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1R-94-R5

ENVIRONMENTAL
PROTECTION AGENCY
REGION V

From GEJ
11/9/94

'92 DEC 18 P2:58

OFFICE OF THE
REGIONAL ADMINISTRATOR
[redacted]
CC: WESTLAKE LTR. ONLY
RA RF LTR. ONLY

December 15, 1992

Mr. Valdas Adamkus
Administrator, Region V EPA
77 W. Jackson
Chicago, IL 60604

Dear Mr. Adamkus, Kee, and Campbell,

Enclosed please find correspondence to Mr. William Rosenberg and Mr. Herb Tate at the EPA, Washington, CC..

Also enclosed find the petitions signed by over 1600 persons opposed to the Incinerator/Power Plant, Michigan DNR Permit #572-92. We urge you 'to deny approval of this permit because of significant deterioration of air quality.

Sincerely yours,

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FLINT, MICHIGAN 48505
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December 15, 1992

Mr. William Rosenberg
EPA
401 M St. SW
Washington, DC 20460

Dear Mr. Rosenberg,

We appeal to you regarding Michigan DNR Permit # 579-92 for the Incinerator Power Plant proposed by Genesee Limited Partnership at 5300 Energy Drive in Genesee Township, Michigan. We beg you to stop the issuance of this permit by January 4, 1993.

The site selection is in the midst of a highly residential area of 14 schools. 8 mobile home parks, 2 low income housing projects (one of them a HUD housing project) and many blocks of single family dwellings. Even if the proposed technology were absolutely flawless (which we do not concede) the site selection is ruthless, insensitive, dangerous, and only driven by purely economic factors. This is environmental racism.

The proposed fuel can be as much as 100% demolition waste and therefore heavily contaminated with lead, mercury, arsenic, and other pollutants related to pesticides, paint, or treatment with no established technology to really adequately assure such toxic pollutants will not go into the burn and up the stack. The emissions of lead, mercury, CO and NOx, and arsenic coning from the stack will further cause significant deterioration of air quality. No ambient air quality study in the immediate area of the plant has been done: so no adequate comparison will be possible after construction and operation of the incinerator/power station. There is no ambient air testing equipment for what canes out of Energy Drive as it is.

The control technology the DNR is allowing is primarily an electrostatic precipitator with no baghouse and dry scrubber. If this company is serious about the environment they should be required to spend the additional funds to include those safety features. (Given the fact we do not want this at all!)

Trucks will be bringing in the 600 tons/day on a mainly residential street with no sidewalks and our many children will be crossing this dangerous road.

The monitoring will be completely left to the company -"self-monitoring". The company self monitors with computers and then sends a quarterly report to the DNR; the DNR has said they may come once a year to check on the plant. A prototype plant in Grayling, Michigan that burns virgin wood has only operated for a one quarter. Neither the DNR nor the Air Quality Control Commission had read that report when the permit was granted. The plant was over emissions nearly 15% of the time. So we beg the EPA to withhold issuance of the permit for another such incinerator (this burning demolition waste) at least until a 2 or 3 year track record has been established by the Grayling Plant.

No noise study has been done on any level. The hearings were held in Lansing by the DNR making is difficult for people of color and people of low economic status to be heard on this issue. The DNR acted as promoters of this project rather than a neutral technical evaluator of this project.

The chief engineer on this project, Mr. Del Rector, was until recently assistant head of the DNR so you can imagine the "friendly" and uncritical partnership that has been created between the DNR and this company. The hearing at which the Air Quality Control Commission approved this permit pending EPA approval within 33 days, was a punishing, ludicrous caricature of a reasonable procedure. WE had to rent a bus, leave Flint at 6:00 A.M. and go to Lansing for the hearing. The commissary closed at 4 P.M.; we never got on the agenda until seven forty that evening. We had 3 diabetics (one who needed his insulin quickly) in the grwp and begged the commission to postpone the hearing till next month. The overriding concern was "will this be a problem for the ccmpany?" Of course it was, so the hearing continued until 1:00 A.M., the vote being taken at 12:40 A.M.. I hardly think rationality prevails after sitting in a stuffy room from 9 A.M. til 12:40 A.M. the next morning. Consideration of one of our speakers was declined but the other side were afforded all opportunities to speak including one unrecognized by the chair. Mr. Bill Ayre. the township supervisor, was allowed to speak last at both the October 27th hearing and the December 1st hearing. A coincidence? We think not.

We would be happy to supply any further information you need. We beg you to stop this project that will affect the health and safety of all of us, especially our children for the next 35 years. Please stop the issuance of this permit.

Please find enclosed petitions signed by more than 1600 very concerned citizens opposed to this project. We hope you will not treat this lightly.

Gratefully Yours,

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December 15, 1992

Mr. Herb Tate
Environmental Equity
EPA
401 M St. SW
Washington, DC 20460

Dear Mr. Tate,

We turn to you with confidence that, you can help us in our desperate situation to stop the granting of Michigan DNR Permit #579-92 for the Incinerator/Power Generating Station proposed by Genesee Limited Partnership at 5300 Energy Drive in Genesee Township, Michigan.

Enclosed is a letter to Mr. William Rosenberg that describes our technical concerns with this incinerator and a few of the procedural concerns .

But we write to you because this is a diabolical example of blatant environmental racism and classism-another time people of color and low income are targeted by the continuing rush for profit by cur corporations regardless of who is victimized by the pollution. We are sure you are well aware of the higher percentage of poor and people of color who bear the onus of this pollution while receiving much less adequate health care.

One of the fundamental problems comes from the Incinerator/Plant proposed for Genesee Township on the north side of Carpenter Road. Directly across the street begins the City of Flint (south side of Carpenter Road) where many, many poor and predominantly people of color live, especially.2 low income housing complexes and 4 trailer parks within 1/3 mile.

The hardship of attending the DNR hearing 65 miles away in Lansing was much more a burden to the poor and people of color than for others. When people disagreed with the project they were told by the DNR "you just don't understand the technology: if you did you would welcome the project!" and "you'd better accept this because it's going to fly" from Mr. Shaw, a DNR engineer on the project. One woman who expressed fear of the project was told by a DNR engineer on the Air Quality Control Commission, Mr. Frank Ruswick, "I feel like we failed to make her understand the technology and how safe it is." This Afro-American woman understands the technology perfectly well. This racist put down of her intelligence was typical of the way all of us were treated who opposed the project.

The only public information session that was held in Genesee Township was at Genesee High School five and one half miles away from the site. No buses run there, to this all white neighborhood. Carpenter Road school was not selected, that has a nice auditorium and is a couple hundred yards from Energy Drive and is within walking distance of our poor and people of color.

We believe that our civil rights have been violated and that in addition to any satisfaction we might see in the courts, your office were created to rectify just such injustices. We trust that you will use your authority to prevent the issuing of permit #572-92 and to prevent the further significant deterioration of our air quality on the north end of Flint. Thank you for your prompt assistance.

Please find enclosed petitions with over 1600 signatures of people from people in our area highly opposed to this project.

Sincerely yours,

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