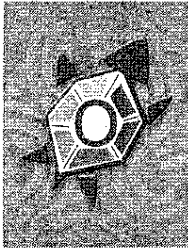
Phosphoric Acid (7664-38-2) s	5.9E-02	517	--
Potassium Hydroxide (1310-58-3) s	8.5E-03	74.5	--
Sodium Hydroxide (1310-73-2) s	6.1E-03	53.4	--
Hydrogen Chloride (7647-01-0) sf	2.2E-02	193	9.6E-02
Hydrogen Fluoride (7664-39-3) sf	6.3E-04	5.52	2.7E-03
Total s. 112(b) Federal Hazardous Air Pollutants (individual / combined) =			<10 / <25 TPY

s = state hazardous air pollutant; f = Federal hazardous air pollutant

Source: 071211 WDNR Preliminary Determination 11-JJW-071



# OSGC submissions to the City to obtain the CUP



Oneida Seven Generations Corporation

P O Box 257, Oneida, WI 54155

Phone: 920-347-0500 Fax: 920-347-0504

www.osgc.net

Representation: it's a 'closed loop system' that contains "all gases and wastewater".

## MYTHS VS. FACTS

UPDATED: FEBRUARY 15, 2011

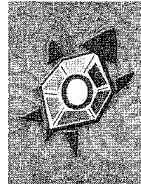
**Fact:** *This is false and misleading.*

The proposed Pyrolysis System is a completely closed loop system so all gases and wastewater are contained. Typical MSW (municipal solid waste) contains 17% moisture. Any moisture that enters the gasifier will come off as a vapor mixed with the gases; the vapor then condenses during the gas cleanup. Water will be treated and filtered, with a portion of the water used in the gas cleanup process and the remained filtered to a level that it can be disposed in a public sewer, just like dish, shower and sink water.

Sources: 021511 OSGC Myths v. Facts



# OSGC 'Fact Sheet' submissions to the City to obtain the CUP



Oneida Seven Generations Corporation

P O Box 257, Oneida, WI 54155

Phone: 920-347-0500

Fax: 920-347-0504

www.osgc.net

## Renewable Energy Facility: Fact Sheet

### Overview

Oneida Seven Generations Corporation's proposed renewable energy, biomass gasification facility, will be located in an industrial area on Hurlbut Street in Green Bay. The facility will take municipal solid waste that would otherwise be put into a landfill, put it through a pyrolysis gasification process, and create five megawatts of power hourly, which will be sold to Wisconsin Public Service Corp.

### Emissions:

Emissions will meet or be better than the standards set by the EPA. There will be no smokestacks such as those associated with coal-fired power plants.

### Water:

Any water generated or used will be treated and re-used, or discharged to the sanitary sewer, just as any home or business wastewater. Storm water will be treated like all other new commercial sites. The operation will not affect the ground water table.

### Traffic:

Approximately two trucks per hour will carry waste to the facility from 7 a.m. to 5 p.m. Monday through Friday.

Source: 021611 OSGC Renewable Energy Facility:  
Fact Sheet



*February 16, 2011*

# Highly contaminated water emissions from OSGC's 'closed loop system'?



## Oneida Seven Generations Corporation

P O Box 257, Oneida, WI 54155

Phone: 920-347-0500

Fax: 920-347-0504

[www.osgc.net](http://www.osgc.net)

### Water:

Any water generated or used will be treated and re-used, or discharged to the sanitary sewer, just as any home or business wastewater. Storm water will be treated like all other new commercial sites. The operation will not affect the ground water table.

### Contrast with the below from the plan of operations:

**Liquids** The pyrolysis liquids consist mainly of tar, light oil, and liquor. The tar contains f olefins, 62% to 80% aromatics, and 3% to 14.5% paraffins and naphthenes, and the rem compounds that have been identified as acids, bases, ketones, and aldehydes containin carbon atoms. The major components of light oil are benzene and toluene. The pyrolysis 90%-97% water (Sanner et al., 1970).

A high level of char and ash carryover can be assimilated in the liquid product, where pa proportions can influence the product quality. Care must be taken in storage, handling, c upgrading pyrolysis liquids because of the water and high oxygen content. Polymeriza product can be caused by temperatures around 212F. Polymerization adversely affects i such as viscosity, phase separation, and deposition of a bitumenlike substance. Heating viscosity for pumping needs to be considered cautiously. Exposure of the pyrolysis liquic storage or transportation may cause deterioration of its chemical and physical properties the liquid product is important and has several effects. It reduces the heating value, affe viscosity, and influences both physical and chemical stability. A high water content in the will affect the refining and upgrading process and increase the wastewater generated du steps. The generated wastewater is highly contaminated by dissolved and suspended or chemical oxygen demands of 150,000 mg/lit. The wastewater will need to be treated anc increasing the operating cost. Pyrolysis liquids require additional processing to be directl conventional fuel-marketing infrastructure. This would allow uses such as synthetic oil fo stations, synthetic oil as refinery feedstock, and synthetic oil for gas turbines and modifie Pyrolysis liquids can be mixed, with upgrading, into bulk fuels by fuel blenders and sc markets. Conventional markets are preferred because they allow multiple customers.

We have included a basic fact sheet that you can feel free to use and photocopy to hand out to your constituents should they have questions.

In the meantime, should you want more information, feel free to visit our website at [www.osgc.net](http://www.osgc.net) or contact me directly. Thank you for your interest and support of the project.

Sincerely,

Kevin Cornelius  
Chief Executive Officer  
920-347-0500  
[kevin@osgc.net](mailto:kevin@osgc.net)


OSGC Sent the City its Fact Sheets

Sources: 051211 Plan of Operations  
122911 OSGC Update to GB City Attorney &  
'Fact Sheet' attachment

# Odors from OSGC's 'closed loop system'? And further "increasing stack heights" against city ordinances if OSGC's experimental incinerator still stinks?

Oneida Recycling Solutions  
Environmental Assessment  
Mitigation

Page 14 of 22  
Revised April 2011




Combustion odors and contaminant dispersion issues may be alleviated through increasing stack heights and adding control equipment.

Source: 051211 Plan of Operations

Oneida Recycling Solutions  
Plan of Operations

Page 8 of 26  
May 2011

since there are no other known federal HAPs, the combined federal HAP emissions will be below 25 tons. The emission limits present in WAC NR 445.07 Table A for formaldehyde may limit the electrical generating capacity of the plant. In order to not have the default Table A values impede plant capacity a modeling assessment and/or Best Available Control Technology (BACT) analysis will need to be performed.



There will be odor generated from the combustion of the synthetic gas, similar to combustion of natural gas. Combustion odors can be mitigated through increasing stack heights to disperse the odors. Wet scrubbers can also be added if odor is still an issue. Additional sources of odor may be generated from the storage and processing of the refuse material.

Source: 051211 Plan of Operations

# The notice to residents about the CUP hearing failed to mention stacks too...

February 22, 2011

RE: (ZP 11-07) Conditional Use Permit – 1230 Hurlbut Street

Dear Affected Property Owner:

Please be informed that on Monday, February 21, 2011, the Green Bay Plan Commission recommended approval of a Conditional Use Permit (CUP) to authorize a solid waste disposal facility within the General Industrial (GI) District located at 1230 Hurlbut Street, submitted by Todd Parczick, Broadway Manufacturing, LLC, subject to:


1. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including the City building code, building permits, standard site plan review and approval.
2. All Federal and State regulations and standards related to the proposed use including air and water quality.
3. The front façade, facing the street, shall be faced with all masonry or a mix with stucco as required under Section 13-905.
4. Service areas shall be screened with an approved combination of berms, landscaping, and walls or fences architecturally complementary to the principal building per Section 13-905(d) Site Design Criteria.
5. All ground and/or roof mounted mechanicals shall be screened per Section 13-1815.
6. In the event the state determines the proposed use is a tax exempt recycling and/or a solid waste facility as provided under State statute, the property owner voluntarily agrees to a payment in lieu of taxes for the City portion of taxes.
7. The land is not eligible to be put into Trust with the Bureau of Indian Affairs, however the property owner agrees that it shall at no time attempt to put the land into Trust.

This recommendation will be part of the Plan Commission's report to Council for the meeting of the City Council scheduled for **Tuesday, March 1, 2011, at 7:00 p.m.** in Council Chambers of City Hall.

Source: 022211 Notice to Affected Property Owners

# Future emissions

Emissions will double corresponding to a planned **doubling** in the incinerator's size, plus adding tires, etc.



## ENVIRONMENTAL ANALYSIS AND DECISION ON THE NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT (EIS)

Form 1600-1

Rev. 6-2010

Department of Natural Resources (DNR)

Region or Bureau

Type List Designation

NOTE TO REVIEWERS: This document is a DNR environmental analysis that evaluates probable environmental effects and decides on the need for an EIS. The attached analysis includes a description of the proposal and the affected environment. The DNR has reviewed the attachments and, upon certification, accepts responsibility for their scope and content to fulfill requirements in s. NR 150.22, Wis. Adm. Code. Your comments should address completeness, accuracy or the EIS decision. For your comments to be considered, they must be received by the contact person before 4:30 p.m., Insert Date.

Contact Person:

Title:

Address:

Telephone Number

Applicant: Oneida Recycling Solutions

Address: 1239 Flightway Drive, De Pere, WI 54155

Title of Proposal:

Location: County: Brown City/Town/Village: 1230 Hurlbut Street, City of Green Bay

Township Range Section(s): Bay Port Industrial Center No. 1 Replat, Lot 5, T.24N. - R.20E.

### PROJECT SUMMARY

1. Brief overview of the proposal including the DNR action (include cost and funding source if public funds involved)

Oneida Seven Generations Corporation proposes to construct a facility to convert solid waste into electricity. This facility will utilize a process call pyrolysis, which means heating the solid waste material in an oxygen starved environment. The waste will be converted to gas via pyrolysis and will be used as fuel in the combustible turbine engines to generate electricity. This facility will be built on a 5.88 acre parcel located at 1230 Hurlbut Street within the boundaries of the City of Green Bay (see attachment 1 for location map). This facility will utilize municipal solid waste to generated electricity for sale to the energy market. The facility will start by processing 150 tons per day, generating five megawatts (MW) of electricity with three pyrolytic gasification systems and generators, with possible future expansion to processing up to 300 tons per day and generating ten MW (dependent on the negotiated power purchase agreement with the Wisconsin Public Service). Future expansion may also include adding other types of waste such as tires, non-recyclable plastics, and dairy waste.

# Future emissions from OSGC's 'closed loop system'

## 1. Summary

Oneida Seven Generations Corporation proposes to construct a facility to convert solid waste into electricity. The system will utilize municipal solid waste to generate electricity for sale to the energy market. The facility will start by processing 150 tons per day, generating five megawatts (MW) of electricity with three pyrolytic gasification systems and generators, with possible future expansion to processing up to 300 tons per day and generating ten MW (dependent on the negotiated power purchase agreement with Wisconsin Public Service). Future expansion may also include adding other types of waste such as tires, non-recyclable plastics, and dairy waste.

Features of the gasification system include:

- Reduction of the waste stream by up to 90% with a residual created consisting of carbon char and inert materials that can be recycled at a profit.
- EPA approved disposal of Medical and Hazardous materials.
- Systems exceed all EPA and California clean air emission standards.
- The plant offers a continuous feed system for processing materials that can operate 24/7.
- The thermal flow can use off-the-shelf technology to produce from 4 to 10 MW of electricity depending of the waste stream being processed and the specific system being used.
- Power purchasers see benefits of the system using renewable rates of purchase for a system that operates over a consistent power curve on a continual basis. The system can be added to the grid in population centers close to the consumption.
- The dual revenue stream of tipping fees and sale of power via power purchase contracts with utilities offers a profitable business with a payback of investment in only a few years.

Source: 051211 Plan of Operations, pp. 4 & 191



# Operational ineptitude? 80% difference in traffic claims for the permit

Traffic:

Approximately two trucks per hour will carry waste to the facility from 7 a.m. to 5 p.m.  
Monday through Friday.

Source: OSGC Myths v. Facts submitted to  
City of Green Bay

*Fact: This is false.*

The maximum number of inbound trucks will be 25 per day.

Multiply X3 for Fridays to  
incinerate all weekend

Source: 022411 Kalihwisaks Newspaper OSGC Myths v.  
Facts Ad

Approximately twelve 13-ton trucks will be received daily to tip material onto the processing floor. The route for truck traffic to the site is Highway 172 east to Highway 43 north to Atkinson

“We expect between five to eight garbage trucks to deliver waste every day,” said Pete King III, OSGC Project Manager.

Source: 080510  
Kalihwisaks  
Newspaper

Source: 051211 Plan of Operations, p. 11

Multiply X3 for Mondays to haul away  
weekend accumulation of incinerated  
trash

An additional 10 trucks per  
weekday will be necessary to remove the unacceptable items, end product  
material, and recyclables.

Source: October 2011, OSGC Materials Separation Plan


# Operational ineptitude? The city already was aware of claimed traffic counts and the energy generation claims...

**Tony Wachewicz**

---

**From:** Paul Neumeyer  
**Sent:** Friday, February 11, 2011 2:26 PM  
**To:** Dave Hansen  
**Subject:** Proposed CUP - 1230 Hurlbut Street  
**Attachments:** ZP 11-07Letter.pdf

Dave:



We have a request going to the Plan Commission on Monday, February 21 for a Conditional Use Permit (CUP) to authorize a solid waste disposal facility within the General Industrial (GI) District located at 1230 Hurlbut Street, submitted by Todd Parczick, Broadway Manufacturing, LLC. I have attached a copy of a map of the area. The proposed use is a solid waste disposal facility that will utilize a gasification process to eliminate the waste and in the end generate energy that will go back on the grid. I expect the City of Green Bay as well as other municipalities to fully utilize this facility. I have attached information provided by the applicant. <I:\DeptData\Public\Broadway Manufacturing SUMMARY.pdf>

The quick numbers looks like this: 22 employees and 25 trucks per day. I would expect that truck per day would go up as this use is fully utilized. I wanted to get your take on any traffic issues you might see.

If you have questions please let me know.

Thanks!

Paul Neumeyer  
Senior Planner/Zoning Administrator  
Green Bay Planning Department  
100 North Jefferson St., Room 608  
Green Bay, WI 54301  
Phone: 920.448.3400

Source: 021111 Email to City Attorney

# Operational Ineptitude? Energy output claims are 22% apart

The Pyrolysis based waste-to-energy plant is structured to produce renewable electricity that will otherwise be produced in an electric utility power plant burning fossil fuel.

Being a member of the Wisconsin Green Building Alliance, Alliance Construction & Design is proud to be the first company in the country to design and build a fully enclosed Gasification system converting over 150 tons of waste per day into 6.4MW of electricity per hour. The amount of energy produced by this system can be compared to the energy produced by 19 (750kW) wind turbines.

Source: Alliance Construction & Design website

If they knew what they were doing, would the builder and OSGC be 22% apart in their claims about potential power generation?

## Renewable Energy Facility *Benefits Environment & Community*

There is considerable misinformation circulating about the proposed Oneida Seven Generations Corporation (OSGC) Renewable Energy Facility. It's intended to scare and mislead people. All of us at OSGC live here too, and would not undertake a project that would be harmful to the community, our families, or the environment.

It's important to have a thorough understanding of what the project is and isn't. We hope you will find the following information helpful as you learn more about the facility. The proposed facility will take municipal solid waste that would otherwise be put into a landfill, put it through a gasification process, and create five megawatts of power daily, which will be sold to Wisconsin Public Service Corp.

*In our ongoing efforts to keep the Oneida community informed on various aspects of the project we offer this **fact** sheet about the Renewable Energy Facility.*

**Facility Size:** Approximately 60,000 square feet.

**Facility Features:** All municipal solid waste will be unloaded and processed inside the closed facility. There will not be any outside unloading or storage. The facility will be constructed of eight-inch thick block wall.

**Technologies:** This is not an incineration project. The system is oxygen-starved, and will meet all Environmental Protection Agency (EPA) regulations. This gasification process produces synthesis gas that is used to produce electricity. Solid wastes will be heated to temperatures ranging between 800 to 1,200 in the gasification process.

**Energy Creation:** Five megawatts of electrical power will be generated per hour. This is equal to the output of 38 wind turbines and can power between 3,000 to 5,000 homes. Energy production will occur 24/7.

Source: 012711 Kalihwisaks Newspaper



# Operational ineptitude? Jobs claims vary by 64%

About '30' jobs?

Source: 041311 Green Bay Press-Gazette

**Plant/150 tons of garbage dai**

► From A-1

After trying unsuccessfully for weeks to win support for the project in Ashwaubenon, the Oneida Seven Generations Corp. redirected its efforts to Green Bay.

Oneida officials have assured Green Bay city leaders that the 60,000-square-foot plant would not pollute the environment. Those officials calculate that the operation would process up to 150 tons of trash daily and generate 5 megawatts of electricity, enough to power 3,000 to 4,000 homes.

Known as gasification, the process calls for heating trash at 1,200 degrees Fahrenheit in a way that does not incinerate the waste but creates power that can be converted into electricity.

The facility would represent a \$23 million investment and would create about 30 jobs.

Federal regulators held Tuesday's hearing because Oneida officials are seeking a \$2 million loan from the state, using federal economic stimulus funds. Before any such funding is allocated, the federal government will conduct an assessment to determine if the plant would have a significant impact on the environment.

The state Department of Natural Resources also must approve an air pollution control permit and possibly a wastewater permit.

Richard Wulk, air management supervisor for the DNR in Green Bay, said the Oneida group has not yet applied for either permit. Once an application is submitted, the state will take public comment and



## Plant/Public hearing on impact likely to be held

► From A-1

The land, already purchased by Oneida Seven Generations, is zoned general industrial, is not federal trust land, won't be placed in trust in the future and cannot be used for gaming, Cornelius said.

The federal energy department is expected to hold a public hearing in Green Bay on the environmental impact of the proposed site in late March or early April.

The plant would convert 150 tons of municipal waste a day into power to be sold to Wisconsin Public Service.

The original site of the biomass facility at 3100 Packerland Drive in Ashwaubenon drew opposition from residents and village officials who said the plant might cause a health

### IF YOU GO

The Green Bay Plan Commission meets at 6 p.m. Monday in Room 604 of Green Bay City Hall, 100 N. Jefferson St.

II, project manager for Oneida Seven Generations, said letters have been sent to Ashwaubenon residents near the site where the 60,000-square-foot facility had been set to be built.

Ashwaubenon President Mike Aubinger praised Oneida officials for the decision to relocate.

"Of course we're pleased because we didn't think it was the proper place here, and we wish them the best where they're going," Aubinger said. "It was very nice of the Oneidas to take our feelings into consideration and move the plant."

Derek Lord, development director for the city

proached Oneida Seven Generations about building the facility in the city.

"We looked at a lot of sites that we thought they should consider," Lord said. "We feel this is a very appropriate use of the land. There are no day care centers, corporate offices or residences in the area."

According to Oneida Seven Generations officials, construction of the facility will create 40 to 50

jobs and will reduce the amount of waste going into local landfills by up to 90 percent.

Brown County Executive Tom Hinz, who opposed the Ashwaubenon site, said the proposed new site "looks like a good compromise."

But he said he wants to make sure the tri-county solid waste agreement with Winnebago and Outagamie counties stays in place.

'40-50' jobs?

Source: 021911 Green Bay Press-Gazette

Broadway Manufacturing LLC | 2011

### Employment and Job Creation:

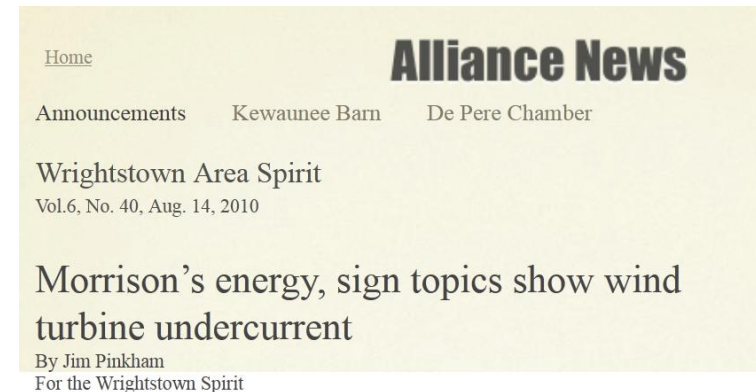
The facility will create numerous engineering and construction jobs during construction in addition to creating 22 full time local positions when the facility becomes operational.

Source: OSGC Summary and Plans submitted for Conditional Use Permit Application

'22' jobs?

# Operational ineptitude?

## First of its kind is... experimental



The waste-to-energy proposal features a system that uses heat to break trash back down into its chemical building blocks, pulling out and cleaning gases to get a blend of carbon monoxide and hydrogen, and then using the blend to generate power for sale to energy utilities.

...

he said, and the company recently reached a deal with a venture owned by the Oneida Tribe to install the first system of its kind in the United States, Parczick said.

The FIRST??



Source: 081410 Wrightstown Area Spirit Newspaper

# Operational ineptitude?

Claimed composition of trash to be disposed somehow **EXCEEDS** 100%?

Table 1: Waste Composition for the Proposed Project

Waste Group	Description	Approximate Percentage
Paper	Newspaper, office paper, magazines, cardboard, etc.	20.7
Plastics	PET and HDPE containers, other plastic containers, polystyrene foam, shopping bags, plastic film, etc.	13.6
Metals	Aluminium cans, ferrous (tin) cans, ferrous scrap, non-ferrous scrap, etc.	4.6
Glass	Clear beverage containers, colored beverage containers, glass food containers, other glass	1.6
Organic Waste	Yard materials, food scraps, diapers, animal waste/kitty litter, bottom fines/dirt, other organic material	36.6
Construction and Demolition Waste	Wood, bricks concrete, rock, ceramics, etc.	9.6
Problem Materials	Electronics, appliances, batteries, fluorescent lights	2.6
Hazardous Materials	Paint, automobile oil filters, medical waste, household hazardous waste	0.1
Other Waste	Textiles, carpet, carpet pads, furniture, bulky items	10.7

Maybe it IS a magic machine... 100.1%?



Source: October 2011, OSGC Materials Separation Plan



# Possible Conclusions

The lack of stack heights provisions in the CUP and the hearing notice to residents likely means the City was never put on notice about them:

- Conscious failure to inform the City about multiple 60 foot stacks?
- OSGC lacked accurate knowledge or information to avoid a critical error in it's permitting process?

# Revisionist history – disconnected non-sequiturs fail to put the City on notice

## Emissions:

Emissions will meet or be better than the standards set by the EPA. There will be no smokestacks such as those associated with coal-fired power plants.

Source: 021611 OSGC Renewable Energy Facility: Fact Sheet

» From A-1

Seven Generations president Kevin Cornelius dismissed the opponents' claim of misrepresentation.

He said his company has claimed the project would not need the kind of smokestacks associated with power plants and paper mills but would need exhaust pipes "which are common to almost every industry." He said the state Department of Natural Resources permitting documentation refers to the exhaust pipes as stacks but that there are no smokestacks in the sense that opponents are claiming.

Source: 032612 GBPG Article

Mr. Cornelius stated the heat is generated from a natural gas burner that runs on product gas. The system does have to be started up by propane or natural gas. Once you get rolling, you're on your syngas. He added there are no smoke stacks, no oxygen, and no ash. There is carbon and ash which

[http://www.ci.green-bay.wi.us/mins\\_agd/minutes/20110221MN2796.html](http://www.ci.green-bay.wi.us/mins_agd/minutes/20110221MN2796.html)

09/01/2011

Source: 022111 Green Bay City Council Minutes

We agree, there are no coal plant stacks... because this trash incinerator is NOT a coal plant. OSGC might also point to other irrelevant statements like their trash incinerator is unable to turn lead into gold

Source: 030211 GBPG Article

Kevin Cornelius, chief executive officer of the company, assured aldermen that the 60,000-square-foot biomass plant was a good fit for the city's industrial west side.

Cornelius, however, also said the facility would operate cleanly and would not pollute the environment.

"There are no smokestacks," he said. "For those of us in Green Bay, we know what that means."

Why did OSGC fail to speak about stacks for the OSGC incinerator?

# Permits Recently Overturned

Permits can be rescinded for negligent or intentional misrepresentation, which is action Springfield, MA recently took

Springfield biomass plant b x Cleveland Incinerator | Ohio x  
www.masslive.com/news/index.ssf/2012/01/springfield\_biomass\_plant\_buil.html

## Springfield biomass plant building permits overturned by Zoning Board of Appeals

Published: Wednesday, January 25, 2012, 9:39 PM Updated: Wednesday, January 25, 2012, 9:39 PM



By Peter Goonan, The Republican

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SPRINGFIELD – The Zoning Board of Appeals on Wednesday overturned two building permits granted for a \$150 million **wood-burning plant in East Springfield**, siding with an appeal filed by residents.

The appeal was upheld by unanimous vote.

Residents, and a separate appeal filed by the **City Council** said the granting



# Voters beginning to defend themselves

Mather Heights Neighborhood Association

Clean Water Action Council of Northeast Wisconsin  
P.O. Box 9144  
Green Bay, WI 54308

Incinerator Free Brown County  
Incineratorfreebrowncounty@gmail.com

---

March 16, 2012

The Honorable Mayor Schmitt and City Council Members  
Green Bay City Hall  
100 N. Jefferson Street  
Green Bay, WI 54301

Re: Request for action on Oneida Seven Generation Corporation's Conditional Use Permit

Dear Mayor Schmitt and City Council Members,

We submit these comments in support of the Mather Heights Neighborhood Association(MHNA) and over 900 local residents that have signed a petition to oppose the construction of Oneida Seven Generations Corporation's pyrolysis/gasification facility in Green Bay. (Exhibit A, petition signatures and summary sheet)

We believe Oneida Seven Generations Corporation (OSGC) misrepresented the true nature of its incinerator project by presenting false and misleading information to the public and the City of Green Bay for the dual purposes of gaining public acceptance of the project and obtaining a conditional use permit from the City. The following were some of actions taken by OSGC to in pursuing this scheme

Residents believe  
inaccurate information  
was used to obtain the  
CUP

# Options for Consideration

- Do nothing or endorsing the representations made to obtain the CUP despite knowing:
  - no OSGC experience in the industry;
  - with no known successful business track record;
  - no known private investment to reduce public funds/risk;
  - no currently operating project in the United States;
  - and an abundance of conflicting information submitted to the City and the public; and
- Affected city residents may then seek a class action against the City and OSGC for any losses and legal costs they may suffer arising from the above; or
- Simply unwind the permit
  - OSGC failed to inform the City the proposed facility is noncompliant with the permit and the municipal code anyway
  - OSGC failed to identify where it fully disclosed the stacks and emissions pertaining to this facility and not some other types of facilities
    - OSGC's intent regarding its conduct is irrelevant as to rescinding the CUP because all that's needed is a failure to fully inform the City

# Reality Roundup

Ask yourself:

Do YOU want the City of Green Bay to endorse the circumstances of this application process as precedent for future permit applications?



## Links to Source Documents

021911 GBPG New Plant Site Article

<http://ubuntuone.com/3lZcWDQa2RIx5tPZISNWvI>

041311 GBPG Biomass Plant Comes Under Fire Article

<http://ubuntuone.com/3vzWhq5Mk3uIbWMcVUBUED>

030211 GBPG Article

<http://ubuntuone.com/40tmys9Vhg9XrLNTbVOA7z>

022111 GB Council Minutes

<http://ubuntuone.com/0Bby1A4HQpCP6yKgHwAnQJ>

051211 Plan of Operations

<http://ubuntuone.com/4eVQtLRnH8ZkkytGOkf7nf>

062111 Amended Application Report and Forms

<http://ubuntuone.com/0qw8S1PuYeVhDkybIHizpr>

071211 DNR 11-JJW-071 Preliminary Determination

<http://ubuntuone.com/5D19gnKxaj1jz38l5U73kY>

122910 OSGC Flyer

<http://ubuntuone.com/4DiZF4akImUVKZy7oBdbKf>

012711 Kalihwisaks

<http://ubuntuone.com/6PqdlAM1e2ZHU3oKBdIRFh>

072711 OSGC Open Letter

<http://ubuntuone.com/5zmFvdaEcZBvmDKKIFvLF>

020411 CUP Application

<http://ubuntuone.com/46L34VxPm58Caw0AJKwWj4>

CUP Application Exhibits

<http://ubuntuone.com/3mDOiQKvWcKtFelpgBJREr>

030211 CUP

<http://ubuntuone.com/6tExvKwIjvskGVj53ywgFS>

October 2011 OSGC Materials Separation Plan

<http://ubuntuone.com/6ccCJFtvron403CHbUMZdh>

030711 Greenaction Evaluation of Proposed OSGC Incinerator

<http://ubuntuone.com/4zJfBQIJivymvnydPtIB4h>

021511 OSGC Myths v. Facts

<http://ubuntuone.com/0KswZDPuCSzcsRDrKyBs2C>

021611 OSGC Renewable Energy Facility: Fact Sheet

<http://ubuntuone.com/1OeVJ3Z9AtY2kYAjf4GQd>

021111 Email to City Attorney

<http://ubuntuone.com/1YfvaWKzK2TRBf7eeAKZsC>

122911 OSGC Update to GB City Attorney & 'Fact Sheet' attachment

<http://ubuntuone.com/0pUOZaT5CHAVE54tGfPx6y>

022211 Notice to Affected Property Owners

<http://ubuntuone.com/00IX9e1XmAZV03krSQbtWE>

032612 GBPG Article

<http://ubuntuone.com/40tmys9Vhg9XrLNTbVOA7z>

Wrightstown Area Spirit

<http://ubuntuone.com/5JFkcl4obqMbN8TsE89iwH>

Springfield Permit Overturned By Zoning Board

<http://ubuntuone.com/5SItnKfhB0hnh35ljl0gMU>

Alliance Construction 6.4 MW

<http://ubuntuone.com/5uKrwQBENfNuUwilLXrxBR>