

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

Form 1600-8

Rev. 6-90

Department of Natural Resources (DNR)

Region or Bureau
Air Management

Type List Designation
Type II

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., _____ (date)

Contact Person:
Jeffrey C. Hanson

Title: Construction Permit Team Leader

Address: PO Box 7921

Madison, WI 53707-7921

Telephone Number
(608) 266-6876

Applicant: Alliant Energy Corporation/Berlin Landfill Generation _____

Address: W694 Whiteridge Road _____

Title of Proposal: Construction of landfill gas fired generators _____

Location: County Green Lake_ City/Town/Village Berlin _____

Township Range Section(s) Township 17 North Range 13 East _____

PROJECT SUMMARY - DNR Review Information Based on:

List documents, plans, studies or memos referred to and provide a brief overview

Air pollution control permit application received December 20, 2000. Supplemental information submitted on January 6 and 22, 2001.

Alliant Energy proposes to construct and operate three landfill-gas fired engines which will power three electrical generators at a Berlin, Wisconsin site. The engines/generators will be located on property owned by National By Products and will use landfill gas generated by the Valley Trail landfill. The engines will be owned and operated by Alliant Energy. Electrical Power produced by the proposed units will be sold on the local electrical power grid. Landfill gas is now (and will continue to be) sold by the Valley Trail landfill to National By-Products who utilizes it in its boilers. National By Products will sell excess landfill gas to Alliant Energy. Currently, excess landfill gas is flared off by Valley Trail landfill.

DNR EVALUATION OF PROJECT SIGNIFICANCE (complete each item)

1. Environmental Effects and Their Significance

Discuss the short-term and long-term environmental effects of the proposed project, including secondary effects, particularly to geographically scarce resources such as historic or cultural resources, scenic and recreational resources, prime agricultural lands, threatened or endangered species or ecologically sensitive areas, and the significance of these effects. (The reversibility of an action affects the extent or degree of impact.)

The proposed project is not anticipated to have short-term, long-term, or secondary effects on geographically scarce resources, scenic and recreational resources, prime agricultural lands, threatened or endangered species, or ecologically sensitive areas.

2. Significance of Cumulative Effects.

Discuss the significance of reasonably anticipated cumulative effects on the environment (and energy usage, if applicable). Consider cumulative effects from repeated projects of the same type. Would the cumulative effects be more severe or substantially change the quality of the environment? Include other activities planned or proposed in the area that would compound effects on the environment.

The area surrounding the National By Products site (where the proposed engines/generators will be housed) is currently considered in "attainment" of all criteria air pollutants. It would be expected that if a large number of new sources (having emissions equivalent to those potential emissions associated with the proposed engines) were to locate in the immediate surrounding area, air quality in the Berlin area would eventually decline. However, the required air quality analyses for this project and for any additional projects of other facilities in the area would serve to prevent the degradation of air quality to levels below the applicable air quality standards.

3. Significance of Risk

- a. Explain the significance of any unknowns which create substantial uncertainty in predicting effects on the quality of the environment. What additional studies or analysis would eliminate or reduce these unknowns?

There are always unknowns associated with environmental impact analyses, which create uncertainty in predicting the effects that a proposal has on the environment. However, as the techniques used to complete the air quality analyses are considered "state of the science," the significance of these unknowns is not believed to be substantial in the proposed project. No additional studies or analyses should be required.

- b. Explain the environmental significance of reasonably anticipated operating problems such as malfunctions, spills, fires or other hazards (particularly those relating to health or safety). Consider reasonable detection and emergency response, and discuss the potential for these hazards.

A malfunction in the engine/generator equipment could result in the shut-down of one or more of the units in which case the landfill gas would likely be flared off (as is the current practice). The flaring of the landfill gas would likely have very similar (minor) environmental impacts to burning the gas in the engines.

4. Significance of Precedent

Would a decision on this proposal influence future decisions or foreclose options that may additionally affect the quality of the environment? Describe any conflicts the proposal has with plans or policy of local, state or federal agencies. Explain the significance of each.

A decision on this proposal is not anticipated to influence future decisions or foreclose options that may additionally affect the quality of the environment.

5. Significance of Controversy Over Environmental Effects

Discuss the effects on the quality of the environment, including socio-economic effects, that are (or are likely to be) highly controversial, and summarize the controversy.

The proposed action is not anticipated to conflict with present plans or policies of local, state, or federal agencies that provide for the protection of the environment. No socio-economic effects are known to be highly controversial at this time. With any landfill there are odor issues, however, this project itself, while burning gas generated by the landfill, will not create any new odor problems. Combustion of the landfill gas by the generators should help incinerate a portion of the volatile organic compounds contained within the gas that are responsible for odor.

ALTERNATIVES

Briefly describe the impacts of no action and of alternatives that would decrease or eliminate adverse environmental effects. (Refer to any appropriate alternatives from the applicant or anyone else.)

Excess landfill gas is currently disposed of through the use of the existing flare system with no beneficial recovery of the heat generated. This practice could be continued. This alternative results in the generation of similar levels of air pollution emissions, but without the benefit of utilizing the energy that is released.

Alternatively the landfill gas (primarily methane but also including hazardous air pollutants such as vinyl chloride) could be released without burning it. Aside from the direct potential negative impact of the HAP emissions, the release of methane gas, which is a much more potent greenhouse gas than CO₂ produced from combustion, could contribute to the "greenhouse" global warming phenomena.

SUMMARY OF ISSUE IDENTIFICATION ACTIVITIES

List agencies, citizen groups and individuals contacted regarding the project (include DNR personnel and title) and summarize public contacts, completed or proposed.

Date
1/01

Contact
Jeffrey C. Hanson – WDNR AM/7

Comment Summary
WDNR Permit Review

On-site inspection or past experience with site by evaluator.

Project Name: Berlin Landfill Generation Project County: Green Lake

DECISION (This decision is not final until certified by the appropriate authority)

In accordance with s. 1.11, Stats., and Ch. NR 150, Adm. Code, the Department is authorized and required to determine whether it has complied with s. 1.11, Stats., and Ch. NR 150, Wis. Adm. Code.

Complete either A or B below:

A. EIS Process Not Required

The attached analysis of the expected impacts of this proposal is of sufficient scope and detail to conclude that this is not a major action which would significantly affect the quality of the human environment. In my opinion, therefore, an environmental impact statement is not required prior to final action by the Department on this project.

B. Major Action Requiring the Full EIS Process

The proposal is of such magnitude and complexity with such considerable and important impacts on the quality of the human environment that it constitutes a major action significantly affecting the quality of the human environment.

Signature of Evaluator 	Date Signed February 9, 2001
Noted: Regional Waste Supervisor	Date Signed

Number of responses to news release or other notice: _____

Add Discussion of Any Comments Received.

Certified to be in compliance with WEPA	
REGIONAL Director or Director of Bureau of Integrated Science Services (or designee)	Date Signed

NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.

For judicial review of a decision pursuant to sections 227.52 and 227.53, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

Note: Not all Department decisions respecting environmental impact, such as those involving solid waste or hazardous waste facilities under sections 144.43 to 144.47 and 144.60 to 144.74, Stats., are subject to the contested case hearing provisions of section 227.42, Stats.

This notice is provided pursuant to section 227.48(2), Stats.

BEFORE THE DEPARTMENT OF NATURAL RESOURCES AIR MANAGEMENT PROGRAM

Wisconsin Department of Natural Resources, Air Management Program, Preliminary Determination on an Air Pollution Control Permit to Construct and Permit to Operate an Air Contaminant Source at Berlin, Green Lake County, Wisconsin.

Air Pollution Construction and Operation Permit Nos. 00-JCH-524, 00-JCH-524-OP and 424000060-P01

Berlin Landfill Generation, W694 Whiteridge Road has submitted to the Department of Natural Resources (DNR) permit applications including plans and specifications for the construction of three landfill gas fired generators.

The Bureau of Air Management of the DNR has analyzed these materials and has preliminarily determined that the project should meet applicable criteria for permit approval as stated in s. 285.63, Wis. Stats., including both the emission limits and the ambient air standards and should, therefore, be approved.

The issuance of a construction permit allows the construction or modification and initial operation of a source. An operation permit allows continued operation of a source. An operation permit may be issued after the permittee demonstrates compliance with the applicable requirements.

If a decision is made by the DNR to issue an operation permit to this source, a proposed operation permit will be drafted and sent to the United States Environmental Protection Agency (USEPA) for a 45-day review period. Unless the USEPA objects in writing to the issuance of the permit as proposed within that 45-day period, the DNR will issue the final permit as proposed. Any person may petition the USEPA under 40 CFR Part 70.8(d) within 60 days after the expiration of the 45 day review period to make an objection to the operation permit.

In addition, the DNR has prepared an Environmental Assessment and has made a preliminary determination that an Environmental Impact Statement will not be required before a final decision is made on the proposed project. The DNR has determined that the proposed project will not cause significant adverse environmental effects. This preliminary determination does not constitute approval from the Air Management Program or any other DNR sections which may also require a review of the project.

The DNR hereby solicits written comments from the public regarding the preliminary determination to approve the construction and operation permit application. These comments will be considered in the DNR's final decision regarding this proposal. Information, including plans and the DNR's preliminary analysis, is available for public inspection at the Department of Natural Resources Bureau of Air Management Headquarters, Seventh Floor, 101 South Webster Street, Madison, Wisconsin, at the Oshkosh Service Center Air Program, 625 E. County Rd. Y; Ste. 700; Oshkosh, WI 54901-9731, phone (920) 424-3050 and at the Berlin Public Library, 121 W. Park Ave., Berlin WI 54923-1526 or contact Jeffrey C. Hanson at (608) 266-6876. This information is also available for downloading from the internet using a world wide web browser at: <http://www.dnr.state.wi.us/org/aw/air/reg/regs.htm>

Interested persons wishing to comment on the proposal and preliminary determinations should submit written comments within 30 days to:

Wisconsin Department of Natural Resources, Bureau of Air Management, P.O. Box 7921, Madison, Wisconsin 53707, (608)266-7718 Attn: Jeffrey C. Hanson.

A public hearing may be requested by individuals if the project is of significant concern to them. The request for hearing should indicate the interest of the party filing the request and reasons why a hearing is warranted. The DNR may then hold a public hearing if it determines that there is a significant public interest in holding a hearing.

Reasonable accommodation, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By
Imelda R. Stamm, Air Management Supervisor, Southern Team
Northeast Region Air Program