Scot Adams

EIS COMMENTS PERTAINING TO COMPETENCY AND CLEARLY IDENTIFIED REQUIREMENTS

!. For the permitting process, the Department of Ecology needs to consider the technical capabilities and experience of the permit applicant.

The scope of the project description is technically incomplete and is just a preliminary concept. The scope presented for the EIS scoping is inadequate with respect to preparation, data, and the apparent lack of input from competent engineers. The site is inadequately illustrated with respect to topography, existing current infrastructure, and technical data. There is no evidence of civil engineering support to support site design and construction with respect to earth moving or transportation engineering. There is no indication that plant design engineering expertise has been involved. There is no indication that even preliminary engineering for selection of air filtration has been considered.

It appears that the permit applicant is a low-technology, sand miner, which may have no experience other than sand excavation with a front-end loader and sand trucking. Design, construction, and operations of the plant maybe outside the current technical and management capabilities of this company. For plant design and operation, expertise needs to be added for chemical engineering.

Recommendation- Before Ecology issues a permit to the company, Ecology should ensure that sufficient engineering expertise is acquired with respect to all of the engineering and design steps, preferable with a world class experience in the construction of a similar facility. Recommendation- Ecology should ensure that the plant has competent, experienced, certified staffing capable of meeting permit conditions and monitoring.
Recommendation- It is recommended that Ecology require third party verifications of fabrications to national standards of critical aspects, especially air filtration components and stack sampling and other monitoring stations.
Recommendation- The permit application should include a staffing organizational plan that demonstrates adequate experience and identifies key personnel with relevant qualifications.
Recommendation - It is recommended that Ecology become familiar with NUREG-1055. This was a document commissioned by the US Congress to determine why 20 major power plants failed at losses totaling $100 billion dollars. One of the primary causes of plant failures was a lack of experience by the managing companies; they were in over their heads, even though they employed world class engineering design and constructors.
http://www.jetsquality.com/nureg-1055.htm

2. It is recommended that Ecology declare now in advance what Washington state Washington Administration Code (WAC) and other us EPA requirements will be imposed on this plant and what criteria will be used by Ecology to review the EIS and oversee the construction and operations. Declaring the requirements in advance will assist the permit applicant to prepare documentation and would assist external reviewers, including Ecology staff members. The public deserves to know how Ecology will administer the SEPA, permitting processes, construction, and operations. Will hazardous waste incineration, coal combustion, or other requirements be imposed?
Recommendation- Identify the Washington Administration Code (WAC) numbers (Title, Chapters, and Sections) by which Ecology will impose requirements, review documentation, and oversee this

project. Ecology should now declare what industrial classification will be given to this plant, because that is relevant to the regulatory needs. Most smelters in the US were shut down decades ago, so regulatory management/oversight of new smelters may need to require new requirements and new experiences for Ecology staff. So far, most regulators only have experience in environmental remediation of smelters from formerly acceptable practices.
Recommendation- It is recommended that Ecology require the company to build a matrix of requirements and specify specifically how the state and Federal requirements and limits will be met. This will also assist Ecology in reviewing company generating plans. This is not too much to require in advance of planning a 300 million dollar project.
Recommendation- Ecology should require the company to declare what quality assurance system will be applied during permitting, design, construction, testing, and operations. [This is critical to the demonstration of achievement of specifications, standards, and compliance requirements.]
3. Since Ecology has forced the closure of coal power plants in the State of Washington to lower emissions, can we assume that Ecology will regulate this smelter utilizing coal at a more restrictive level than that imposed nationally for coal powered power plants?
Recommendation- Ecology should evaluate if Lowest Achievable Emission Rate (LAER) will be imposed by Ecology, rather than Best Available Control Technology (BACT) for regulation of emissions.
[This is justified for consideration and consistency because Ecology has outlawed coal powered power plants in the state to lower air emissions.]