

Dynamis Solid Waste Site Application
 Idaho Department of Environmental Quality – Solid Waste Program
 Response to Comments

Issue	Commenter	Comment	DEQ Response
Air Pollution and Public Health Impacts from Increased Air Pollution	Steve Williams	1. Concerned with the facility emitting pollutants up to the EPA-allowed standard, not the emissions provided during a presentation. Also concerned with any dioxin emissions.	Idaho’s Solid Waste Management Rules and the required site approval process do not address potential air pollutants or potential health impacts from air pollutant emissions. On April 25, 2012, DEQ received an air permit application from Dynamis Energy, LLC. The approval process for the air permit application includes a public comment opportunity and interested citizens may request clarification on potential air pollution and health impacts from the Waste to Energy (WTE) facility air emissions.
	Timothy L Cockroft	2. Dynamis environmental consultant, JBR Environmental Consultants, Inc. in a recently added “Draft Site Analysis” on the Dynamis website, says contaminants are likely to include: “PM10, PM2.5, NOX, SO2, CO, Lead and TAPs.”	See DEQ Response to Public Comment No. 1.
	William Junk	3. Treasure Valley is prone to inversions and high concentrations of airborne particulates during the winter months and experiences significant haze and high ozone levels during the summer months. Constructing a facility that will contribute to both of these problems just doesn’t seem to demonstrate responsible stewardship of our environmental obligations.	See DEQ Response to Public Comment No. 1.
		4. Home is located approximately 2-3 miles from proposed facility. Wife has a respiratory condition that already requires medication and is concerned with impacts to her health with	See DEQ Response to Public Comment No. 1.

	<p>Hidden Springs Town Council – Colten Tippetts, Town Manager</p> <p>Ken Smith</p>	<p>increased emissions.</p> <p>5. Dynamis Energy, LLC and Ada County should provide assurance that the WTE Project and associated emissions will meet current DEQ and Environmental Protection Agency (“EPA”) regulations and requirements.</p> <p>6. Dynamis Energy, LLC and Ada County should provide a detailed description of the monitoring process and systems to be used to monitor stack and other air and noise emissions from the WTE Project.</p> <p>7. More troubling is Dynamis’ unwillingness to commit to the emissions standards they’ve ‘mentioned’. They seem willing—only—to be accountable to the HIGHER EPA standards for the pollutants. AND now we hear that they want THESE EPA standards to be INCREASED.</p> <p>8. Dynamis has acknowledged that dioxins will also be a part of the pollutant stream. I understand that there are NO EPA standards for a “safe” or “acceptable” level of dioxin emissions.</p> <p>9. Pollution in this valley does, indeed, build up when there is an inversion condition. We MSUT NOT be downwind of the landfill in Hidden Springs when dioxins build up as a result of an inversion.</p> <p>10. Dynamis’ proposal JUST exists on paper – if verification is not possible prior to building the facility, then a conditional permit needs to be issued, so that operating data can be reviewed, and the plant altered to meet needed standards (not just EPA standards) to avoid nonattainment</p>	<p>See DEQ Response to Public Comment No. 1.</p> <p>See DEQ Response to Public Comment No. 1.</p> <p>See DEQ Response to Public Comment No. 1.</p> <p>See DEQ Response to Public Comment No. 1.</p> <p>See DEQ Response to Public Comment No. 1.</p> <p>See DEQ Response to Public Comment No. 1.</p>
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Verification of Air Modeling Data	Steve Williams	11. DEQ needs to verify the pollutant stream data presented by Dynamis prior to being permitted or provide conditional approval with adjustments made to the facility to meet air quality standards.	Idaho's Solid Waste Management Rules and the required site approval process do not address potential air pollutants or potential health impacts from air pollutant emissions. On April 25, 2012, DEQ received an air permit application from Dynamis Energy, LLC. The approval process for the air permit application includes a public comment opportunity and interested citizens may request clarification on the modeling data used by Dynamis Energy, LLC.
	Timothy L Cockroft	12. Data from Alaska and Wyoming that will be used to construct AQ models must be available for public scrutiny. Models are no good unless the input data is real. Thus, test data from the "30+" technology proof-of-concept demonstrations needs to be provided prior to approval of the site plan application. (List of parameters was provided by Mr. Cockroft)	See DEQ Response to Public Comment No. 11.
Discrepancy between proposed volume of waste to be combusted	Steve Williams	13. Now I learn that they are no longer proposing a 250 ton/day facility, but they are proposing to increase that to 408 tons/day. This is a 63% increase.	The Site Approval Application submitted by Dynamis energy, LLC to DEQ indicated the proposed volume of waste to be received at the facility is 408 tons per day of municipal solid waste and 12,000 pounds of tires per day. IDAPA 58.01.06.009.03 classifies an incinerator that has a cumulative volume of waste at any one time that is greater than 600 cubic yards as a Tier II facility. The increase does not affect regulatory compliance under the site application process and/or the Idaho Solid Waste Management Rules.
	Timothy L Cockroft	14. Per the legal notice published in the Idaho Statesman on March 12, 2012, Dynamis has applied for a site permit to combust 408 tons per	The Site Approval Application identifies 408 tons per day of municipal solid waste plus 12,000 pounds of tires per day. Also see

	<p>Kevin Smith</p>	<p>day of solid municipal waste. Per Dynamis’ site application, they propose to combust 408 tons per day, and, 12,000 pounds (6 tons) of tires per day.</p> <p>15. Per supporting application documentation for loads housed and processed in the facility, STRATA (Tab 7, page 3) assumes that Dynamis will process 5 to 325 tons per 12 hour period within the facility. STRATA’s assumptions equate to only 78.5% of Dynamis’ stated daily total of 414 combustible tons. In addition, Dynamis proposes to stockpile 1224 tons per week for combustion when MSW deliveries aren’t made on weekends and holidays. Dynamis/STRATA need to be apprised of the discrepancies, and examine and correct/verify the design rationale for daily/weekly site loads housed and processed at the facility.”</p> <p>16. Per supporting documentation, the application includes a letter (June 30, 2010 – Commissioners Office to Mahaffey) from Ada County Commissioners Office, indicating a preliminary commitment to a 250 ton per day operation. That letter does not support combustion 408 ton per day of MSW, plus 12,000 pounds per day of tires.</p> <p>Dynamis Energy, LLC, and Ada County should provide a statement regarding the actual tonnage of Municipal Solid Waste and tires which will be processed at the WTE Project.</p> <p>17. Dynamis numbers have gone from 250 tons to 408 tons of daily, processed waste – over a 60% increase. And tons of tires have been added to the scheme.</p>	<p>DEQ Response to Public Comment No.13.</p> <p>This section of the STRATA report addresses the proposed construction of the Dynamis Energy facility. As required by Idaho’s Solid Waste Management Rules, Dynamis Energy is required to submit a design plan for their proposed facility that will address the structural integrity of the facility including the tipping floor that will receive waste as well as other design features. DEQ’s review of facility’s design plan will ensure the areas receiving and managing waste are design to prevent release of liquid or solid waste into the environment. DEQ has notified Dynamis of this discrepancy.</p> <p>The agreement is between Dynamis and Ada County and is not a part of the regulatory requirements of the proposed facility.</p> <p>See DEQ Response to Public Comment No. 13.</p> <p>See DEQ Response to Public Comment No. 13</p>
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Discharges to septic field	Timothy L Cockroft	19. The application has no data on the septic field delineated in the plan, or the contents of discharges to it.	The septic tank/drain field will accept domestic wastewater only. The review and approval for the septic system will be conducted by Central District Health Department as regulated under the Idaho's Individual/Subsurface Sewage Disposal Rule, IDAPA 58.01.03. The discharge from the building's tipping floor drain system will drain to a separate holding tank and managed in accordance with applicable regulations.
Vehicle Traffic for WTE generated waste	Timothy L Cockroft	20. The application does not indicate traffic required to dispose of primary combustion ash, syn-fuel combustion residues, and cooling tower residues, nor the destinations or the vehicles involved.	Vehicle traffic is a local government/Ada County Highway District and Idaho Department of Transportation issue. The regulatory status of any waste generated at the facility will also dictate whether the waste will be disposed at the Ada County Landfill or will need to be transported off-site to an appropriate disposal facility. Residues, such as ash, generated from the combustion process triggers a new point of generation. Ash and other residues must be managed as regulated hazardous waste if they exhibit any of the characteristics of hazardous waste found in IDAPA 58.01.05.005 [40 CFR § 261.24]. It is the responsibility of the generator to perform a hazardous waste determination for the ash and other residues in accordance with IDAPA 58.01.05.006 [40 CFR § 262.11]. The generator must manage and dispose of any hazardous waste in compliance with their applicable hazardous waste generator class rules found in IDAPA 58.01.05.006 [40 CFR § 262.34].
Application of 40	Timothy L Cockroft	21. Do 40 CFR 258 requirements regarding	The proposed Dynamis Energy, LLC WTE

CFR 258 to the WTE facility		distances from adjacent properties apply to this application? If so, does the applicant comply? The facility will receive MSW and tires with clear title. Although possession and ownership of MSW are defined, is it still MSW when Dynamis takes possession?	facility is regulated under Idaho’s Solid Waste Management Rules, IDAPA58.01.06 however, a set-back distance does not apply to incinerators. According to the Dynamis Energy, LLC site application, the proposed facility is greater than 2000 feet from the closest Ada County property boundary. Ownership of waste is not regulated under these rules. Any residuals from the combustion process will constitute a new point of generation, and as such, sampling and monitoring requirements from other regulatory rules will determine ultimate disposal requirements of any residuals (see DEQ Response to Public Comment No. 20). MSW maintains this designation until it is processed into a form that no longer resembles its original physical and chemical composition.
Management of unacceptable waste	Timothy L Cockroft	22. Dynamis’ plan to identify and divert unacceptable waste from the combustion site is flawed. They rely on landfill employees to divert truckloads of suspicious material away from the facility – a leap of faith in the ability of booth operators to inspect closed trucks, and, they state that Dynamis employees “can” inspect MSW on the tipping floor for banned substances, no “will” sort through the refuse. Unless, and until, Dynamis and Ada County come up with a defined protocol to eliminate toxics, the proposed facility lacks credibility.	Municipal solid waste taken to this facility will be screened in accordance with an operations plan to be submitted to the Central District Health Department for review and approval prior to receipt of waste at this facility. The operations plan will need to address how Dynamis will ensure unauthorized waste will be removed from the waste stream prior to treatment and how it will be subsequently managed.
Management of ash and other waste generated from the Dynamis WTE facility	Timothy L Cockroft	23. Because the residuals from combustion will be deposited in Ada County-owned landfills, are by-products considered to be MSW? If so, at what point, if ever, does title to the residuals from combusted materials revert to Ada County, or, is future liability limited to Dynamis?	See DEQ Response to Public Comment No. 21

	Colton Tippetts	<p>24. Dynamis Energy, LLC and Ada County should provide engineering and/or environmental studies or surveys related to the expected residual and/or resulting ash, waste, and/or by-product from the combustion process.</p> <p>25. Dynamis Energy, LLC and Ada County should provide assurance that the WTE Project and the residual solid waste, ash, and/or other resulting by-product of the WTE process will meet current DEQ and Environmental Protection Agency (“EPA”) regulations and requirements and that these by[products will not cause potential harm to the watershed or water table.</p> <p>26. Dynamis Energy, LLC and Ada County should provide a detailed description of the monitoring process and systems to be used to monitor the disposal and impact of ash, by-products, and/or resulting residual solid waste from the WTE Project.</p>	<p>Disposal of any by-products from the combustion process will be addressed in the required Operations Plan to be reviewed and approved by the Central District Health Department. See also DEQ Response to Public Comment No. 20. Residues, such as ash, generated from the combustion process triggers a new point of generation. Ash and other residues must be managed and disposed as regulated hazardous waste if they exhibit any of the characteristics of hazardous waste found in IDAPA 58.01.05.005 [40 CFR § 261.24]. It is the responsibility of the generator to perform a hazardous waste determination for the ash and other residues in accordance with IDAPA 58.01.05.006 [40 CFR § 262.11]. The generator must manage and dispose of any hazardous waste in compliance with their applicable hazardous waste generator class rules found in IDAPA 58.01.05.006 [40 CFR § 262.34].</p> <p>Ada County and Dynamis Energy, LLC are responsible for compliance with the regulations and requirements of any by-products from this facility. Any non-compliance will be addressed by the appropriate regulatory agency upon discovery.</p> <p>See DEQ Response to Public Comment No. 25.</p>
Financial Viability of	Colton Tippetts	27. Dynamis Energy, LLC, and Ada County	Idaho’s Solid Waste Management Rules do

the Dynamis Energy Project		should provide a financial statement and/or financial projections related to the economic viability of the WTE Project and some assurance that Dynamis Energy can support the costs and expenses associated with the WTE Project.	not require an economic viability demonstration for facilities regulated under these rules.
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