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.

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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 smoke-stacks,” he said. “For those of us in Green Bay, we know what that means.”

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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
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 or www.wte.org to learn more about the facility. Thank you.

Sincerely,

Kevin Cornelius
Chief Executive Officer
Oneida Seven Generations Corporation
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?

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%.

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."

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 directed 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 NOx 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 NOx 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.\(^7\)

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.
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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)).*
<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
<th>Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>02.04.11</td>
<td>Application filed for Conditional Use Permit</td>
<td>CUP application and filed document was silent about stack heights. Exhibits omit stacks from image and elevation renderings of the proposed facility.</td>
</tr>
<tr>
<td>02.09.11</td>
<td>Notice to Property Owners of CUP request</td>
<td></td>
</tr>
<tr>
<td>02.15.11</td>
<td>OSGC provides Myths v. Facts to the City of Green Bay</td>
<td>States the &quot;proposed Pyrolysis system is a completely closed loop system so all gases and wastewater are contained.&quot;</td>
</tr>
<tr>
<td>02.16.11</td>
<td>OSGC provides Renewable Energy Facility: Fact Sheet to the City of Green Bay</td>
<td>States &quot;There will be no smokestacks such as those associated with coal-fired power plants.&quot;</td>
</tr>
<tr>
<td>02.21.11</td>
<td>Green Bay Plan Commission recommends CUP approval</td>
<td>The Minutes indicate Mr. Cornelius represented to the Plan Commission &quot;there are no smoke stacks...&quot;</td>
</tr>
<tr>
<td>02.22.11</td>
<td>Notice to Affected Property Owners</td>
<td></td>
</tr>
<tr>
<td>02.22.11</td>
<td>Press Gazette headline: “Gasification plant gets conditional-use permit” announcement that Green Bay Plan Commission granted a Conditional Use Permit for the incinerator</td>
<td></td>
</tr>
<tr>
<td>03.01.11</td>
<td>Green Bay Plan Commission report to the City Council meeting, and City Council approval of the conditional use permit</td>
<td>The report states: &quot;Information provided by the applicant was sent to Plan Commission members in advance of this report.&quot; The conditional use permit does NOT specify any stack heights may exceed the city's 35’ maximum.</td>
</tr>
<tr>
<td>03.02.11</td>
<td>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</td>
<td>The article quotes Mr. Cornelius : &quot;There are no smokestacks.&quot;</td>
</tr>
<tr>
<td>05.12.11</td>
<td>Oneida Seven Generations Corporation files its Proposed Plan of Operation with WDNR</td>
<td>States &quot;odors and contaminant dispersion issues may be alleviated through increasing stack heights...&quot;</td>
</tr>
<tr>
<td>06.21.11</td>
<td>Amended Oneida Energy, Inc., Permit to Construct Application</td>
<td>Based on information submitted by OSGC, DNR identifies 10 stacks: • 3 X 60 feet, 1 X 45 feet, 3 X 40 feet, and 3 X 7.5 feet</td>
</tr>
<tr>
<td>07.12.11</td>
<td>DNR Preliminary Determination 11-JJW-071</td>
<td>Based on information submitted by OSGC, DNR identifies 10 stacks at the above heights</td>
</tr>
<tr>
<td>07.27.11</td>
<td>OSGC Open Letter to Brown County Residents</td>
<td>OSGC omits emissions stacks from its detailed image rendering provided to residents.</td>
</tr>
</tbody>
</table>
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:

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.

Source: 030211 CUP

The CUP does NOT specify any stack heights may exceed the city’s 35’ maximum.
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>
<thead>
<tr>
<th>Table 9-2, Dimensional and Area Requirements, Industrial Districts</th>
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</thead>
<tbody>
<tr>
<td>LI</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>Minimum Lot Area (sq. ft)'d</td>
</tr>
<tr>
<td>Maximum Floor Area Ratio</td>
</tr>
<tr>
<td>Maximum Height (feet)</td>
</tr>
<tr>
<td>Maximum Impervious Surface Coverage</td>
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</table>

<table>
<thead>
<tr>
<th>Building Setbacks</th>
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<tbody>
<tr>
<td>Front Yard minimum</td>
</tr>
<tr>
<td>Side Yard</td>
</tr>
<tr>
<td>Rear Yard</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Stack ID</th>
<th>Actual Exhaust Point or Fugitive</th>
<th>Circular or Rectangular</th>
<th>Discharge Direction</th>
<th>Exhaust Obstacle</th>
<th>Diameter or Width (if rect.)</th>
<th>Length (if rect.)</th>
<th>Height</th>
<th>Temp. °F</th>
<th>Normal Flow Rate ACFM</th>
<th>Maximum Flow Rate ACFM</th>
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<tr>
<td>S01</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.0</td>
<td>--</td>
<td>40</td>
<td>550</td>
<td>945</td>
<td>945</td>
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<tr>
<td>S02</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.0</td>
<td>--</td>
<td>40</td>
<td>550</td>
<td>945</td>
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<tr>
<td>S03</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.0</td>
<td>--</td>
<td>40</td>
<td>550</td>
<td>945</td>
<td>945</td>
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<tr>
<td>S11</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.33</td>
<td>--</td>
<td>60</td>
<td>950</td>
<td>11,890</td>
<td>11,890</td>
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<tr>
<td>S12</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.33</td>
<td>--</td>
<td>60</td>
<td>950</td>
<td>11,890</td>
<td>11,890</td>
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<tr>
<td>S13</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>1.33</td>
<td>--</td>
<td>60</td>
<td>950</td>
<td>11,890</td>
<td>11,890</td>
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<tr>
<td>S21</td>
<td>Actual</td>
<td>Circular</td>
<td>U</td>
<td>No</td>
<td>5.74</td>
<td>--</td>
<td>7.5</td>
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<td>S22</td>
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<td>No</td>
<td>5.74</td>
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<td>7.5</td>
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<td>S23</td>
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<td>S31</td>
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<td>45</td>
<td>1,832</td>
<td>20,458</td>
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</table>

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

<table>
<thead>
<tr>
<th>Source ID</th>
<th>Source Description</th>
<th>Easting (X)</th>
<th>Northing (Y)</th>
<th>Base El (m)</th>
<th>Stack Ht (m)</th>
<th>Temp (K)</th>
<th>Exit Vel (m/s)</th>
<th>Stack Dia (m)</th>
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<tbody>
<tr>
<td>S01</td>
<td>RICE 1</td>
<td>418160.9</td>
<td>4933077.4</td>
<td>180</td>
<td>18.29</td>
<td>783</td>
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<td>0.406</td>
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<td>RICE 2</td>
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<td>4933075.6</td>
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<td>RICE 3</td>
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<td>S05</td>
<td>Retort Oven 1</td>
<td>418148.9</td>
<td>4933003.4</td>
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<td>12.19</td>
<td>561</td>
<td>5.97</td>
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<td>S06</td>
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<td>418144.3</td>
<td>4932999.3</td>
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<td>S07</td>
<td>Retort Oven 3</td>
<td>418139.7</td>
<td>4932994.7</td>
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<tr>
<td>S08</td>
<td>Flare</td>
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<td>13.72</td>
<td>1273</td>
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<td>Cooling Tower 1</td>
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<td>4933091.2</td>
<td>180</td>
<td>2.29</td>
<td>305</td>
<td>6.3</td>
<td>1.750</td>
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<td>Cooling Tower 2</td>
<td>418145.1</td>
<td>4933088.7</td>
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<td>Cooling Tower 3</td>
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<td>2.29</td>
<td>305</td>
<td>6.3</td>
<td>1.750</td>
</tr>
</tbody>
</table>

Stack Height and Downwash Considerations

Source: 062111 Amended Oneida Energy, Inc., Permit to Construct Application
Obviously, ‘Stacks’: 10 of them

<table>
<thead>
<tr>
<th>Source ID</th>
<th>Model ID</th>
<th>LOCATION (UTM83)</th>
<th>HEIGHT (M)</th>
<th>DIAMETER (M)</th>
<th>VELOCITY (M/S)</th>
<th>TEMP (K)</th>
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<tr>
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<td>S03</td>
<td>418157, 4933073</td>
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<td>0.41</td>
<td>43.26</td>
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<td>S05</td>
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<td>S06</td>
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<td>0.30</td>
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<td>S07</td>
<td>418140, 4932995</td>
<td>12.19</td>
<td>0.30</td>
<td>6.11</td>
<td>560.9</td>
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</table>

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<th>DIAMETER (M)</th>
<th>VELOCITY (M/S)</th>
<th>TEMP (K)</th>
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<tbody>
<tr>
<td>S31</td>
<td>S08</td>
<td>418130, 4933117</td>
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<td>0.78</td>
<td>20.0</td>
<td>1273.</td>
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<td>S21</td>
<td>S09</td>
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<td>6.33</td>
<td>305.4</td>
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<tr>
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<td>2.29</td>
<td>1.75</td>
<td>6.33</td>
<td>305.4</td>
</tr>
<tr>
<td>S23</td>
<td>S11</td>
<td>418142, 4933086</td>
<td>2.29</td>
<td>1.75</td>
<td>6.33</td>
<td>305.4</td>
</tr>
</tbody>
</table>

Source: 071211 WDNR Preliminary Determination 11-JJW-071
All these emissions from OSGC’s ‘closed loop system’?

Remember – 10 tall stacks are needed for all these emissions.

Source: 071211 WDNR Preliminary Determination 11-JJW-071
More emissions

Source: 062111 Amended (Air) Application Report
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

**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’?

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:

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?

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

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.
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 facade, 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.
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 on 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

**Fact: This is false.**
The maximum number of inbound trucks will be 25 per day.

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: 051211 Plan of Operations, p. 11

Multiply X3 for Fridays to incinerate all 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

Multiply X3 for Mondays to haul away weekend accumulation of incinerated trash
Operational ineptitude? The city already was aware of claimed traffic counts and the energy generation claims...

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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. F:\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

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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.

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

Source: Alliance Construction & Design website

Source: 012711 Kalihwisaks Newspaper
Operational ineptitude? Jobs claims vary by 64%

About ‘30’ jobs?
Source: 041311 Green Bay Press-Gazette

‘40-50’ jobs?
Source: 021911 Green Bay Press-Gazette

‘22’ jobs?
Source: OSGC Summary and Plans submitted for Conditional Use Permit Application

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.
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.

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

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

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

Source: October 2011, OSGC Materials Separation Plan
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 its 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

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: 022111 Green Bay City Council Minutes

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

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.”
Permits Recently Overturned

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

Springfield biomass plant building permits overturned by Zoning Board of Appeals


By Peter Goonan, The Republican

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.
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?
October 2011 OSGC Materials Separation Plan
http://ubuntuone.com/6ccCIftvron403CHbUMZdh

030711 Greenaction Evaluation of Proposed OSGC Incinerator
http://ubuntuone.com/4zJfBQJlJivymvncydPtiB4h

021511 OSGC Myths v. Facts
http://ubuntuone.com/OKswZDPuCSzcsRDtkypyB5G

021611 OSGC Renewable Energy Facility: Fact Sheet
http://ubuntuone.com/10eV13J9AtY2kYAkf4GQd

02111 Email to City Attorney
http://ubuntuone.com/1YfvaWKzK2TRBf7eeAKZc

122911 OSGC Update to GB City Attorney & ‘Fact Sheet’ attachment
http://ubuntuone.com/0pUOZa5CHe54tGfPw6y

022211 Notice to Affected Property Owners
http://ubuntuone.com/00IX9e1XmA7Vo3Kr5QbWE

032612 GBPG Article
http://ubuntuone.com/40tmys9Vh9XrLNTbVOA7

Wrightstown Area Spirit
http://ubuntuone.com/5JFkC14obqMbN8TsE89i

Springfield Permit Overturned By Zoning Board
http://ubuntuone.com/5SiTnKfhB0hnn35JlOgMU

Alliance Construction 6.4 MW
http://ubuntuone.com/5uKrwQBENfNuUwilXLrxBR