

Madison-Kipp Corporation  
12/21/99  
Public Hearing

Marcia Penner: Good evening, this is a Department of Natural Resources public hearing concerning applications by Madison Kipp Corporation for air pollution control permits. Hopefully, you got an appearance slip when you came in the door, if you would like to fill that out and leave it with us, we would appreciate it. There is a place to mark on there if you want to make a statement, if you're not sure you still... anybody will be able to make a statement during either portion of our hearing tonight.

First, I'd like to introduce the DNR people that are here. My name is Marcia Penner. I'm an attorney for the Department of Natural Resources and I'm running the hearing tonight. On my left is Tom Roushar, an air management engineer and supervisor from DNR's South Central Regional office. Also, here today is Bradford Shawn Pyle. He's at this table. He's also an air management engineer from South Central Region and has been primarily responsible for reviewing the permit applications. Also here is Penny Kanable, an air management specialist from DNR's South Central Region. She was instrumental in working on the odor survey we recently conducted. Also here tonight, is John Roth. He's an air quality modeler from DNR's Bureau of Air Management in Madison.

Madison Kipp Corporation submitted to DNR applications for air pollution control permits, both to modify a process and to operate their entire existing facility on Atwood Avenue and Fair Oaks Avenue in Madison, Wisconsin. On November 20, 1999 a notice was published in the Wisconsin State Journal giving notice of tonight's hearing. Notice was also sent to Citizens for a Better Environment, Wisconsin's Environmental Decade, the United States Environmental Protection Agency, Region V in Chicago, the Madison Public Library, the Chair of the Dane County Board, the Mayor of the City of Madison, the Dane County Regional Planning Commission, the Dane County Executive, the Illinois EPA, the Iowa DNR, concerned citizens and local news media.

Tonight's hearing is being held pursuant to Section 285.13, 285.61 and 285.62 of the Wisconsin Statutes. The purpose of this hearing is to give the public the opportunity to comment on the company's applications for air permits. All written and oral comments received by DNR on these permit applications will be considered prior to making a final decision on the permits. After tonight's hearing, DNR will review the public comments and make a final decision on the permits. Information, including plans and specs and DNR's preliminary determination regarding the permits have been available for public inspection at the Madison Public Library, at DNR South Central Regional Office, and at DNR's Central Office in Madison. We also have some copies of some of these documents at the table over here on the right.

Now I'll describe the procedure we will be using tonight. First, Tom Roushar will briefly summarize the permit application and DNR's review of it. Then we will have an open house portion of this hearing. We will break up into small groups and people will be able to visit the various tables around the room to ask questions or get information. There is a table for DNR's folks over here, the City of Madison has a table over here, I'm not sure if the neighborhood association is sending representatives or not. We also, have two tape players at these tables. One at this table and one at this other DNR table. So, if you want to make a comment on tape, during the open house part of the session you will be able to do so. You can also submit written comments by visiting one of these tables. We just ask, that if you do make a comment on tape, that you state your name on the record before you make your comment.

Ann Fleischli: Can I ask you a question?

Marcia Penner: Can you wait a minute?

Ann Fleischli: Will there be an opportunity for us to ask questions so that we can all hear the answers at the same time? And, secondly did you in anyway notify the residents of the neighborhood about by pamphlet or any

distribution in the neighborhood. You went through your notice; did you notice any of the neighborhood as a blanket matter?

Marcia Penner: I don't think we did a blanket mailing in the neighborhood, did we?

Tom Roushar: No, not to every address, but there were four people that live in the neighborhood that got copies of the entire permit application materials. They had asked for them previously yes, so we sent them to them.

Marcia Penner: To answer your other question, yes, during the, um, well let me describe how we are going to do the rest of the hearing. If I get through this description, I think it will answer your question. We can tape record your comments during the open house part of the hearing if you want. Since this hearing is not a contested case hearing, there is no cross-examination allowed of those who speak. After the open house, at about 7:00 we are going to reconvene into a group again a brief presentation. Tom will give his presentation; I'll give my presentation again for anybody who wasn't here for this part. And again, we will take public comments at that time for anybody who would like to make their comment in front of the whole group. We'll have people come up here and sit down. We have a tape recorder here, so anybody who wants to make comments in front of the whole group can do so at 7:00. At that time if you want to ask questions in front of the whole group. That would be the time to do that. At this time I'll turn it over to Tom to briefly summarize the permit review.

Tom Roushar: Thank you Marcia. Good afternoon everybody. Thanks for attending the forum. The purpose of the meeting is to gather comments on our proposed permit actions. To help you comment, I'd like to describe what Madison Kipp is requesting, the basis for our actions, and what we have prepared. On December 11, 1995, the DNR received from Kipp an application for a federal operation permit. The application was required by the federal Clean Air Act, which also required the DNR to act on the application by issuing an operation permit for this major source. The draft operation permit for the first time ever, covers all significant emissions unit for the Madison Kipp operations at both the Atwood and Fair Oaks buildings. Previous permits had only been issued for Atwood buildings. This is a combination of both those locations. During our development of the operation permit draft, the company also asked for permission to revise an existing permit for sources at the Atwood building. This revision is for a reduction in allowable particulate emission limits for a 2500-kilowatt electrical generator. The draft operation permit allows this decrease in emissions. In June of 1999, the company also asked for permits to modify two existing processes at the Atwood building. These modifications are to permit an aluminum-melting furnace, which they call the RCI furnace. And to permit an aluminum melting furnace which they call the MPH furnace. These applications ask for an increase in use of chlorine in the RCI furnace. And the ability to use flux to clean the MPH furnace. The application also describes the additional use of a 100-foot tall stack at the Atwood building. This will disperse the furnace emissions as well as the emissions from all existing die-casting operations in the building. The draft construction permit allows for the increase of chlorine use from 35 to 90 pounds per hour for magnesium removal in the RCI melting furnace, only if the emissions are from the 100 foot stack. So the 100-foot tall stack must be built before an increase in chlorine use is allowed. The DNR reviews permit applications and issues draft permits for public comment that several criteria are met. The two criteria applicable here are that the emissions from the equipment proposed or in use meet all applicable emission limits and that the emissions will not cause or exacerbate a violation of an ambient air quality standard or ambient air increment. We have looked at stack testing information where available, in making this preliminary determination. The draft permit requires further stack testing where the information is necessary to demonstrate compliance with emission limits. We have looked at the plans proposed by the company for operations until the new 100-foot tall stack at Atwood and the 80-foot tall stack at Fair Oaks are constructed and are in use. Each of these interim proposals were reviewed for compliance with emission limits and air quality standard. In the back of the documents that you will find at this table over here. There is a matrix table, and this matrix table provides a summary of any draft permit limits and it's based on seasonal conditions including fan and stack use, metal melting capacity and it covers all equipment at each facility. Under all operating scenarios, the DNR has determined that the criteria for permit approval will be met and therefore, we have preliminarily determined that the permits are approvable. I'd like to ask and answer a few questions that I've heard a lot in the last couple days. One of the main ones is will the new 100 foot stack just move the pollution from Madison Kipp to a larger area? To answer that we had a separate modeling analysis where we looked at the emissions and modeled them with the weather patterns in the area to try to determine what the ground level impacts would be. The modeling analysis looked at the particulate matter emission rates at the Atwood building

before and after the installation of the new stack, and found that the new stack decreases emission concentrations everywhere. So even at some distance and at all ground level locations modeled, because of better mixing dispersion, the height of the plume, the source emission concentrations will decrease after Madison Kipp installs the new 100 foot stack. Another question, is Madison Kipp in violation of any requirements or emission limits or causing any air quality standard violations? Not based on our current knowledge. For example, the EPA recently did an inspection and found no concerns. The air quality monitor at the bike path on South Marquette Street has not detected any total suspended particulate matter which you call dust. It has not detected any over the standard. The odor survey focused on an area within 300 meters of the new 100-foot tall stack, where predicted potential emissions had their highest concentration. The survey results do not show Madison Kipp in violation of the malodorous emissions limits of our code. Nevertheless in response to citizen complaints and comments we've received while processing the permit, we have included several conditions to help prevent and control malodorous emissions. You will find those of page 41 of the draft permit. Including a requirement to submit to the DNR for approval a plan to minimize the emissions from open doors and windows at the facility. I have one more paragraph I think here, thanks for bearing with me. The final one is who do I call if I have a complaint about Madison Kipp. The first place you should call is the company, so they can provide an immediate response. They have a person on staff who will do that. The number to call is 242-5217. If you've got a pencil and want me to say that again, I will. Anybody? Thank you sir. 242-5217. That number is staffed during the day by either Jim Lenz or another shift supervisor. Mr. Lenz is also on call 24 hours a day to respond to citizen complaints. The second place you should call is the DNR and should talk to Bradford Shawn Pyle. His telephone number 273-5604. Bradford Shawn Pyle, 273-5604. The reason I'm asking you to call two places is that it provides the first call provides the company to immediately respond to your concern. When you call us we have an opportunity to call them to find out what they have done for you. OK? We monitor the complaint response and will take our own action if we do not think their response is appropriate. Now, is there someone here who is going to represent Madison Kipp Corporation at that table over there? They were invited and agreed to attend. Now it's time for you to let us know what you think. Thank you.

Ann Fleischli: You had a few questions you said in general you were going to respond to. Wouldn't it be appropriate in a public hearing to have questions asked from the floor at this point because people don't wait around for probably two hours to have this opportunity and have a real public hearing. That means, if we ask questions now for instance, I have a question, do you still waive the 85% control of organic compound emissions for these machines? Because if you do then clearly, they are continuing to be in compliance with the standard. But if you continue to waive those emissions then obviously we have a problem and probably the rest of the room would like answer to those kinds of questions in a group manner, like a public hearing.

Marcia Penner: Excuse me, the tape recorder won't pick up your speech from the floor so I don't know if I am going to have that on tape or not. But, what we've announced and what we are going to do, is we are going to have the open house now, you can ask all the questions you want, I've introduced all the DNR staff. We are happy to answer your questions, if you would rather ask your questions or make your comments in front of the whole group; we are going to do that starting at approximately 7:00. That's how we're going to run the hearing. So right now we are going to break up into the open house. There will be DNR people at this table and at that table; Penny will be at that table. We can take your comments at either table, there will also be someone over here from the city, and I'm not sure if you're from the neighborhood association. So that's how we are going to run the hearing and will reconvene at approximately 7:00 to go back onto the record and then you can make comments in front of the whole group or ask questions in front of the whole group.

Ann Fleischli: When the Department of Transportation used this ..[Tape stopped]

Hi my name is Susan Mya McNamara. I live at 25 Ohio Avenue in Madison, about six blocks from Kipp. I'm also a reference librarian at Pinney Branch Library and I bike back and forth to work so I go on the bike path right behind or through the Kipp property. I strongly urge the DNR not to permit the increase and chlorine from 35 to 90 per hour. Even though they have met the criteria I still find it to be something that will deteriorate our neighborhood. The only reason that I don't like living in the neighborhood and there are many reasons I do, but the one reason I don't like living in the area that I do, is because of the Kipp Corporation's odor. And I know that the odor survey was done

and 100 people replied out of 700 families. But, I know that there are more people out there than just those 100 people that oppose this. So please do not permit this corporation to expand their pollution. Thank you.

This is me again, Mya McNamara I just spoke and I wanted to say two things. First, I find it extremely inconvenient and almost cruel that December 21<sup>st</sup> was chosen for the public hearing. And I'm very warmed by the fact that so many people sacrificed their own agendas to be here tonight. So please pick a better time for your public hearings, than three of four days before a major holiday. And secondly, I wanted to just say that its ironic that we find ourselves at this hearing at Olbrich Park, one of the jewels of Madison, and within 3-4 blocks of Kipp. So please keep this green space, the jewel that it is and do not permit this to happen.

My name is Lee Ellen Claro. And I'm not able to be here tonight for the public hearing because we're doing something else and I just got notice today. I wanted it to be on the record that we live on the corner of Maple Avenue and Center and there's many days when I've called this particular person, environmental person, to report the emissions are so bad that I don't allow the children to go out of the house. It's a Kipp day. And we claim it as a Kipp day and they are not allowed to go out. We close the windows and turn on the air conditioning if it's hot. So our air is filtered. Our eyes burn and are irritated, we get headaches, this is the children too. And, but the main concern is your breathing is compromised. You go outside and you realize that you can't breathe a deep breath because it burns your lungs. So that's why we don't go outside and run around because we can't, it's just compromised. It's almost like none of us do have asthma that I know of but it kind of feels like that, panicky feeling of not getting a full breath. That's about it and I just really concerned about in this residential area that this is even allowed to get to the level it has. I think traditionally this neighborhood was sort of a dumped on neighborhood. I mean, the houses were very low in value many years ago when you could smell the Oscar Mayer slaughtering and so it was hard to get rid of a house and sell it. So now people have moved in, they're not transient, they're staying, but I think they're just assuming that well its ok people will move out if they are bothered by something. And that's just not the case. And I have three kids and I very concerned that in twenty years from now I don't want one of them to give me I've got this major health concern, because of where I was raised. Which is a very pleasant wonderful neighborhood. That's all.

My name is Michelle Lavigne. I live on Ludington Avenue behind Lowell School. I am not a Kipp out of Madison fanatic. I think that Kipp has every right to be here but I think that its time that Kipp start working with the neighborhood as opposed to against it. I think this notion of we were here first is for lack of a better word, juvenile. Kipp is a factory. And if we are going to talk about a factory then we should talk about the age of the houses. It's an old residential neighborhood and we are now at the turn of the century. It's time to start talking about turn of the century people with living in turn of the century times and we should have turn of the century standards. I would support and I would suspect that a fair number of other people would support a tax incremental financing to help Kipp clean up the emissions, or some other form of financing to help them clean up the air. I don't want to shut them down I'd like to live with them, but I don't think that they would be good neighbors.

My name is Beth Reset B I live on Emmett Street close to Kipp. I know that Kipp is emitting toxins into the environment. It doesn't really stink but its hurting my yard, hurting my body. With my neighbors I ask that you stop, that you put necessary filters on and whatever it takes to clean it up. I don't want these toxins dispersed over a wider area which is what a smokestack is going to do. Thank you.

My name is Jennifer Ruef and I am commenting on the fact that the comment period for this process is ending tonight. I understand that it began November 18<sup>th</sup>, however, most people were not aware of this issue or this hearing until recently. If the comment session had begun tonight people would feel like they had the opportunity to at least speak their piece and that is very important.

Hi my name is Jennifer Voicheck and I have a written statement here that I would like to read. I believe Kipp should not be granted a permanent permit until they do something about their current odor problem. I've been troubled by the chlorine smell coming from Kipp for a couple of years now. I started noticing it on early morning runs at different spots on my route, depending on how the wind was blowing anywhere from St. Paul by the community

gardens to Olbrich gardens. I decided to tell you how often I smelled this odor in two weeks time. And came up with over half the mornings I ran which is every other day. I would smell the chlorine. This concerned me because of how often I smelled it and how deeply I was breathing it in, doing aerobic exercise. So I decided to write my Alderperson Judy Olson who suggested that I find out if any of my neighbors were also bothered. At a neighborhood picnic in June 1999 of 50 people including children, I announced my concern about chlorine like smell coming from Kipp. I sent a petition around stating that we smelled the odor and are concerned for our health. 25 people signed the petition. Later I heard there was a further study, survey by the DNR of the neighbor's reactions to Kipp's odor. I'm pleased there has been a reaction by the DNR about the odors. Kipp is in the middle of a highly trafficked, residential neighborhood, the well used bike path runs right through Kipp, Lowell School is within view of Kipp, Atwood Community center is right across the street. Many adults and children are exposed to Kipp emissions every day and night. I'm a carpenter and I take great care in protecting myself as much as I can from toxic fumes, with good respirators and adequate air circulation. I do not want to be exposed to toxic chemicals in my home and neighborhood. I shouldn't have to be concerned with this in my home. I am not trying to close Kipp down, I appreciate this company employs a lot of people including some of my neighbors. What I want is for Kipp to recognize that there is toxic chemicals that are even detectable by smell, coming from Kipp. And I want to fix the problem in whatever way it needs to happen. I propose that the DNR deny Kipp a permanent permit until Kipp solves its emissions problems. Thank you.

My name is Paul Maxon. I believe that the DNR should test for dioxin in the area surrounding Kipp Corporation. The last time there was a public hearing on this issue, one of the former workers at the Kipp Corporation spoke to the audience and indicated that in his work related activities at Kipp Corporation he had seen oil stained, oil covered aluminum put into the processing machines, meaning, as you at the DNR know, when that happens dioxin is produced. Any my understanding is that it has never been tested for and I think that it should be. I also think that an environmental impact statement should be carried out before any permits are given. Thanks.

My name is Mary Conroy I don't live in the direct area that was surveyed I don't live within 300 meters of Kipp Corporation. But this problem is bigger than that immediate neighborhood. Since I've moved into the area, and I was on Center Avenue I have not been able to wear contact lenses because of the particulate matter in the air and I don't see as well through glasses as I do. I'm afraid to run in the area where the Kipp Corporation is that I will somehow damage my lungs or do worse damage to my eyes. I think we need to seriously consider why we would allow more chlorine into our air with this new proposal. Thank you.

My name is Mark Miller; I am the State Representative from the 48<sup>th</sup> Assembly District, which includes the area where Madison Kipp is located. Last summer while campaigning for the position of 48<sup>th</sup> Assembly District representative I knocked on the door of every voter in the district. And the most common complaint I received was complaints about the odor, and the particulate matter and the noise generated by Madison Kipp. The particulate matter seemed to have increased after the addition of smokestacks. Folks who had not normally been in the area of dispersion found themselves now more commonly having to deal with particulate matter that was seeping into their windows and doors. Now I understand that there was a survey of the district was undertaken which indicated there were not sufficient people affected by this the problem of odors, particulate matter, and noise but I wanted to indicate that this was the most common complaint that I received, knocking on the doors of every voter in the district. I don't know exactly how many people were involved in bringing this up, when I asked people what their concerns, what their issues were this is the one that came up most often. So, although there was a survey done, I would like to indicate that my informal survey, involved as a political candidate, knocking on doors indicated there was a significant issue involved with Madison Kipp and its policy and the way it manages the noise, particulate matter and odors as a result of its operations. My telephone number is 266-5342 at the State Capitol and I would appreciate I'd be willing to provide additional comments if deemed necessary.

My name is Paul Jost; I live at 3106 Atwood Avenue. I've experienced numerous terrible odors from here extending all the way down to Lake Monona and at Olbrich Gardens themselves. And I think it's a terrible affront to the community. Also with the increased air pollution from the airport, diesel trucking on Atwood Avenue, we do not need more air quality infringements; we need better quality control on the air. And that's my basic concern is on several days in the summer, it's unbearable, the stench coming off of that area there. And that's all I'd like to say.

My name is David Zabor. I'm an environmental toxicologist and I believe the permit expansion needs an environmental impact statement or an environmental assessment at minimum. I am concerned about formation of dioxins with chlorine injection into a blast furnace, like they are doing. And I think those should be tested for specifically with the appropriate technology and appreciate DNR holding this meeting. Thank you.

My name is Rachel Roang B I live on Willard Avenue and for quite a number of years, actually since they put the new stacks in we have had a tremendous problem with pollution from Kipp. There are days when the wind blows our direction and we can't go outside of the house because we just can't breathe, and I find that when I fast walk I go through pockets of terrible inability to breathe and then able to breathe again. It's not only the fact that its affecting the breathing but their I'll have my front porch cleaned off and then within a few days it will be another dumping period and then there will be, instead of the white paint, it will be gray or black. Very, very thick, lots of particulate. I know that it's not good for me to breathe. Both my husband and I have had experienced watering of the eyes, heart palpitations, sore throat, coughing, who knows what all from this. And we're both very upset about it and we can't imagine that they would allow more of this pollution in this area. My comment is that I am very upset that its' looking like its going into further pollution. I have, myself, sent information to Kipp on pollution control devices that are available. They have not commented back to me. There are just a number of things that have been unanswered but with a smile. Bud Hauser is very amenable but he doesn't really come up with any answers, so I've stopped going to Kipp with anything and I've started calling John Hausbeck and the DNR with my problems because there was more of a receptive, listening agent there and thank you for listening.

My name is Connie Lent my current address is 154 Corry Street, Madison Wisconsin. I've lived at that address for approximately 3 2 years previous to that I lived at 310 Elmside Blvd. for 5 years. During the time that I lived on Elmside Blvd., which is directly across Atwood Ave from the Kipp Corporation. I experienced many nights, I lived on the second and third floors there, during the summer months I would wake up at 1 2 and 3 am and be required to close my windows due to a very strong odor. I'm no chemical expert, but I'm guessing the smell was chlorine or some other gas. At the time I moved into the residence on Elmside Blvd. My health was fairly good. Since then I have been diagnosed with asthma and also another chronic illness inner sticial sinstitus, and while I don't claim that the air quality in this neighborhood is the sole reason for my health concerns, I do believe that they are a strong contributor to that. I have also had the pleasure of being involved in family day care in the neighborhood and I have a family daycare, which I run on Elmside Blvd. And so I spend a lot of time at home and in the neighborhood. There was many times when I would be at the park with children and I could smell this odor there were also many times over the past 9 years that I would see smoke coming from the stacks at Kipp. I would see fire trucks coming and going from there. But never would I hear a siren. I recently over the last summer, I didn't record the date of this, but probably June or July I witnessed 5-10 minutes of thick, black smoke pouring out from their one of their stacks. I can only assume that it was from a fire. And I ended up going home, I had been at the park with children, the smoke, of course, went down over all the households in the neighborhood. In August I called I'm not even sure who the person was, from the City of Madison the phone number for air quality concerns and I spoke with someone who recorded some of these concerns and I've also since then recorded dates that I have smelled these odors. Those dates being 9/16, 10/29 10/28 11/29 and 12/15. On many occasions I have closed my windows at my Corry Street residence as well. I have walked on the bike path and have asthma attacks, or had my asthma triggered by this smell and had to use my inhaler. Even as we speak I am short of breath so again, while I don't contribute all of these things and I'm not even sure that the Kipp Corporation is the sole source of the air quality problems. I also have experienced times when I've been at Wirth Court Park and had to leave because of the high dust content literally blowing across the park, which comes from sand blasting there and so perhaps fumes from trucks. I honestly don't know the full source of the odors, but I do believe that this neighborhood has a serious concern with the air quality. I also have noted that at least all times in the last 10 years, the children in the neighborhood that I care for, I've always had at least one or two children in my care that have had asthma. With that I hope that neighborhood continues to look into these issues and not only do we work to resolve some of these problems, but to really determine what the exact sources are, instead of just pointing at one organization. Thank you for my opportunity to comment.

Hi my name is Eric Schramm. I live in the neighborhood. I'm also the chair of SASSY, Schenck, Atwood, Starkweather, Yahara neighborhood association. But today I am speaking as a resident in the area. I just want to make a note in the record that today the temperature is about 8 degrees and we've got probably over 100 people here today. And also this meeting was scheduled during Christmas week, which is another low turn out week. But it looks like we've got a lot of people here. I bike past and I walk past the plant on a continuous basis. I bike past every day and some days the smell is very bad. I try to hold my breath as I go through because it's really bad. I think there is a lot of questions with Kipp. That I don't know if they will be answered or if they can be answered. This groundwater question that is not even being presented today. And one of the things about an evacuation plan, I heard something about that. That there is stored high levels of chlorine at the plant and what about the evacuation plan. I haven't seen copies of that, I don't know if the neighbors have, what are the health risks that storing all that chlorine there, especially when they increase the stack emissions. What's going to be all that? Also, I would like to speak about the survey that got sent out, I understand they got about 600 out and maybe 180 back, something along those lines. If that >s 180 households then there are 3-4 people per household, so you multiply that by 100 people affected by this change, that so I'm against a change. What I would to have is an environmental impact statement done. I believe that hydrochloric acid and chlorine are not chemicals to mess with. And I think the feeling is that if I have a car, my neighbors complain about the smell, it seems like the plan here is to increase the length of my exhaust pipe, and so not only will my neighbors close by but farther away complain about that too. I don't think that is the solution to it and I'd like to be contacted, and I will give my name B Eric Schramm, call me at 244-6328. Thanks

I'm John Useleman I lived 189 Dixon Street for 13 years and 2734 Lakeland Avenue for over 11 years. I currently own an apartment house at 189 Dixon Street and its been rented continuously. I've never had any problems with the odor in the area, nor have I heard of any problems from any tenants or any of my neighbors on Dixon Street over those 13 years. The first that I heard about anything is when someone came to my door at Dixon Street and complained about the noise and I said I would not sign any kind of form and they came back a few months later complaining about pollution, the smells. Which I did not sign again, because I did not smell anything. I want to support Kipp in the neighborhood and I think they are great neighborhood citizens.

Thank you, Barry Carlsen, 130 South Marquette, here in Madison. I live behind Kipp, I've been there I guess going on 14 years. And been involved over that time, basically put the chlorine distillation unit in there for smelting metal and involved with the noise ordinance and things. But what I've been concerned with as of late and probably more concerned now knowing there's going to be another change over there is the degradation of air quality and hopefully not seeing it go further in that direction. But I think the thing that I notice almost on a daily basis is the occasional slightly chlorinated smells, but for the most part metallic oil smells, that I feel are just all too common and emanate from the plant and probably even though they have made measures better to a degree by closing up their windows. I still feel as though there is still a great deal of ambient air flow coming through and depending on the prevailing winds ending up in the neighborhood, my yard bike path, when I go past it. And I guess its dependent on your perspective but I feel right now as though I may be suffering from something maybe more that physcosomatic conditions where occasionally when I do smell it I get a tightness in my chest and I'll notice that I cough a little bit more and things, and I have some concerns that it's going to be decreasing in air quality and something that's hopefully going to be improved by these changes rather than worsen. Thank you.

My name is Marylou Herman; I live 3850 Monona Drive. I'm glad that I got to speak with the group of people that have assembled at the hearing on December 21, 1999. I really wished that the DNR would do more to enforce some of the regulations that apparently are not being enforced. This whole area is plagued by environmental problems. And it's not just with Kipp, but that would be a good starting place. Another good starting place would be to clean up Starkweather Creek. There's some cows that are pooping in that river and I think that's part of the problem so thank you very much.

Hi my name is M. Catherine Schramm I live on 2412 LaFollette Avenue. I very happy that the DNR had this meeting tonight even though it was inconvenient with the date being a few days before Christmas. I find that it's very sad that the Kipp and the DNR feel comfortable at making so many neighbors in our area ill. There must be some sort

of environmental impact study done on Kipp by the DNR to determine the outcome of what these stacks will be and what the contaminants will be. I have experienced in my living over on LaFollette Avenue and I bike a lot throughout the community and throughout Madison. I bike commute to work. I have experienced multiple times burning eyes and burning throat, and I don't feel good about spending my entire life exercising to be in shape, to live a long life and breathing in these contaminants that will probably end my life. Is there a reason why Kipp should have the right to determine the demise of the entire neighborhood? Is Kipp saving money and not putting these scrubbers in the stacks that they want to build? Why are they interested in potentially killing or evacuate this entire neighborhood with their contaminants? This isn't an industrial park. There are people living in the area close to Kipp. And people's lives and their health is at stake. Please DNR enforce Kipp to put scrubbers in these stacks so that we all can live and breathe together in the same place. Thank you.

Hi my name is Maxine and I'm here to comment on the proposed granting of permit for Madison Kipp to increase the chlorine in the air from 35 parts to 80 parts that an increase of 130 percent. I have lived in this neighborhood for 16 years. And I have a nine-year-old son who attends Lowell School. He has complained on some days when he has been playing outside of a sore throat and a lot of times this is when the wind is in the right direction from Madison Kipp. There's also the Atwood Community Center has built their new youth center building very close to the Madison Kipp Corporation and I think that this is something that also needs to be considered. Lastly, I am concerned that the quickness with which this public hearing was arranged and the timing when many people are out of town, schools are closed and it seems to me that there needs to be more community involvement in this very serious matter. Thank you very much.

Hi my name is Billy Stern. I live at 109 North 6<sup>th</sup> Street. I only recently moved in this area about 4 months ago. But one of the first things I noticed was the significant number of days in the fall where it just really smelled horrible and I soon learned that the suspected source of that was the Madison Kipp facility. I have a masters in environmental studies and I have worked on various pollution control issues before with other corporations. I've worked for the environmental groups and it is very clear to me that this facility and what they are proposing is absolutely in need of an environmental impact statement. The issuance of the permit and other documents that I see at this meeting, clearly show me that there are significant impacts and that they can't be ignored and that they should be analyzed in full detail. Any increases in the use of chlorine is very questionable it could be significant backsliding and under most of the EPA regulations for air quality they are not permitting backsliding. I have a question for the permit writers and comment takers as to and that question being as to how this facility fits in or intends to fit with the EPA's MACT rules that they are developing through various industries. Maximum Attainable Control Technologies. Somehow I have the feeling that has not been fully considered for this facility and that it should be. Also outside of the realm of this permit perhaps but of significant interest to the facility, I believe they should begin undergoing and analyzing full scale pollution prevention program for the facility. Instead of looking at increasing the chemical use they should be looking at ways to decrease the chemical use. And throughout the facility, particularly in chlorine and chlorinated the whole realm of halogens that could be resolved. And that probably could save significant money if they did this properly.

Marcia Penner: Ok we are going to start the hearing back again. If I could have your attention please. Good evening. I think that most of you were here when we gave some presentations at 5:00 but we are going to repeat those presentations for the people that got here after 5:00. So if you've already heard this I'm sorry but we're going to repeat these presentations for the people who got here late. And then after that we'll go into the public comments.

Good evening, thank you for coming tonight. This is a Department of Natural Resources public hearing concerning applications by Madison Kipp Corporation for air pollution control permits. I'd like to introduce ourselves again my name is Marcia Penner; I'm a lawyer for the Department of Natural Resources. On my left is Tom Roushar, an air management engineer and supervisor from DNR's South Central Region. On his left is Bradford Shawn Pyle, also an air management engineer from the South Central Region who has been primarily responsible for working on the permit application. Also on his left is Penny Kanable, an air management specialist from DNR's South Central Region, she worked primarily on the odor survey. On her left is John Roth who is an air quality modeler from the DNR's Central Office Bureau of Air Management.



Madison Kipp Corporation has submitted to DNR applications for air pollution control permits to modify a process and to operate their entire existing facility on Atwood Avenue and Fair Oaks Avenue in Madison, Wisconsin. On November 20, 1999 a notice was published in the Wisconsin State Journal giving notice of tonight's hearing. Notice was also sent to Citizens for a Better Environment, Wisconsin's Environmental Decade, the United States Environmental Protection Agency, Region V in Chicago, the Madison Public Library, the Chair of the Dane County Board, the Mayor of Madison, the Dane County Regional Planning Commission, the Dane County Executive, the Illinois EPA, the Iowa DNR, concerned citizens and local news media.

Tonight's hearing is being held pursuant to Section 285.13, 285.61 and 285.62 of the Wisconsin Statutes. The purpose of tonight's hearing is to give the public the opportunity to comment on the company's applications for air permits. All written and oral comments received by DNR on these permit applications will be considered prior to making a final decision on the permits. After tonight's hearing and a review of all the public comments DNR make a final decision on the permits. Information, including plans and specs for the facility and the DNR's preliminary determination regarding the permits have been available for public inspection at the Madison Public Library, at DNR South Central Regional Office, and at DNR's Central Office in Madison. We also have some copies available on the table.

Now I'll describe the procedure we will be using for the rest of the hearing. We had the open house and I thank you all for participating in that. Now we're going to have the more formal part of the hearing. If you would like to make a statement, I'll call your name off of your appearance slip, so that you come up to the front of room, sit in the chair, make your statement to the group and we'll also be tape recording these statements. We ask that you state your name before you make your statement. Because this is not a contested case hearing there is no cross-examination allowed of those who speak. I have organized the appearance slips that you have filed and the people who listed yes they wanted to make a statement, I'll call those names first and then if anybody else wants to make a statement you will have an opportunity to do so. I would ask that because we have quite a few people who do want to make a statement if you could try and make your statement brief, that way we can get out of here at a reasonable hour. I think we have the room until about 10:00. So again, we ask that you come to the front of the room, make your statement on the record, try and speak loudly as we do not have a PA system and we would like everybody to be able to hear your comments. Right now I'll turn it over to Tom Roushar.

Tom Roushar: Thank you. Thank you for attending this forum. The purpose of the meeting is to gather comments on our proposed permit actions. To help you comment, I'd like to describe what Madison Kipp is requesting, the basis for our actions, and what we have prepared. On December 11, 1995, the DNR received from Madison Kipp an application for a federal operation permit. The application was required by the federal Clean Air Act, which also requires the DNR to act on the application by issuing an operation permit for this major source. This draft operation permit for the first time covers all significant emissions unit for the Madison Kipp operations at both the Atwood and the Fair Oaks buildings. Previous permits had just covered Atwood buildings. This is a combination of both those locations. During our development of the operation permit draft, the company also asked for permission to revise an existing permit for sources at the Atwood building. This revision is for a reduction in allowable particulate emission for a 2500-kilowatt electrical generator. The draft operation permit allows this decrease. In June of 1999, the company also asked for permits to modify two existing processes at the Atwood building. These modifications are to permit an aluminum-melting furnace, which they call the RCI furnace. And to permit an aluminum melting furnace which they call the MPH furnace. These applications ask for an increase in use of chlorine in the RCI furnace and the ability to use flux to clean the MPH furnace. The application also describes the addition and use of a 100-foot tall stack at the Atwood building to disperse the furnace emissions as well as the emissions from all existing die-casting operations in the building. The draft construction permit allows for the increase of chlorine use from 35 to 90 pounds per hour for magnesium removal in the RCI melting furnace, only if the emissions are from the 100 foot stack. So the 100-foot tall stack must be built before an increase in chlorine use is allowed. The DNR reviews permit applications and issues draft permits for public comment if several criteria are met. The two criteria applicable here are that the emissions from the equipment proposed or in use meet all applicable emission limits and that the emissions will not cause nor exacerbate a violation of an ambient air quality standard or ambient air increment. We have looked at stack testing information where available, in making this preliminary determination.

The draft permit requires further stack testing where the information is necessary to demonstrate compliance with emission limits. We also looked at the plans proposed by Madison Kipp for operations until the new 100 foot tall stack at Atwood and the 80 foot tall stack at Fair Oaks are constructed and are in use. Each of these interim proposals were reviewed for compliance with emission limits and air quality standards. The matrix table at the back of the draft permit provides a summary of any draft permit limits based on seasonal conditions including fan and stack use, metal melting capacity for all equipment at each facility. Under all operating scenarios, the DNR has determined that the criteria for permit approval will be met. Therefore, we have preliminarily determined that the permits are approvable. I'd like to ask and answer a few questions that you may have at this time. Will the new 100-foot stack just move the pollution from Madison Kipp to a larger area? To try to answer that the separate modeling analysis looked at the particulate matter emissions rates at the Atwood building before and after the installation of the new stack, and found that the new stack decreases emission concentrations everywhere. So even at some distance and at all ground level locations modeled, because of better mixing and dispersion, the height of the plume, the source emission concentrations will decrease after Madison Kipp installs the new 100 foot stack. Is Madison Kipp in violation of any requirements or emission limits or causing any air quality standard violations? This is another question I have heard a lot. Not based on our current knowledge. For example, the EPA recently did an inspection and found no concerns. The air quality monitor at the bike path on South Marquette Street has not detected any total suspended particulate matter over the standard. The odor survey focused on an area within 300 meters of the new 100-foot tall stack, where predicted potential emissions have their highest concentration. The survey results do not show Madison Kipp in violation of the malodorous emissions limits of the Wisconsin Administrative Code. Nevertheless, in response to citizen complaints and comments we have received while processing this permit, we have included several conditions to help prevent and control malodorous emissions. You can find these on page 41 of the draft permit. Including a requirement to submit to the DNR for approval a plan to minimize the emissions from open doors and windows at the facility. Who do I call if I have a complaint about emissions Madison Kipp? This is my last question I'm going to tell you about. The first place you should call is the company. They can provide an immediate response. The number to call is 242-5217. This number is staffed during the day by either Jim Lenz or another shift supervisor. And Mr. Lenz is also on call 24 hours a day to respond to citizen complaints. That number again 242-5217. The second place you should call is the DNR and should talk to Bradford Shawn Pyle. His telephone number 273-5604. We monitor the complaint response by Madison Kipp and will take our own action if we do not think their response is appropriate. Brad's number again 273-5604. Thank you.

Marcia Penner: Thanks Tom. Ok at this time, we are going to start taking public comments. I don't have the commentors in any particular order, so I'm just going to call people's name and then after we've gone through this pile, then we'll see if anybody else would like to make a comment.

James Bakken - Good evening everyone I have lived on the east side for 43 years, and I've had to wash my, my parents had to wash their house down every year from the soot from the Kipp. I still, and now I'm living on LaFollette Avenue and I still have to wash my house down. I have smelled odors just about every night of the week. The only night of the week this year I didn't smell an odor was Thanksgiving night when the Kipp was shut down. Now that could be some proof. I'd like to see them clean up their act more than they do. And also the number of fire calls to the plant at night maybe for explosion or fire I don't know. But there have been several fire calls for the three or four years that I have lived here. That's just about my only comment. I do want to see them clean up their act though because I've got proof that I had to clean my house from their emissions. That is all, thank you.

Jennifer Voichick B Kind of nervous. Ok um, I believe that Kipp should not be granted a permit until they do something about their current odor problem. I've been troubled by the chlorine smell coming from Kipp for a couple of years now. I started noticing it on early morning runs at different spots on my route, depending on how the wind was blowing anywhere from St. Paul by the community gardens to Olbrich gardens. I decided to tally how often I smelled this odor in two weeks time. And came up with over half the mornings I ran, which is every other day. I would smell the chlorine. This concerned me because of how often I smelled it and how deeply I was breathing it in, doing aerobic exercise. So I decided to write to my Alderperson Judy Olson who suggested that I find out if any other neighbors of mine were also bothered. At a neighborhood picnic in June 1999 on Ohio Avenue around 50 people including children, I announced my concern about chlorine like smell coming from Kipp. I sent a petition

around stating that we smelled the odor and are concerned for our health. 25 people signed the petition. Later I heard there was a further survey by the DNR of the neighbor's reactions to Kipp's odor. I'm pleased there has been a reaction by the DNR about the odors. Kipp is in the middle of a highly trafficked, residential neighborhood, the well used bike path runs right through Kipp, Lowell School is within view of Kipp, and Atwood Community center is right across the street. Many adults and children are exposed to Kipp's emissions every day and night. I'm a carpenter and I take great care in protecting myself as much as I can on the job from toxic fumes, with good respirators and adequate air circulation. I do not want to be exposed to toxic chemicals in my own home and neighborhood. I shouldn't have to be concerned with this in my own home. I am not trying to close Kipp down, I appreciate this company employs a lot of people including some of my neighbors. What I want is for Kipp to recognize that there are toxic chemicals that are even detectable by my smell, by my nose coming from Kipp. And I want Kipp to fix this problem currently before they are granted a permit to emit more chlorine. I propose that the DNR deny Kipp a permanent permit until Kipp solves its current emissions problems. Thank you.

Next I'll call Eric Roang.

My name is Eric Roang; I live on Willard Avenue since 1981. And, about five years ago is when I really started noticing the odor coming from Kipp. And I've heard that they put some new vent fans in over there to exhaust fumes for the workers. I was happy about that but it seems to do is make if come over toward my house more. And when we get a northeast wind you can't breathe when you go outside. If those kinds of fumes are allowed by law, I think that the law should be made more stringent. And so I would like to comment publicly along with Kipp cleaning up what they are putting out now that the state clean up its act and make the law more stringent, air pollution standards.

Judy Olson B Hi I'm the Alderperson for the area directly around Kipp. And in that position I'm in a position to hear from a lot of people their concerns about Kipp and other kinds of factory concerns. What is of concern to me in this particular instance is that over the last 18 months or so I've heard from people their perception that Kipp is emitting obnoxious odors perhaps not noxious but obnoxious at least and that these odors are affecting people downwind and upwind and its this sort of random position of the people who have complained about this that has me concerned as you talk about raising the height at which the stack or the emissions will be released to the atmosphere. Right now we have people living right around the plant who believe that they are being adversely affected, that their health is adversely affected by Kipp emissions. Whether it is or not, it is a concern to me that the quality of life of the people who live around Kipp is adversely impacted. They believe that their air quality is worse, they perceive it to be worse, some believe that it is affecting their health, some are quite convinced that is the case. What I'm concerned about that if you raise the stacks, and let the emissions out over a wider area over the Eastside, you are going to have a greater number of people who will have the same complaint. It may be true that the stack will disperse the emissions in a way that will cause them to be lower than the standard that is of DNR concern. But at the same time you are going to have more people concerned that their health is impacted, having questions about it worrying, wondering perhaps not being able to open their windows during the summer when they need to the most. It's this standard that I believe that you were trying to test when you did the odor survey, and I applaud you for implementing that survey and determining that in fact there are a lot of people who are concerned about Kipp. 100 people returned the survey and said that odor emissions from the plant were of concern to them. They perceived them to be a regular kind of event. And they were worried about them. So it's this unknown, the fear of the unknown, and for some people they believe it to be fact, that Kipp is impacting their health in a very adverse way. Thank you.

Frank Jablonski B Thanks, my name is Frank Jablonski, I used to be general counsel to Wisconsin's Environmental decade. I live in our neighborhood now over on Sommers Avenue. I think that there are a few bottom lines that I want to bring to people's attention. I haven't looked at all of the technical issues here, but I'd be very curious to know, other than the people who are here wearing the white Madison Kipp t-shirts, how many people here would really trust Madison Kipp to do what it says that it is going to do to operate within emissions limits? I know that I wouldn't. Last summer, I was over at the Bongo video getting a video, Kim Wright was there, we saw this huge black cloud coming out of Madison Kipp. I've walked through that neighborhood early in morning, there has been a white cloud laying on the ground. I have come home, I often have to work late, come

home at 9:00 at night, as I get about two blocks away from my house I can start to smell it. We're not nuts. This is a real problem. Now, I don't think that Madison Kipp has earned the trust of this community to be able to even come and ask us to put up with more pollution from Madison Kipp. And I don't think that switching it around from building to building is acceptable. And I don't think that we can even trust the Department of Natural Resources to back up and enforce against Madison Kipp, if Madison Kipp is doing it wrong. We have been living with this problem for years, there are a bunch of people who are going to come here and talk to you about how they didn't have asthma before, but they have asthma now, we got a real serious issue here, the serious issue has to do with the emissions from Madison Kipp, and it also has to do with whether we're actually getting accurate information. Going forward, I don't trust Madison Kipp. I don't trust them in my neighborhood, I don't trust that they have been honest with us, I don't trust that they have been forthright with the DNR. I don't trust the Department of Natural Resources to do right, and that's why I'm in opposition. Thanks!

Paul Maxon B To my knowledge dioxin has never tested for. Dioxin that's been emitted from Madison Kipp Corporation. In 1997 there was a similar meeting, put on by the DNR, announced by DNR to announce Kipp's compliance with its regulations. At that meeting, a former worker of the Kipp Corporation told the DNR and told those in attendance at the meeting, that they had seen oil on the aluminum that was put into the refineries or whatever it is that melt the aluminum down in. When that happens, dioxin is created. To my knowledge, nothing has been done to check that out. There might be dioxin in this neighborhood. One of the most deadly chemicals known to man. It might be out there. It's never been tested for and Kipp wants more permission to expose the people of this neighborhood to more pollutants. That just seems insane to me. We need an environmental impact statement. We need to test for dioxin in this neighborhood. And we need to say no. Kipp was not in compliance with the clean air regulations for many years. They certainly have not earned our trust. They certainly don't have the right to expand their operations and simply because the initial survey of the proposed regulations says that they think they will be compliance, doesn't mean that we have to give it to them. This is our air, these are our neighborhoods, this is our government. And we need to say no. Thanks.

John Phillips B Is there a John Phillips here? Robert Moore B are you John Phillips, ok sorry. I'm a resident live at 2934 Milwaukee Street. I work at Madison Kipp and at the time I was working there I ended up getting kidney failure, and I think that this issue about dioxin is extremely important. And that the DNR should do studies before they grant this permit.

Robert Moore B I'm Robert Moore I live on Maple Avenue. And I am perhaps the only member of the society of toxicology in attendance tonight. Several issues I'd like to raise, one is from the standpoint of the chlorine being shipped. It used to come in presumably on the railroad, now it presumably comes in on trucks. If there is a catastrophic accident whether delivering the chlorine, which would come in increased amounts, or once it is in the plant, is there a mechanism in place right now to notify the neighbors that there has been a spill and people need to get inside or evacuate or whatever it is. With a school nearby, an elementary school nearby and being in a residential neighborhood I never, if you have such a plan I've never heard of it and it seems essential that one be made, and with even more chlorine coming in its even more important to do that. I'm particularly concerned about the dioxin issue. If you have a lot of heat, which you do and a lot of chlorine which you do, as long as there is carbon there will be dioxin made. One of the past speakers said that I don't want any dioxin around, well when you light a match you generate a little bit of dioxin. If you burn anything under routine circumstances you generate a little bit of dioxin. We all make a little bit of dioxin, just a routine part of living. But the first rule of toxicology is that the dose makes the poison. The amounts are the critical issue. From what I was told by a DNR employee about two months ago, the amounts of dioxin that may be coming from out of the Kipp factory has never been measured. And I think that it's essential that such measurements be made. Its in the neighborhood's interest, because if there really is so little that it is genuinely not a health hazard a lot of people's stress level will go down. And that will benefit the public. If the level is in fact presenting some hazard, then I think that it is Kipp's interest to know about that so remedial action can be taken. I don't see how it is possible for government officials, whether at the state level or federal level or the Kipp personnel to make wise decisions about these issues without having data and to proceed without requiring a test for dioxin or any of the other chemicals that people are particularly concerned about I think would be a terrible mistake. A point about the way levels acceptable concentrations are set. Most of those

data were done based on exposures in adult humans, typically male. Or in the animal data, typically came from animals that were already adults when they were first exposed. The problems with that have been recognized with the Congress in 1976 the Food Quality Protection Act was passed, that for pesticides requires that we will assume that the young are 10 times more sensitive. And so a level that was considered safe in the past as a matter of law now is supposed to be reduced ten fold. If a company can prove there's really no extra susceptibility of the young, fine no problem go back to the old level. But in the absence of data that assumption is a matter of law. If only they would implement it. But it is the law. And I think the industrial standards are set assuming adult workers and they kind of ignore the fact that this is a neighborhood with a lot of kids. And again, it's in Kipp's long term interest to be sure that the standards do not just meet the current limits allowed by law but are genuinely protective of the public health. My final point, I think that there is a historic parallel that can be made here. About 4-5 years ago there was a lot of interest in the scientific community and the general public about estrogen in the environment. Our Stolen Future is a book that generated a lot of public interest but that was kind of the last thing that really got things moving. And so as a result of that, studies were done, commissions were commissioned and a lot of requirements were set in place that would require, among other things several tens of thousands of chemicals to be tested for their ability to alter endocrine function including estrongenec activity. Now the dirty little secret, which really isn't a secret to scientists is that people knew how to test for estrongenec back in the 1920 if not earlier And yet this is something scientists knew how to do could have easily and cheaply been done over many years and all of a sudden people are panicking because it's going to take several billion dollars to run through these tests on 70,000 chemicals. But the knowledge was there and it would have been in everyone's best interest including the financial interests of a large company, that provides a lot of jobs to get ahead of the curve get ahead of the regulatory curve. If you only wait and do the things that are the bare minimum required by law, I think there's an ethical problem there. And its not in either the public's best interest or the financial interests of the company to only comply with the letter of the law. The public health needs to be protected as well. And if that means spending some money to do some testing and perhaps putting in some scrubbers or other control equipment that is not yet required by law, you're going to save money in the long run by doing it now.

[Second side of tape started here] Hearing so that people can hear each other's voices and concerns and will become more educated as the DNR and Kipp will become more educated about our concerns. Someone told me that in Europe they don't have problems like this. You don't have confrontations between, you don't have confrontations between the factories and the communities because there as well as here they're next door to each other, but they work together. And the companies feel that it is in their best interest to take care of the neighborhood and to take care of their employees. And so that is something I would really ask Kipp to do. Is to listen to us and to do what is right, not just what the regulations say. And I also want to say that the cameras don't know that hundreds of people have come in and left written comments about the permits, saying that they don't want the permit. And those of us that have decided to stay have been here for hours now. So just so then you know that we're not the only people who are concerned. And I just want to say that I object to the permit on many grounds. One, being that this hearing is three days before Christmas Eve, because in the permit we could have had this hearing all the way up to February 18<sup>th</sup>. So it behooves us to know why its today. And also, there are some things about the Kipp Corporation that make me wonder whether they can operate safely. They have had chlorine spills in the past that were never reported to Emergency Management even though they were supposed to be. They were witnessed, the chlorine spills were witnessed by the DNR and they weren't reported to Emergency Management. They also had OSHA violations, storing hazardous chemicals together that shouldn't have been. Employees using hazardous chemicals and they weren't trained. Extension cords that were used improperly and all of these things could start one of those fires that this man was talking about that was here before. And so to me I don't see that they can operate safely without someone overseeing them. They have also contaminated the soil and groundwater. They have been a Superfund site. And I know, when we had this meeting, I don't know, a couple of years ago, the DNR had actually asked Kipp to put filters in the new air handling system, or use an air handling system that you could use filters in, and they refused. And the neighbors have complained about Kipps noise, air emissions and their health problems for years and years. And a lot of neighbors have moved out of the neighborhood. Just to protect their health and health of their children. And also, in 1996 there was an air emission it was air emission monitoring was done in the neighborhood I think three collectors were spread throughout the neighborhood. And the results said that in this area, benzene was at the same level that you would find in Milwaukee, Green Bay and Superior. And then it also said that formaldehyde was as bad as in Milwaukee and

Green Bay. And the DNR itself is doing studies, health studies in these cities because the air is so bad. So there is actual proof from tests in this area that the air is bad. Oh and then the last thing I wanted to say is that in Europe this process, this demagging process is being phased out. Because it's so dangerous, because dioxin can be formed. And so they're doing it. And I don't understand why we're increasing the amount of chlorine we are using and expanding this sort of system. Thank you

David Lucinger B Good evening, and first of all I would like to echo a lot of the sentiments that have been expressed here. First of all thanking the DNR for helping with an educational process that is really necessary for the neighborhood and the residents and all of the other attendees here tonight. But in scoping my comments, I really am asking a lot of rhetorical questions because I think that's really the crux of the issue here. A lot of questions have yet to be answered from me and from most of my fellow residents. First of all, I questioned how the current standards are established in segregated use is presumed. Not looking at how close in proximity the industrial processes are to residential neighborhoods. Secondly, question how future standards, future emissions standards could be imposed and how those would be treated by Kipp as a Corporation. I would like to see Kipp as being a leader and setting an example for the industry. Instead I am reading a letter in the back which I'll cover a little bit more later, which shows quite the opposite. Which shows a recalcitrance on the part of management to address issues of this sort. Echo another comment heard earlier, and that question of storage and that potential response to an emergency situations, I question whether that is adequate. Do we have an emergency response strategy? What does it entail? In a densely packed, residential neighborhood with a school close by, with traffic congestion already a problem on major arterioles in our neighborhood, I really have concerns over whether or not we would have adequate movement of emergency vehicles into the neighborhood as well as residents out of the neighborhood in such a situation. I also question whether the emissions are only via the smokestack or if other emissions have been and will continue to be transported by open doors and windows in summer. We have many residents in the neighborhood who don't have air conditioning and their open residential windows make, with the stagnation of the air and heat in the summer a greater potential for the concentration of pollutants. I also am concerned about other than chlorine gas and hydrochloric acid and dioxin, whether pollutants will be increasing as potential by-products of this process. From my understanding of what I have learned here at the meeting tonight, the only monitoring that has been going on site is for particulate matter, PM10 standard, and that doesn't seem to really be an issue in this process, its more of the gases and following in on that we are looking at detectable odors but are those detectable odors really the only causes of health concerns. Are there are undetectable odors? Other chemical that are being transported through these processes. That could be potentially hazard to health. I really don't see any studies in place, or have not heard of any studies at this point which would address that issue. The issue, is also one of environmental justice. Lowell School has significant number of children that meet the poverty thresholds. And I'm concerned that this may just in fact, follow through with that idea of dumping on poorer residents and poor residential neighborhoods. What I am really most concerned by though by the whole process, we've talked about environmental impact statements, and its been determined by DNR that one is not necessary. In the process of scoping environmental impacts, there is a simpler form that could be taken called an environmental assessment. I ask whether that would be forthcoming. And I was informed that there would be none. At the very minimum, I would ask, actually strongly request, urge that an environmental assessment be conducted to insure that neighborhood residents have a chance to review the situation and get more clarification as to the issues. Getting back to what I said earlier with the Madison Kipp Corporation, what I feel is recalcitrance in the matter, there is a letter in the back on the board, dated in summer of this year, from president Thomas Caldwell to Secretary of the DNR George Meyer, and the exact quote is that surveying existing conditions would provide no useful data. He in fact calls for monitoring after the stack is up. Then Kipp will talk. This I find absolutely reprehensible. First of all, from a pure data management standpoint, how can we possible determine what the, how the current conditions relate to the future conditions if we have no data on the current conditions. But beyond that, it really shows a lack of regard for the current existing conditions of the residents in the neighborhood. They have made their complaints known over and over again. Monitoring has been sketchy at best, what I really hope for is that the legal process, the governmental process will move forward and allow such testing to be done before any permitting is approved. All of these questions, in summary, emphasis that we need more discussion, more data management and collection and better information dissemination. Better interaction between Kipp and its neighbors. We're all here to night, we have the neighborhood association table right over there, let's make the arrangements tonight to get this done. Thank you.

Anne Chacon B First of all I would like to say that it's a little hard to hear people so if there is a way of improving the mics or whatever needs to be done.

Marcia Penner: It's not a PA system so you just have to speak loudly.

Anne Chacon: It's regrettable that we don't have a better mic to speak into. I agree basically with everything that everyone has said so far. There use to be at least an old adage Awhen in doubt, don't. And I don't believe that the two permits that this meeting is considering should be granted, one of them is the overall operating permit without which Kipp has been operating for the last four years under an application shield, and the other is sort of a umbrella combination of several construction permits to increase chlorine use from 35 pounds an hour to 90 and to increase particulate emissions. And so that basically is what this meeting is considering. I have developed over the last decade, since Kipp has been using chlorine and began its expansion major expansion, developed asthma, I've have had liver and kidney problems, I've had all kinds of respiratory problems. It hurts to breathe on South Marquette Street. Almost every single night, all night when the activity is the most intense. And, for this permit, which is based basically on manufacturer's assurances, either that the machinery will work a certain way, or based on such vague things as stack parameters and kind of fuel used and then DNR, or Kipp and DNR accepting that these rather general kinds of activities will assure a certain emissions level, it seems to me that this permit is so full of holes and so full of, well maybe, this will happen and maybe it won't, but Kipp wants it and DNR is accepting perhaps with too much faith in the Madison Kipp Corporation that all will be well. People here should know that DNR has complaint files in its air management division on Fish Hatchery Road, which everybody is welcomed to look at because they're open to the public. They contain hundreds and hundreds of complaints. Not just complaints of the rather minor symptoms that were studied in DNR's recent odor survey. I do have a problem with calling this survey meaningful, first of all these are toxic fumes, they're not odors. The odor is come from two major sources, one is the die-lube used on their cast machines, and the other is the chlorine gas and hydrogen chloride and other escaping gases on the EPA's extremely hazardous substances list. And, DNR because we have some chemical engineers sitting at this table, knows that these are toxic fumes and before the most recent decade, DNR referred to such things as toxic fumes they have used a section of Natural Resource Law, 429 that deals with odor and requires that 60% of the people that answer a random survey both say there is objectionable odor that is very vague and that this odor is attributable to a source. And who would know what it is attributable to if they live farther away from that source then. To far away to see the source, they would probably not know what it came from. So I think that the survey is a somewhat I regret to say sloppy one, and somewhat meaningless and then at the these two permits insult the intelligence of everyone in this neighborhood. I believe that it should be denied, the health effects haven't been gone over in detail, but there have been reports of cancer, miscarriage, very difficult to eradicate birthmarks on newborns. All kinds of very serious health effects, and that's what were here for, it's not to complain about a mildly unpleasant odor. The dictionary I have defines odor as decay. And I think it would really, for anyone who walks down South Marquette Street it would really be hard to say that Kipp is meeting any kind of safe environmental and health standards. Maybe the people claim it is have never lived or even spent more than about 15 minutes at a time on South Marquette or Dixon or any of the streets that are called the downwind recirculation cavity. One last thing is that DNR began at least last spring considering the Madison Kipp Corporation to be a secondary aluminum production facility. And its covered under a certain part of federal law, this section under revised EPA rules deals largely in health questions like, the formation of dioxin. For some reason in the permit as it's written, the one that's preliminarily accepted by DNR the reference is to a different part of 40 Code of Federal Regulations. One that does not apply to secondary aluminum production facilities. And it therefore, applies a lesser standard of concern then the one DNR was considering. And EPA is perhaps is still considering, I don't know I certain about that. There's a little bit, it's considered a minor source by DNR a major source by EPA, and DNR and Kipp are calling this permit a minor let's see how do they put it, a minor revision is quite the word but something like that a minor revision to a major source. Now, EPA has to approve this permit and how is EPA going to approve it if EPA and DNR are using different definitions. I urge that both these permits be denied that dioxin testing be done. The permit is based on not on tests, mostly, as I said but on very vague statements that the public is expected to swallow. And I don't think any of us wants to see our children get sick. I don't think we want pregnant women to have miscarriages, I don't think that any of us should be forced to wear gas masks in our houses, as I have, or be forced to sell their houses and move. Thank you.

John Uselemann B is there a John Uselemann here? Michael Farrin? As she said my name is Mike Farrin I live at the corner of Oakridge and Maple Streets. I've had a 7-year old at Lowell School, I came to Madison in 1974 from the Fox Valley to complete a bachelor in chemical engineering. When I finished it in 1976, my advisor asked me if I would like to hang around for a couple more years and get a master's, and the project that he proposed for me to work on was to study ozone as a potential replacement for chlorine. Seems that chlorine was reacting with organic compound and forming carcinogens and other nasty by-products. 25 years later here we are, the European paper industry has switched from a chlorine to an oxygen bleaching process, because of problems like this. It's my understanding that they banned the process that is being proposed and has already been in operation at Kipp. In Wisconsin, in the backwoods here, the paper industry is still using chlorine for its bleaching process. They're not eager to replace their fixed investment in chlorine bleaching. Which I can understand from a pocket book standpoint. But this is different, this is new money. This is new investment. And in my opinion this is stupid. Kipp management is investing in a plant in a location where the people do not want them in it. And what are we getting from the DNR? They seem to think that this is a slaughterhouse like Oscar Mayer used to be, they come and do odor surveys. This is a 19<sup>th</sup> century approach to a 20<sup>th</sup>, late 20<sup>th</sup> century, chemical process and I'm not impressed with it. Raising the stack is only going to make it impossible to get statistically significant results from the poor canaries that happen to live within a few blocks to the plant. I say to Kipp, and I say to the DNR, this isn't going to work, we are going to find out what is coming out the stack, what organochlorines, what effects they are going to have on our kids, and we are going to react accordingly. I feel sorry for all the people in white sweatshirts here tonight, because I feel Kipp management is not serving your interests. Thank you.

Kent Palmer B I've also prepared a written statement. Thank you very much folks, for providing the opportunity for public input regarding Madison Kipp's operating permits that would allow increased emissions and taller smokestacks. As the Kipp plants are located within neighborhoods an ongoing dialogue must be established between citizens and corporate officials. I suggest Madison Kipp embark on working directly with the existing neighborhood association in the area. I'm opposed to increasing the amount of chlorine in operations at Madison Kipp. Chlorine is a very dangerous substance. And must be handled extremely carefully. Increased use of chlorine at the Kipp plants will result in increased importation of chlorine through our neighborhood streets. A danger that must be taken into serious consideration. Releases of chlorine may require evacuation of nearby residents, I believe that such risks may be too high to enable us to ensure community safety. I'm opposed to increasing the height of the smokestacks at the plant. Passive stacks simply spread emissions further downwind. Never getting rid of potential, hazardous particulates. Taller stacks with filters are a virtual solution to a real problem of increased pollution in existing neighborhoods. A band-aid on a gaping wound. 100-foot tall stacks with also dwarf any other neighborhood structure. I call for Kipp to produce an environmental impact statement. An EIS for proposed increase chlorine usage, increased emissions and taller stacks. This document would serve a few purposes; it would give Madison Kipp a stamp of approval for their operations if they meet appropriate standards. It would also provide neighbors a level of comfort that their industrial neighbor will operate within acceptable limits. I also call upon Madison Kipp to produce a second EIS. An Economic Impact Statement for its proposed increased activity. Increased importation of chlorine may require heightened emergency service preparation and staffing by the City of Madison and Dane County. Increased, wider spread emissions may affect neighborhood home values, our schools and may even disrupt nearby community gardens. A tool for sustainable living. I believe these costs must be enumerated and taken into consideration. As I look around the room tonight, the strong presence of neighborhood residents demonstrates a grass roots based opposition to this permit. These citizens have taken action to maintain the quality of their lives. I believe that residents will continue to be strong opposed to the increased operations of Madison Kipp. I do not and we will not consent to the poisoning of our neighbors.

Bonnie Buchanan B Thank you for the opportunity to be here tonight. Can everybody hear me. Ok. I have a couple of concerns I'm a newspaper carrier in the neighborhood, and over the past several years; personally, I have been afflicted with asthma which I have not had previous to 1990. There was no known reason for this. And my concern is that if it affecting me in the few hours that I am exposed to these fumes, what is this doing to people who are working in Kipp and are exposed to this hour after hour day after day, the long-term health effects have to be known before this permit process moves forward. I believe nothing should be done without an environmental impact statement. I've had to call our Alder Judy Olson several times over the odors that emanate from the plant. The



population density is such that without an environmental impact statement, I think that it would be very irresponsible to allow these fumes and toxic chemicals to flow throughout the neighborhood. In college chemistry classes, we all know that there are certain chemicals that you don't use except under a vented hood. And I think that should be noted here, that it is just very irresponsible to move forward without an actual environmental impact statement. Thank you.

Lorraine Stoltzfuss B Thank you. My name is Lorraine Stoltzfuss. I really wish there was mic here, but there's not so I'll speak up as everyone's been doing. The first thing I want to say is I really, really urge the DNR folks that are here to take this public hearing process very seriously. To not just see it as Oh there's a bunch of crazy neighborhood people that are coming out and bothering us and we just want to get this permit done and leave us alone and whatever. I'm not saying that's how you feel, but I think it would be very possible for that kind of an attitude to effect the process here. So I very sincerely and deeply urge the DNR folks that are here to pay attention to what you're hearing and to really take it seriously. Not just write us off. One point that I want to make is I think it's very important what kinds of assumptions are made by DNR and by EPA when determining which regulations apply. And there's been a little bit of discussion here about major source, minor source the little bit of information I have and I hope to get more, but, the little bit of information I have is that apparently because Kipp has told DNR that they are now melting only clean scrap metal, rather than dirty scrap metal that means that DNR is now considering them a minor source, rather than a major source, and that makes it a big difference in what kind of regulations apply. I would urge DNR to reconsider that, the reason that I would urge it is that we've been hearing from some folks tonight that some of Kipp's own people have said dirty scrap metal goes into the furnaces, whether it's a mistake whether it happens sometimes or whether it happens more often, we don't know. And I don't think that DNR probably knows. And I think that is something that needs to be revisited. If Kipp were to be considered a major source, there would be more stringent regulations that would apply and I think that would be very important in this context where we've got, as so many people have been saying, densely packed neighborhood, lots of people, you know this is not sitting in an industrial park where there's nothing but some industrial buildings, it's not vacant land. There's a whole lot of people here that are affected by this. I really urge DNR to reconsider the assumptions that they make in the first place, in terms of what regulations apply and what kind of information are those assumptions based on. And I'd like to see that addressed. I think there is some discretion and I would ask DNR to use it in the direction of being more stringent, rather than less. Especially given the circumstances of where this plant is located. And the health effects. Speaking of health effects, I would say that some of you have been hearing me sitting here coughing, I have never had asthma in my life, I was diagnosed with asthma about a year and a half ago and this cough that you hear is part of that. I moved into the neighborhood seven years ago and have never had respiratory problems. I think I'm yet another person here who is experiencing some of the effects of living this close to Kipp. Speaking of close, I live probably about six blocks away over on Dunning Street. We've been hearing from a lot of the people that live a lot closer to Kipp. And in the written comments that I provided to the DNR I have a list that my partner and I made of the times that we noticed the smell from Kipp. Day after day, week after week, last spring and summer. And I reiterate to DNR and to Madison Health Department, who is here, it's not really odor that I'm concerned about and that any of us is concerned about, the odor is the tip of the iceberg, the odor is what tells us there's something out there, there's a problem there, but it's all of the days that you can't smell, its still coming. It's the long-term health effects that we care about, its not just you go out your door and you smell something bad. But at any rate, the odor survey I guess was a way to get at how many people were being affected, but I would very strongly make the point, that with the chemical engineer fella made that that's not the really problem, the real problem is the long-term effects. And I guess, I want to say one of the things that very much concerns me is were talking about chlorine, dioxin is a by-product of some of the chlorine process that can happen, I deeply concerned that there has been no testing for dioxin, is what I have been hearing. I didn't even know that until tonight, I had assumed, wrongfully, obviously that, I had just made the assumption that of course dioxin testing would be happening for a permit that involves chlorine. I'm shocked to find out that it's not and you know, I'm one of, there are studies and I'm sure folks at DNR that know this, the toxicologist here knows this that dioxin is linked to breast cancer, You know how many of the women in this room do we want to be the ones to get breast cancer from the dioxin that's probably in the neighborhood, but we don't even know, because there is no testing. So I urge DNR to take seriously some of the potential considerations of this to not just kind of rubber stamp, and I'm not saying you've just rubber stamped it, but to not just put this permit

through without taking into serious consideration the things that are being said here tonight. There needs to be testing done before the stacks are built. Don't wait until the stacks are built then do the testing and then find out what's the risk assessment of how many of the women in this neighborhood are going to die of breast cancer because of dioxin that wasn't tested for before those stacks were built. I really, really urge DNR to take this seriously. I would make the point, and some of the other folks, the couple of the toxicologists and engineers know this a whole lot better than I but there are ways to deal with this problem. It doesn't have to be this way. And, so I request DNR to really take a look at that. This is a residential neighborhood, a lot of people have made the point, and I'm going to make it again, there are children, there are elderly people, people are affected by this plant, and it is inconceivable to me that DNR is considering approving a 100 foot stack to basically disperse the pollution and then say, oh well it meet standards, because it dispersed enough now, it's not really falling on you and your neighborhood. It's kind of inconceivable. So I think one of the answers is for DNR to revisit the assumptions that have gone into considering Kipp a major source or minor source. I think that would be of benefit to the neighborhood as well as Kipp, I also although this isn't a hearing really geared towards Kipp, if there's anyone from Kipp here who has any power to help influence this kind of thing, I really think that it would be important for Kipp to take into consideration these kinds of concerns. It's not, you know I've lived in this neighborhood for seven years, I've not lived here thinking, I wish Kipp wasn't here, I think it's actually a healthy kind of mix to have neighborhoods where there's industry, and there's retail, and there's people, but it cannot be done at the expense of the health of the people who live in that neighborhood, or the health the people that work in the plant. And just also, kind of along those lines, I mean this is a neighborhood where there is a bike path that goes right by Kipp, there's community garden, you know there's people that have alluded to these things as well before, what good is it for the City to put money into building a bike path, into supporting community gardens, and all of that when the people who live here then can not go out and enjoy those things that are there. I reiterate what other folks have said and I also had put this in my written comments, I think that something of this magnitude, needs to have an environmental impact statement or at the very least an environmental assessment done before any kind of a permit is issued. I'm not saying again that I think Kipp should not be able to do the manufacturing that they do or whatever, but it needs to be done with controls. The technology exists to put scrubbers into the stacks to do whatever is required to see to it that if chlorine is going to be used, apparently there are much better ways to do it, and I guess that's another whole issue, but for purposes of this, if chlorine is going to be used, let's deal with what needs to be done to keep the emissions and the byproducts of that chlorine use from effecting all of us who live in the neighborhood. Thank you and I hope that you take these very seriously.

Paul Jost B Is Paul Jost here? Ann Fleischli?

Ann Fleischli: There's a microphone but it's from radio stations right?

Marcia Penner: Those two are yes.

Ann Fleischli: So there is no microphone here, prior to this part of the meeting a group of us broke apart basically to have a public hearing and I've written up the motions that were passed by that public hearing. And they take on your process and ask that you look at your process and revise it. We also asked that you have no gap between 5:00 and 7:00 there's no reason why this couldn't have started at 5:00. And, the method that you are using which is called the Georgia method of public hearings, that the Department of Transportation has been using, the group that met found that that is not a good process. They thought that your cutoff for comment as of today was not only unusual but not acceptable. That a 30 to 60 day comment period is normal and should have been dealt with. And the comments, one person made that it was Kipp according to one of the DNR staff that had asked for a speed up of this process and that was the reason why there wasn't a comment period after the hearing as would have been normal. The sense of the meeting went on and on that the milling about after the 5:00 announcement was confusing to people and one individual said that they weren't going to come until they saw us clustered in the corner having what appeared to be a public hearing. And she said that it was probably the case that other people had they not seen us, would have left. And they arrived late for the meeting. Well in any event you can look through the various motions that we passed and make that part of this particular hearing and note that it was a very strong condemnation of your process that you call a public hearing. Or maybe you don't even call it that. I would

say that Emma Czarapata. Who will attempt to come back and make an additional comment neglected to mentioned that she lived here for 8 years got health effects including difficult breathing, dizziness, was told by her doctor to move and she did, and since then has gotten better. Over a period of 6 months, however, she has not recovered completely and assumes, well she fears long-term effects from having lived next to this plant. Or nearby actually. To those who have asked for an EIS, I have watched very closely and have been involved with EIS's and they are as much a farce as the process that the DNR put on here in the way that it scheduled this hearing right before Christmas, at supper time, with the particular staggered method of running it and then to cut off time. So I wouldn't hold any hopes out for an EIS, it will be the DNR that will run that EIS because, the EPA has decided that the DNR is the agency that handles this sort of thing and so we are at their mercy. And I can tell you from the experience that I have had with them; these are not people who are looking out for your best interests. It appears that they intend to use the method that other polluters have used over time and that is to throw it into the river. That dilution process is frowned upon and in general is objected to by most people who have a sense of what we hold in common. Our air and our water. It appears that the DNR having decided that this permit is just fine and listening to us now as an aftermath of their decision to issue this permit. Is intending to dilute the air using the same process that other polluters use to dilute their pollutants with the water in our rivers and our groundwater. So what it does is it spreads the poison farther. As to those who like living in a mixed area, as to those who look at the process of mixed zoning many, many years ago generations ago, glue factories were put on the outskirts. Industries that created horrendous health effects were separated from humans. And so I would say to you that this is not a retail establishment here, that Kipp is in the middle of a residential area as an accident of history and it should not be there. And mixed zoning is not something that applies to an industry that is polluting ground water and you will notice there is a documentation of the pollution to groundwater over on the table there. And, its an industry that has created health effects continuously since it started mixing chlorine in its process in the early 90s. I'm sorry I'll briefly run through a letter that I've written. I attached to my comments letters that I've written to the DNR describing and setting out the health effects that this plant has had and continues to have on the neighborhood surrounding it. It's my understanding that DNR under NR 445.03 has the non-discretionary duty to shut down any pollution source that is injurious to human health. This standard of conduct is separate and apart from the so many parts per million standards and other standards that the DNR has waived over and over for this plant. Each waiver has allowed Kipp to claim that it is complying with DNR standards which misleads and justifies Kipp's continued existence in this suffering neighborhood. I have done a thorough, formal open records search of the DNR's records on Kipp. I got it from all of the Departments. It came to 2 feet in height. My letter to the DNR dated December 12, 1996, attached to this documents the notice that the DNR has had that the health complaints in its files are the same health complaints that are warned of in a DNR listing of predicted adverse human health reactions to the metal fluxes in the processes of this plant. So they not only know that there are health effects they have documentation from the manufacturers to what they were and they have an over flowing file with those same health complaints. So they know there are health effects and they are required, required to do something about it. Not to increase those pollutants or to aggravate the situation. The DNR persists in waiving the 85% control of organic compound emissions standard as each new machine goes on line in this plant. Look through the files, it's just endless. The DNR because of as it states Athe excessive cost@ to the plant. The DNR's agreement to modeling the pollution of this plant rather than actual testing is violated its standard of conduct toward the public. It did it in the face of a Kipp consultant, that's called FMI, the name of the consultant, indication that the particulate emission from degassing would not be in compliance with the DNR standards. So the DNR talked about in a March 15, 1994 letter that it would be excess of 4 times the standard, based on that model. So what Kipp was they hired another consultant. So they're not going to test for it because modeling by a person hired by Kipp showed it was going to be in excess of their standards. To put into administrative law terms, the DNR repeatedly abused its discretion with regard to Kipp, it has also violated its own regulations with regard to protecting the public from the health effects of this plant, further it's my conclusion that DNR Secretary Meyer and his staff have engaged in what I would call criminal behavior by acting as partners with this pollution source. Putting the monetary welfare of Kipp above the health of humans that live near this plant. It is time for Kipp to move its presence and its' very lucrative contracts outside of this inhabited area. It is time for DNR to follow its own rules and not the will of Kipp. Sorry for taking up so much of your time folks. That's it.

Jim Powell B Hi my name is Jim Powell and I live on Dawes Street right across Starkweather Creek. I moved to Madison about two years ago and right after I moved in I started asking people about what that odor was and my

neighbors told me that it was Kipp. And so I kind of put that away in my mind and then I met some folks in my neighborhood who worked for Kipp and they were telling me about smells and odors and conditions in Kipp being worse than what we've got of course, because we're across the creek from it. And then on occasion I would bike down the bike path and I would go between the 2 Kipp facilities sometimes have to wait for a loader or a fork lift go by and I realized there were two facilities and sometimes in the summer I would hear the noise from the generator at the Fair Oaks facility and I was starting to realize that Kipp added a major impact to the neighborhood. And then about a month ago I learned about this hearing process and that Kipp was petitioning to use a lot more chlorine, put more pollution in the air and then build stacks to throw it further up into the air. And so I started looking into it and I started talking to a lot of neighbors who've really spent a lot of time on this issue. Just learning about it and talking to others, but also really pouring through documents that the DNR has created and Kipp has provided. And having looked at that I was really struck by a few things that have really struck by attention, and I know we should be asking the DNR folks here about that and it doesn't seem like this is actually the format where you would answer questions? Is that right?

Marcia Penner B we will if we can

Jim Powell: Well some of those have to do with some things that have been touched on. One of which is in the DNR permit right now, one of the first things that struck me was that Madison Kipp isn't considered a major source of pollution. And I know from the tables and documents that there's of tons of various types of pollutants that are coming out of the facility there. And that from old documents back and forth memos between some of the folks, I think here at the table and others that that point has been debated back and forth. And it may have been considered a major source of pollution at some time. The reason why that's important is because different regulations apply and it would serve the resident's interest who are concerned about this if it was considered a major pollution source. Because it seems to be closer to the truth but also makes some other things kick in. I was just wondering how it was determined that they are not, that the emissions there do not qualify it as a major pollution source?

Brad Pyle: Using EPA's definition and those rules that you are talking about that would be more stringent than what applies in the permit, those are EPA programs.

Jim Powell: So even though there's hundreds of tons of pollutants being emitted it's not really a major pollution source.

Tom Roushar: No, we're saying that it is. It would not need a federal operation permit unless they were a major source. It's been clear from the start, if you are confused about it, I'm very sorry.

Marcia Penner: There's several different definitions of major in different parts of clean air programs. One is this federal operating permit, and other that program Kipp is a major source. There's another program which is called the PSD program, and I think that might be the one you are referring to that has stricter limits for major sources. I believe they are not a major PSD source, is that correct?

Question from the Floor: What is PSD?

Marcia Penner: Stands for Prevention of Significant Deterioration. It's a permit program for major sources in attainment areas, or areas that attain air quality standards. So they're major under one definition and not under the other and that may be some of the source of confusion.

Jim Powell: And then I had another question about the actual nature of the facility itself. To my understanding that Kipp takes recycled aluminum and makes new products out of it. And, having started looking into this recently there's a lot of information out there about secondary aluminum facilities. And that in the permit the DNR has decided not to consider Kipp a secondary aluminum production plant. And once again, because of that there's different regulations that apply and I know that some of the chemicals were talking about like chlorine and hydrogen chlorine that are being emitted are things that the EPA now wants to regulate more stringently when they

are being emitted by secondary aluminum production plant. And it is my understanding that the DNR has determined that it isn't such a plant and therefore, those more stringent regulations for chlorine and hydrogen chloride which are being emitted and from a ranking I saw of a TRI releases it looks like emissions of chlorine put Kipp in the top 2 or 3 hundred chlorine emitters in the country. Which seems, some people consider this a small facility and it's considered sometimes as a major pollution source and sometimes not. That seems like a pretty high number to me. What's it take to be considered a secondary aluminum production plant?

Tom Roushar: Well, we had the same questions you did. WE did ask EPA if this was a secondary aluminum production plant and they agreed with our decision that it was not under the new regulations, so there's been some confusion..

From the Floor: can you speak up

Tom Roushar: His question was whether we correctly considered this a secondary aluminum production plant, which is a federal definition. We had the same questions he did, we asked the EPA if we were making the right decision and we got some indication from them that yes we were making the right decision. Based on their new interpretation of the rules we were ok with our decision.

Jim Powell B But in older DNR document it looks like it was considered a secondary aluminum production plant. So there's a change

Tom Roushar: EPA has changed their way of looking at those plants, we had the same concerns you did.

Jim Powell: So my further concern is so pollution is still coming out of it and in fact we're talking about increasing it and now we are not going to use these one set of standards for it because we decided it isn't a secondary aluminum production plant so we're going to increase pollution and use different standards, and it just seems that it is a way that isn't getting to the heart of the matter which is a lot of folks are worried about increasing the amount of pollution that is coming out the plant and also the existing levels a lot of which are self reporting the way that the laws works, is that Madison Kipp reports what they say they release and I know that from looking through the DNR documents that a lot of the calculations and things are based on theoretical models and some of the information that Kipp provides as opposed to actual testing even though there has been some actual testing, I think that there was a stack test in 1995? So a few years ago. Also there's other chemical compounds that aren't being talked about in the permit and during one of the noxious odor episodes when the DNR staff actually came out and took an air sample this was in 1996 there was a table that had 43 different compounds on there, they had benzene, toluene, and formaldehyde and a lot of different things and some analysis of that seemed to show that this was the kind of chemicals, air composition you might expect to find in Milwaukee or downtown Green Bay. And I'm just wondering where do these chemicals from are they just in the background always throughout Madison, or are they coming from around the Kipp plant, and I don't know of any way that its been looked at since it's not in the permits I'm wondering if somehow they're considered fugitive air emissions or that we don't know where they're coming from so we're not going to look any further, because it's not any worse than Milwaukee. I'm just wondering what the criteria for not looking further into those things are.

Tom Roushar: We're not prepared to answer that at this time.

Jim Powell B My questions to that has to do with Milwaukee air and Green Bay air aren't what's consider nonattainment zones for air quality and Madison and Dane County aren't in that zone yet, I'm aware that we are actually getting closer and closer to that. And if we move into a nonattainment zone and we sort of have those, we sort of reach that level of pollution for a few quarters in row that we have to start meeting more stringent regulations so my concern is that we may in fact allow this permit to proceed and for Kipp to increase chlorine use and more pollution and then that will be one of the factors that will help Dane county become a nonattainment zone and then we are going to have go back and tell them they can't do that anymore. And it just seems that considering all the things that are converging on this increasing the chlorine usage right now just doesn't make sense, especially

when concerns of the community are not being addressed and I know the staff have done a lot of work on this, the DNR staff, they've worked with Kipp and gotten information, but if the permit is issued these questions that are out here are still going to continue. I mean there's no answers to them, because we are not hearing answers to them, we're hearing that they're not meeting certain federal regulations, there's a major source pollution of EPA not this, and it's really confusing. And people in the audience who seem to have some professional experience with chemical matters have been raising a lot of questions and things about dioxin and dioxin is a real bug-a-boo, it's a red flag, but if there is dioxin being produced we need to know about it and right now we're told it's not being looked at because Kipp is using clean enough aluminum that there aren't carbon pollutants in the recycled aluminum they're using and even though in the past they have used such material and workers have said, off mic here that they have done that so it just doesn't add up so I'm just really concerned about that. And I also wonder if occupational safety and hazard violations that occurred inside the plant are considered by DNR, when they go through this permitting process. Does that figure into this process at all, or is that totally outside of it?

Brad Pyle: If we saw a problem there we would call OSHA.

Marcia Penner: We don't administer their regulations, they do. We regulate outside air.

Jim Powell: My concern is that there perhaps is a violation of safety handling or a spill or something and then does not figure into the determination of when Kipp comes to and says we're going to have this plan to do something in a certain way or that our emissions are only such and such and they give you some theoretical modeling it seems to me that you are taking a lot on faith by accepting a lot of their information when there are safety violations when the DNR itself has issued some noncompliance memos and things in the past it seems like Kipp is told something and they come back and say well we're going to do better and then the DNR through this paperwork and bureaucracy just agrees that yes ok you'll do better that's great we'll take you at your word on that. And that just seems to me that's disingenuous and that people are really concerned with about what is actually going on and theoretical modeling and manufacturer's specifications and reporting by the polluter by itself is really calls into question how you make these decisions. So I really encourage you to answer those concerns to the people here and when you are issuing this permit. And then lastly, it seems with all these considerations and considerations about soil contamination and possible groundwater contamination all of the concerns about air, odors and health concerns, that it seems its obvious that some sort of more comprehensive assessment is needed, it looks like an environmental impact statement would do that because even though it requires a lot of work on DNR's staff it requires Kipp to actually provide a lot more information and there's a lot involved there that's really going to help ally a lot of concerns we have here. Some of us were talking about a good neighbor agreement earlier, trying to get Kipp involved with sharing information with the neighbors and saying that were doing good things to reduce pollution, we want to reduce pollution, as a business and through these regulations Kipp may not have to do that but that's what the neighbors really want and things change through time and people don't want to live with increasing pollution and if Kipp is willing to talk to people about that and work to reduce pollution the people will listen and until that happens and an environmental impact statement is about the only thing that's going to ally a lot of our concerns here and I think we really need that. And I really urge you to consider doing that and I know that you have determined that you don't need to but it seems like there are so many questions that are up here that you can within your jurisdiction, that within administrative rules, within the bureaucracy, within the way that you have to proceed you could choose to do it. And I'm really asking that you do that. Thanks.

Mark Miller: I'm not an environmental specialist, but I am the State Representative for this District. And last summer when I was asking the voters to support me, I knocked on every door of every household that had a voter around the Kipp area. And I asked what is your concern what is it that is of interest to you. And the most common response I got that I received in response to that question was well there's these odors that come from Madison Kipp or particulate matter that filters into my house, or there's noise associated with operations at times at night. And sometimes it's very and bad and sometimes its not so bad. But far and away that was the most common response. I went in there without knowing that this was an issue. But I know that's an issue now. And if I was Madison Kipp and wanted to be good neighbor, I would bend over backwards to demonstrate to the neighbors that I was doing every possible, exceeding the minimum requirements for air pollution, noise pollution, particulate matter.

And if I was the state agency responsible for being the vigilant protector of environmental quality, I would bend over backwards and make sure we did more than just meet the minimum requirements of the EPA. Because there's an issue here, we have an unusual situation where we have a large industrial plant, with a densely populated neighborhood. So I think this requires some extraordinary measures, now I appreciate the fact that you have this public hearing. But it doesn't, it's not very reassuring when the public hearing is held at a time that is inconvenient for a lot of folks, when there's only one opportunity and when the public hearing, at which a lot of information is being transmitted is also the deadline for comments. I'd like to ask is there any possibility that you would consider extending the period for public comment?

Marcia Penner: We can consider it, I guess I'm not the one to make that decision, so I can't give you an answer. But we can certainly consider it.

From the Floor: Who makes that decision?

Marcia Penner: I'm not sure who would make that final decision the Regional Director is here, the head of the Southern Region air program is here and his supervisor is here, so I think we try to work this and make joint decisions in our bureaucracy.

Mark Miller: You mean that decision could be made this week?

Marcia Penner: I can't promise you anything without talking to other people.

Mark Miller: Would you let me know this week? If you had a discussion and what the decision is.

Marcia Penner: Yes

Mark Miller: Thank you. Cause I really do think that with the amount of information, I learned a lot, but with the amount of information that's been provided there should an extra opportunity to additional comments.

Rachel Roang: Hi, I want to be brief because we've been here a really long time. And a lot of what I'm saying is probably a repeat of what other people have said. But, Ok, we moved into the neighborhood 19 years ago and didn't really notice any pollution until low and behold they put those stacks up that they did about 4 years ago and it was the same month that we signed a land contract on our house. So, that was kind of strange and then we started noticing you know eye irritation, sore throats, headaches, heart palpitations, sometimes nausea, sometimes confusion and when that pollution would come towards us. And we didn't really notice it before that, so one of my big concerns is, here we are talking about putting another smokestack up and my heavens, it was awful when they put this one up for us, so what's this next one going to do? When I first became aware of what was the cause of this problem, and went over to Kipp and talked to this Bud Haueser, PR guy, I had also sent along information about a pollution control device that was available from Texas that removes 95.5% of all particulate, it's something that they may cost a lot I don't know, but it is available. I know that there are other pollutions we're particularly concerned about chlorine, but I am aware of this particular device that is available and it is possible to use it. And it would be possible to install it at Kipp. My question is why can't we do a study on the pollution control device and even the cost of it compared to the cost of this new smokestack? What about that? So I will say for the record that I am completely against this new smokestack and I will leave it at that and thank you.

Robert Klevins B I've been in Madison for about 40 years, but I was born and raised in an Ohio River town. We lived in West Virginia, the Ohio River used to be so terribly polluted that almost nothing lived in it. But, the red necks, which a lot of you people around here always called me a red neck when I came here, we are doing better down there now than the State of Wisconsin is doing. We're sliding backwards up here now. I don't think it's any secret to anybody here that the DNR is highly politicized agency. And our governor has been an abomination in environmental issues and guess what the current executives and the previous executives of ownership of Kipp have contributed to the max to the governor. Big surprise, the palms have been greased on this and we stand very little chance, no offense to the people here, I've been watching very closely, you've paid attention, thank you for that. But

at the higher levels that's a corrupt agency. And we have to find some other way to do it then through the just offices of the DNR. And I happen to have a heart condition, and I live a little distance away I live about a mile away, a little more than a mile away but I'm sure with this higher smokestack, now I'll be getting more of that than what I used to. I wonder, because of my heart condition and other problems how many years I'm going to be giving of what remains of my life to Madison Kipp. And that S.O.B. that runs it is a devious individual. And I resent it. Fortunately, I'm a grandfather now of one and one on the way, my family that portion of it lives outside the area. Because I am so livid about this that I would consider direct action about do something about it. This is nothing short of poisoning us, nothing short of it. And I've got no ax to grind, I'm disabled so I'm not answering to any employer or any other agency and I'm going to try to keep it under control cause my blood pressure's up to about here right now. But that corporation, now these people that have come here are working people, I was a working man until I became disabled and I understand what they are going through. The company could on a long range basis apparently, invest in better scrubbing devices and such and make it safer for everybody including them. Unlike the implied threats that a couple of them articulated earlier that well, maybe our jobs will go to the Macadoria, you know like others have that can always be used but how many thousands of people are we going to let that outfit poison before we call a spade a spade. And I don't know who else to address, I do have one suggestion for the organizers of what has happened now, perhaps we should be in direct contact with the groups that have fought the Crandon mine. Get in spiritual contact with them if nothing else. This is a major situation here; it's life and death. Yes it happens usually gradually but not apparently for the miscarriages that happened. And I know that it's difficult to quantify them but they happen. And there's more, and I'll close by saying I would like to thank the Isthmus newspaper for the work that they have done in the past and I hope they have somebody here tonight. And I'm glad to see that the television is here, maybe something will be done about it, I fear that it's too late because I have no doubt whatsoever what kind of individuals are a head of that company down there. I'll close it at that, thank you.

Sheila Guiyfoile B First I would like to thank the DNR for changing for format of the public hearing so that people actually had an opportunity to talk to you and hear the words that they are saying. And I think that I agree with much of what was said before and that what was said earlier is that we all smell this every day. I live in this neighborhood I live 4 blocks from Kipp, I smell it every day. But I think one of the things that I hope that you will take away from this public hearing that despite the format that was not conducive and not welcoming and not encouraging of public comment, look at the number of people who came here today and that can't be dismissed out of hand. And that given all that you've heard today to go back and to say that this permit could go forward in the format that it is and the questions that are still unanswered and concerns the genuine concerns of the people who live in the neighborhood have I just can't see how any one can logically go out and say these permits can go forward in this format. And I'd also like to say that I haven't heard one person come up here and sit down and say we think this permit is a good idea. So, clearly there has to be more discussion, there has to be more dialogue. Both of the alders of these neighborhoods were here and spoke tonight, the state representative, clearly the DNR needs to go back, they need to regroup they need to get more information to people and really answer people's questions, the people who came here tonight deserve the answers to those questions.

Julie Barodin - I'll try to be brief, but I want to state that the EPA has indicated that there is no safe level of dioxin exposure. So whether Kipp is a minor or a major emitter, it's a moot point and this is of great concern to me as a woman. Because it's a major disrupter of the endocrine system and of course of people have commented about its role in breast cancer. As a woman, Mr. Roushar has indicated to me tonight that he is trying to console me that Kipp is using clean scrap, well, I would propose that that is a glaring oxymoron, Really because, environmental literature the idea of having clean scrap is hardly ever ventured because at any point in its use it can become contaminated and I would indicate to Mr. Roushar that that scrap is held within the facility and he himself has walked within Kipp even cited the facility for OSHA violations because of the presence of volatile organics that precipitate down on the workers onto everything within the plant. If you have even as he states, clean scrap in the plant going to ultimately be contaminated with these hydrocarbons. And that is a major factor in the formation of dioxin. I would suggest that it's disingenuous of Mr. Roushar to present the idea that they can have clean scrap. And also I would second the opinion of many people who have spoken here that an environmental impact statement will be probably be tinged with a degree of manipulation by forces outside of our community that we



cannot have any ultimate impact on. And I think that we should all call for an independent assessment of these emissions. And not rely on the DNR. And that's all I'd like to state. I'm very concerned that now the scrap is being depicted as clean scrap when I face the DNR two years ago and on tape there CEO, Mr. Caldwell, proclaimed that it was contaminated. In fact, DNR literature that I have poured over indicates that its contaminated. And also I would mention the employees who have made statements, countless statements about the fact that the floors are awash in hydraulic fluid, All you have to do is refer to the DNR literature it in itself is highly indicting. So I'll leave you with those thoughts. I hope you do reflect on the dangers of dioxin.

Tom Roushar: I don't know if you want another chance to comment, Julie, but I just wanted to clear one thing up. I have sent them, I have sent Madison Kipp several letters that talk about notice of noncompliance, I have sent them letters that describe violations at the facility. But those have all been off air pollution rules, and I have never sent them a letter talking about an OSHA, I don't have the authority to cite them for OSHA violations. I think people may be confused with how you're representing that.

Julie Barodin B well if that's true, that's a minor point, it has no impact on the fact that there is an abundance of volatile organic precipitive within the facility. There is no way that you can keep clean scrap clean.

E.A. Reset B I spoke earlier.

Angelo Castillo B thank you I can't speak to the chemicals or anything, I don't have that kind of background or educational training, I'll leave that to the people who are much smarter than I. But what I can say is that I have grave concerns about the proximity of Kipp to the school, Lowell Elementary School, the vibrant community center we have in our area, the child daycare centers, that we have. There are two, at least that I am aware of at Atwood Community Center and St. Bernard's. Not to mention the adult day care center operated by St. Mary's and St. Bernard's. church as well. All within a 2 block area. Without saying anything about the homes and the people who are really at risk the very young children and the elderly. And after hearing about a lot of things that are going on with people, it puts things into perspective. It does explain the scratchy throats and the burning eyes in the morning, and I get real angry now when I hear about the dioxin. It seems like we've become subject to thresholds DNR and Kipp is telling us they are below the thresholds so its ok. It's ok to poison me. I have a son, it's ok to poison him. Well I ask the chairman of Kipp is it ok to poison his grandchildren? How much will he give them? How much is ok? Thank you.

Matthew Deris B Hi I'm Matt, I live within 4 blocks of Madison Kipp Corporation. Me and my wife live there we've been since the beginning of August. It's at the corner of Ohio and Center Street. Anyway, since the day we moved in we could start smelling the Madison Kipp Corporation and its continues almost every day that I leave my home I smell it. And then I bike past it every weekend to go to work, and then I'll smell it then too. So, it affects my life and immediately me and my wife are looking into buying a new home, it would be our first home to buy together, or at all, and one of the first things that we think of when buying a house is if it's in the realm of Madison Kipp. Are we going to smelling these fumes in that neighborhood? And so, that's a first thing I think of and so that's a serious deterrent to moving into the area. And it seems to say something about the value of those homes that are within those areas. And it makes me question what would happen to property values in that area once the smokestacks, new smokestacks are put in place within increased chlorine use, so that's just a concern to bring up and have people think about. For a home buyer like me that's a great thing to have the property values do down, I'll get a cheaper rate but what am I going to be moving into, potential health hazardous down the road, so it's not really a great idea in the long run. And I guess I just want to say for the record, I encourage the DNR to enact an environmental impact statement and to reject the permits that Madison Kipp Corporation is calling for. And take a precautionary approach to take care of the individuals who are in the immediate area instead of just a pure cost analysis approach. It may pay off in the short term to take such cost analysis approach and avoid certain tests, but it could help us to put an invest in tests so that we could avoid any problems in the future. And I guess I call on Madison Kipp Corporation to work with the community as well. Take whatever steps are needed to ease the concerns of the community members and if that means going behind the minimum standards set by the DNR and the EPA. That's it.

Andy Olson B thank you very much. I'm a little raspy its because I've picked up some kind of bug when I was out doing doors the other day. I running for County Board for this district which is the 15<sup>th</sup> District, same as Kent Palmer's ward that he has for City Council. So I have been out talking to a number of people in the community. And as it turns out this past weekend I was talking in the neighborhood just north of Madison Kipp and I wanted to talk to people about clean lakes, ways that we can move forward in cleaning up Dane County's environment instead of going backwards. We've made a lot of progress cleaning up our lakes. And the reason that we done that is because a lot of people have gotten involved. A lot of people have lived up to their responsibilities and reduced the pollution that's going in there. There's lot of progress yet to make, but we're making progress there. But I didn't get a chance to mention the lakes once because everybody was concerned about the Madison Kipp plant. And it's a very, I suppose you've heard enough today to make that point, if people believe it now but it's a real concern for people, for their health and I would also add for their property values. Not to get to financial but folks, but as I understand the DNR and no doubt Madison Kipp will be looking at how they are going to handle this waste product that they're generating and their going to making some financial decisions, and it's cheapest for them to just build a stack instead of looking at exceeding the minimum standards and its some process is instead recovered and you may have a salable product there. But you know, really challenge Madison Kipp to just withdraw this application and go back to the drawing board and redeem your image in the face of the community. By coming back with a superior plan and from a business sense I think you will find that over the long term I think you will find that it makes a lot of sense. There's a lot of companies across this country that have learned about how to improve their processes internal to the plant. You've heard some people talking about the conditions, some of the grime, some of the hydraulic fluids spilled on the floors of the plant, and you say well that's an OSHA matter. But it may not be just an OSHA matter it may be indicative of the systems and processes within a plant that leads to more pollution. Because pollution is waste and if you cut waste, it's good for your bottom line; it's good for our environment that we have to share with you. I live out behind Olbrich gardens here on the other side of Starkweather creek and when I hear that they are putting tall stacks in I'm not necessarily reassured by that. That's my neighborhood and I would like to know if the DNR is doing any work on this or an environmental impact study where that plume is going to be going. The people that are going to be affected by these plumes should have an opportunity to be included now but they have not been informed that well about this plant. So there is the whole question about the downwind impacts and who are the new communities affected by these downwind impacts. Again, in this district, I have gone out and talked to the people every weekend, at the doors and that's the highest voting district so I've got to pay attention to them. That's the 5<sup>th</sup> ward you're dumping on eventually. Also, some people have called for an independent review of the processes and would second that. We need an environmental audit by an independent consultant firm, not a firm that's done previous business with Madison Kipp. If Madison Kipp brings in their environmental consultant that should not be considered an independent audit by anybody, by any means. So I'm just looking at my notes to be sure I've caught everything. I just want to really get across to the DNR and I know that you're hands are tied, you work for an agency that has been brought under the control of Tommy Thompson and I don't think there's any doubts as to what that means that there is a lot of things that can be controlled in the interest of the contributors. But there's a lot you can do in terms of the information you provide to the public. So when you look at this project, please let us know what are the next levels, there's a lot of different technologies that citizens have looked at. A lot of us aren't environmental scientists or specialists, but you folks can look at that and tell us, here is the next step to Madison Kipp could go to. And it will probably be better for Madison Kipp, probably for their employees who have to work in the plant, I feel for them. and also for the neighbors in the community. When you do your financial analysis please factor in their the costs that Madison Kipp is imposing on that neighborhood. We just heard from the gentleman who wants to buy a home, well if people are losing the resale value of their homes that cost should be included in the bottom line calculations it's not an extra nality. It's something that is being paid by people in our community. And maybe Madison Kipp should consider paying people. You know, I'm running for public office and its important to realize they employ a lot of people, and that's an important thing but I think that we can get beyond this head butting that we are seeing tonight and we can look for some better ways to deal with these wastes. So we can just put this behind us, Madison Kipp can redeem itself in the eyes of the community. And then also, the issue of the groundwater that Ann Fleischli mentioned earlier here, I understand that it took a lot of work to pry the information loose from the DNR and I would ask the DNR to be forthcoming with the information we have what looks to me, I have some training on environmental

science I have a Masters of Science from environmental studies from the UW, for the record, it looks to me like downstream there is a pumping station for the drinking supply for Madison. If you just look at the flow, the possible flows of groundwater, now there's a stream in there, but they're both on this side of the stream. So now I become concerned because that's the drinking supply for my district, and me and people I love. So that's important, and it looks like I've covered all of my notes, I would just ask that the DNR set a higher bar and to not look, not just focus your eyes on the bare minimum standards and the same for Madison Kipp, please. Let's look to exceed the standards, let's look to do a better job so that we can all get behind this, you can have a cleaner plant, and you will find a lot of companies have found that they are more profitable after they go through this process and maybe we go beyond the dump and denial kind of paradigm that seems be controlling this thinking of Madison Kipp, and instead let's go towards a more proactive cooperative system so that we can all move ahead. Thank you.

Brian Castillo B Hello, I'm Brian Castillo, I just want to tell you guys I've been living in the neighborhood about a block and a half away from Kipp for the past 14 years. And it's been pretty good and I've been to O'Keefe Middle School and now I'm at East. A few times walking home from O'Keefe during the warmer parts of the year you'd notice that the windows were open and that, so what's not to say that pollution isn't coming out of there either. But what I understood about this meeting was that it was about the smokestacks. And one simple thing I can explain about the smokestacks, is if I take this piece of paper and crumple it up and we have our smokestacks right now, and I drop this, this is your amount of pollution and its all condensed in one area. Now once you have a higher smokestack, you're taking the pollution and spreading it out and setting it down. This is over a wider surface of an area. So by putting the higher smokestack what I'm led to believe that is that the pollution is going to be over a larger area. And if it causing illnesses and that, it's going to cause problems over a larger array of a place. And what's not to say that if you put it up higher it's not going to catch the jet stream and maybe some people down in Fugi might have some problem with chlorine or the other chemicals that you're talking about. Also, some of the chemicals, I've noticed formaldehyde, benzene and some of those chemicals are in cigarettes which we all know what happens after using cigarettes for a long time. It causes problems over the long term. I'm not to say that some of my colds have been caused by Kipp. I don't want to point a finger and say that's their fault, things happen, but I just think that people in the community need to start looking at what's happening and just realize by putting something higher it doesn't necessarily mean we're going to just get the problems around our general area to go away. Thanks.

Bill Stern - First I'd like to thank you for having this hearing, but I also want to express a little bit of disappointment at not being told I had to sign up for it as I came into to speak at this. Because I would really have to say is very much to the Kipp employees as anything. I just moved here four months ago from Montana and one of the first things I did notice coming home on some evenings was the smell, I didn't know what it was, but it was pretty obnoxious and it did smell like metal and it made me not want to be outside my home do things around the house in the evening. I gradually put it all together and here I am at this meeting and it feels like I've walked four years into the past. I moved here from Montana, and I spent much of the time fighting a paper mill and fighting chlorine issue and getting involved very directly in a lawsuit on that mill. That started very much like this, the company asked to increase the amount of pollution that it was putting out and the citizens reacted. And the citizens aren't going to go away, the citizens are there to make a long story short, I got thousands of petitions and signatures and the local state departments didn't really respond, the EPA was slow to respond the corporation ignored them, it was brought to the court and to the citizens here, I'll tell you that might be where this will end up if the corporation and the state agency doesn't listen. We didn't want to close the facility down, that was never the demand, the demands were to get rid of the pollution there. And one of those demands was to demand a 5-year pollution prevention plan or an extended pollution prevention plan. We went through a long series of negotiations the case was settled over a year ago. And as part of that settlement they have instituted the plan, very grudgingly. Most of the workers hated us. Gradually, they signed onto that plan; they've signed on to reduce pollution. And I privy to some of the results of that, even though they're not completely public documents, and they are saving money. You know, they are investing little bits here and there, they're cutting back, they're looking at reducing the amount of pollution, the amount of chemicals that are used and that's very sanely reducing the pollutants. There's also a worldwide movement to get rid of chlorine and if you guys haven't seen it, it's time to wake up. Europe is doing it. The paper facilities have the capability to do it, they aren't all doing it yet, many of them are, many of them are

gradually reducing it. If you have the opportunity to invest now in some equipment that's not going to use chlorine, think about it. It's going to make sense. Maybe you will get through this cycle of regulations, and be able to use that equipment, but you know the laws are changing. The dioxin reassessment that some of you are familiar with is not out in full form yet. But its waiting in the wings and it's going to have every industry, and the EPA is requiring every industry that uses chlorine to re-evaluate and reassess and in most cases. Virtually every case of industry using chlorine, they're finding alternatives, finding sensible alternatives, and cost effective alternatives. The only area that they can't is the 1% of chlorine use that's in pharmaceuticals because it's the nature of certain types of things that they have to produce. It's part of our body, it comes from salt, but I wish I was able to speak earlier, I wish there was a whole room of Kipp employees here. I really wish I could have spoken to you. Think now, think about the investment you are making, if you want to invest, if you want your jobs, you want things to last, you want to make money go ahead, but think about the people around you and make some sensible decisions that will really last into the future and start thinking about opening your doors to new technologies that are out there, some new ways of thinking, think about long term costs, think about costs to the community, think about your potential legal costs and legal fees. And you'll start seeing that some of these simple investments to put, maybe a stack will make sense, but if it doesn't have electrostatic precipitators to take out the particulates, the community is not going to be happy. Make some real investments and the community will be happy with you. If not, I'll tell you, you're in for a long struggle. Thank you.

Marcia Penner: Pamela Hill B is there a Pamela Hill? Jeffery Leveritch? OK those are the ends of the slips that people indicated that they wanted to make statement. Would anybody else like to make a statement tonight? Ok, I see no hands, so we are going to adjourn the hearing, we thank you very much for coming and Goodnight.

#### Hearing Appearance Slips with Written Comments

Maureen Brady B Kipp is in the middle of a residential neighborhood, which changes everything. What's more important than the health and welfare of our citizenry? Kipp's proposal threatens that. Don't poison your neighbors!

Jeffrey Levetich B Called city to note strong smell already B health concerns children and schools.

Andy Olson B What communities will be affected further downwind? What (cheaper?) waste reduction or recovery techniques are available?

Jennifer Nehls B We need an environmental impact statement. I want to see forthright addressing of the environmental issue B way above and beyond current emissions standards, which is a joke.

Angelo Castille B I oppose any expanded use of chlorine or other chemicals. Kipp, every summer my family suffers eye irritations whenever windows are left open. My son frequently experiences cold like symptoms. [\[Rest is Unreadable\]](#)

Matthew Dreis B I wish the DNR to reject the permits to Kipp Corp. I request an EIS to assess emissions into the air, soil, and groundwater. Is dioxin emitted? Why risk the health of Madison residents and children in the nearby school yard? Please take a precautionary approach and not a cost-analysis approach.

Ann Fleischli B The format and talking to a tape record in front of a lawyer is not a public hearing and violates the provisions regulate that public hearing.

Sheila Guilfoyle - The process was designed to discourage meaningful participation.

Anne Chacon B I oppose the granting of both the comprehensive construction permit and the facility permanent operating permit. I strongly believe an environmental assessment is needed and find the permit vague.

Bonnie Buchanan B EIS needed.

Paul Maxon B We need an EIS! Test for dioxin!

Cynthia Wedsworter B As a chemist, I know that chlorine is deadly. I do not think it should even be allowed to be used in a city neighborhood. Odors are prevalent and obnoxious. They should not be able to release more particulates.

Eric A. Roang B The air pollution emanating from Madison Kipp is not acceptable. If they meet pollution standards, than the standards must be more stringent.

John Philips B concerned about heavy metal dispersion, dioxin production.

Christopher Balistreri B They should be testing Agas@ emissions, not just particulate. Organic chlorines persist and will continue to kill life. We should be doing the opposite and getting Atighter@ restrictions.

Kenneth Calhoun B I feel like I have been courted and used by Kipp Corp. over the past few years to support unhealthy [?]

John Wagnitz B Kipp stinks! I want to go outside.

Kevin Ducy B Great if we could get Kipp's noise level down especially after 10:00 p.m.

Lynne Weborg B We should do all we can to reduce poisonous emissions to our air, groundwater, and ears B not increase it!

Robert Newsom B Would prefer Kipp moved. Noise, smell and danger of chemical accidents is not good for ? or RE value.

Ken Crocker B I am in favor of the strongest controls on air quality. I have noticed daily odors of chlorine in the air at my house. In opposition to any expansions without an Environmental Impact Statement.

Madelyn Scheer B I do not support expansion on any terms.

Jean Marie Salem B I live by Madison Kipp Corp and I can smell the hazards in the air. I want cleaner air. No chlorine.

Marti B I don't want Kipp corporation polluting and smelling up the air in our neighborhood. Stop the chlorine and stop smelling up our air!

Michelle Chalice B Just a neighbor wanting to make sure I understand the potential impacts of tripling chlorine processes.

Justin Heimsch B Seems to me that media is blowing the facts out of the realm EPA & DNR standards. Madison Kipp meets all EPA and DNR standards. Case closed.

John Uselman B I lived in the Kipp neighborhood for 20\_ years B 13 years at 189 Dixon Street. I do not believe I ever smelled any odors B nor have I ever heard any complaints from my neighbors B I sill own an apartment house at 189 Dixon and never hear anyone complain.

David Zaber B This expansion needs an EIS or EA at a minimum. [Also on tape]

Merle Miller B During campaigning in the Sheck-Atwood neighborhood, complaints about Kipp odor, pollution and noise was the most concern.

Paul Jost B Air quality is bad enough now don't want it to get worse. Maximum protection for Environment.

David Leucinger B Concerned w/ lack of timely information.

Judy Olson B Wish to encourage installation of active emissions controls within the proposed stack.

David Wood B Timing of the hearing is very poor. Impact on the community is very great. This company should be held to higher standards.

Tom Pankratz B I support Kipp increase production with existing DNR/EPA review.

Leighcaro Leverich B We as a family have experienced headaches, burning, irritated eyes, compromised breathing. I as a mother, have had to tell my children that they cannot play outside.

Charlie Blood B I have been employed by MKC for 7 years. I have no ill effects by any substance that may or may not have been released by MKC.

Katherine Wenban B No factory or business in Madison has so much trouble with their neighbors. I don't trust Kipp. If they want to dump more chlorine etc., residue into the air B put in scrubbers in that new smokestack. The last thing we need is an increase in pollution!

Soo Yacker B I've often been bothered by an odor of chemical nature (smells like melting crayons) which I assume comes from Kipp. I'd love for that odor to be gone. But I'm really concerned about is the use of chlorine in Kipp's production. Chlorine breaks down into dioxin which is one of the most toxic substances on the plant. Kipp should be pressured to investigate some other means to their ends.

Thomas Paine B I strongly feel that there should be an environmental impact statement done before any permit is granted.

Nancy Johnson B I am concerned about air pollution in the neighborhood of the Kipp Corp. The proposed new chimneys will increase pollution in the area. We must be concerned.

Tina Murray B Already Kipp extends into my neighborhood with sound pollution 24 hours a day. Sometimes the smell is nasty from whatever is happening over there. Now we are talking about more noise and pollution. It's not right that our living environment is impinged upon to such high degrees. Also, an environmental point of view the marshy area behind Kipp is an important ecosystem. More wildlife will become victims of the air quality decreases - over the years we've watched it do this will accelerate.

Monica Host B As much as I am in support of this business being part of my neighborhood, I am against the increase of capacity and its attending increase of chlorine and risk of dioxin.

Carl Aniel B Madison Kipp should be lowering their emissions B not raising them B organochlorides are harmful regardless of how they are released.

Anita VanAmber B Please, no more bad odors.

Karen Rahmeier B I oppose Kipp emitting more chlorine.

Kirsten Johnson B I am outraged that a local industry would purposefully increase it's toxic emissions, knowingly causing health risks to the many residential communities in its vicinity.

Constance Lent B I've made a recorded statement, I'm very concerned about air quality of this area and would like continued investigation into the sources of odor and continued problem solving regarding these issues.

Jonathon Cooper B I strongly urge the DNR to require an Environmental Impact Statement before permitting Kipp to increase its chlorine emissions.

Rebecca Krantz B Please do an environmental impact assessment/statement.

Mil. Herman B I oppose all permits at this time. I think more public knowledge about levels of pollution from Kipp would be good. There is an interrelation among other ? too, like there's a farmer who lets his cows too near Starkweather Creek. The creek look peculiar this fall.

Tom Benish B I oppose any permit as requested by Madison Kipp because of a release of chlorine and other chemicals. There should be an environmental impact statement first.

John Koch B I have serious reservations about the timing and format of this hearing.

Jane Eiseley B Why should be we denied the protection on an EIS? I do not believe that the allowable levels of pollutants are safe or acceptable. Kipp has profited in Madison for several generations. It is shameful that it is a poor neighbor, and even more shameful that the Governor and the DNR will not bring Kipp to accord.

Phyllis Nobel B As a resident of the neighborhood immediately surrounding Kipp, I request an Environmental Impact Statement regarding proposed expansion of emissions. I am particularly concerned about effects on our children.

Laurel Sturges B Permanent approval should not be granted unless technology to clean air installed! The decision to increase particulate level and chlorine emissions, without taking the necessary precautions to clean the air we breathe is unconscionable. Available, affordable technology (i.e., scrubbers for stacks and other technology). The increase in childhood asthma and other upper respiratory is directly linked to air quality!

Bryan Holinka B There must be an environmental impact statement!! If it is safe then let us know.

Paul O'Leary B This level of industry and of this type is totally inappropriate to a residential area.

David Highdale B I oppose granting any permits until present concerns are addressed and eliminated. I.e., odors, toxic emissions, etc.

Teresa Nyholt B For the local and state government to favor corporate profit over public health is to me, criminal. We know the effects of dioxin and also know that Kipp Corp. donates large sums to Tommy Thompson, as well his power over the D????

David Eagan B I oppose the stench from Kipp now and oppose plans to triple the chlorine releases. This is totally inappropriate. I have two small children and want as clean a neighborhood environment as possible.

Mary Grady B MKC has repeatedly downplayed concerns and has not been willing to listen to neighborhood concerns. Since I live so close to MKC, I would like additional information on their proposal and possible impact.

Lee Grady B Opposed to expansion for the following reasons: 1) health hazards associated with increased emissions (and continued emissions) 2) sight of large smokestack would detract from beauty of neighborhood.

Charles Luthin B I live in the neighborhood and am abhorred by current emissions. The present situation needs to be cleaned up before more toxic emissions should be permitted. This is an unacceptable proposal.

Mary Conroy B I don't see what Kipp has to fear, or what the DNR has to fear, from an environmental impact statement.

Kathy Dibenzo B I want an environmental assessment done and made public.

Judy Walker-Horne B I am against permitting increase of pollutants from higher stacks. I have no expertise but I do have a son who was born with multiple congenital anomalies of unknown cause. We have looked for a cause B though genetic testing etc no cause has been found. We have lived on Corry Street for 22 years. My son is 17 now. His problems involve his nervous system. I spent a great deal of time outdoors during the first trimester of this pregnancy. Depending on the wind direction, we do often smell something like burning plastic. I believe in my heart Ben's horrendous harm has been caused by the pollutants from Kipp and I believe that someday there will be a test to prove that.

Joseph Brewer B I hope something can be done to improve the quality of present conditions in and around the plant. As a security guard at Kipp, I patrolled every square foot of the property. The air in the Atwood building has always seemed pretty noxious to me. While I did not notice any immediate effect of my own health I did wonder about the turnover of employees. A core of employees seemed to me to be the usual in this situation, loyal, disciplined, and overworked. I guess I found the atmosphere offensive to be in and the floors hard to walk on. I had on occasion experienced some of the odor around the plant and it smelled pretty bad. I know Kipp has tried to do a good job but it can't make an operation like this perfect, i.e., no impact. Having worked many years in industry I know the potential for hazardous accidents. It takes discipline and safety to make industry safe. I am concerned about the extreme closeness of the neighborhood and school. I am concerned about the impact of the present amount of pollution, the inevitable as well as the possible consequences. I know this is a very dirty job this has definite effects. When they increase the production, they will increase these risks and the pollution as well as the bad effects on the workers. I was concerned about patrolling the plant when production was going on. The air was a bit stifling even though I had no immediate health problems. I hope the increased production is not allowed unless definite proof can be shown that it won't be more harmful.

Susan McNamara B Please do not permit variances to the Kipp Corporation to expand emissions of chlorine or to build a 100 ft stack. I am a reference librarian at Pinney Branch Library and live within 6 blocks of Kipp. I travel back and forth from work on the bike path and this passes through Kipp property. I often smell a Amalodor@ very frequently. I find this to be an annoyance and deteriorates the quality of my neighborhood. This same Amalodor@ also is often prevalent in my own backyard which comes into my home. It stinks!

Brian Castillo B My concern is for the proposed smokestack from Kipp. Like many others have pointed out there is quite a concern with pollution. By putting a 100 ft stack on Kipp and pushing emissions higher that means they will come down on a much larger areas thus, possibly contaminating a larger areas in a widespread array. Also many other chemicals will be coming out of this stack, possible ozone depleting ones. At that, who's not to say that these chemicals are not going to catch the jet stream and increase any problem that may be posed I think that much information is yet to be provided before myself or any one else is in favor of a measure such as this.

E.A. Racette B I live in the area close to Kipp. It stinks and is toxic. I do not want chlorine and hydrogen chloride and plastics put into the air. These poisons should not be dispersed over a small area B or over a large area. Kipp is poisoning our neighborhood and must stop.

Michael Farin - This facility and process are totally out of place in this neighborhood. There are larger sources of Cl<sub>2</sub> and HCl in this state. There are large paper mills located in economically depressed areas. This area has nearly full employment and little need of the jobs being offered by the Kipp facility. Application of the same air quality criteria in a heavily urbanized areas would be a big political mistake. As a chemical engineer, I do not understand why such highly reactive chemicals are being released into my neighborhood with no attempt to



neutralize them. I have also seen no comprehensive analysis of the chemical being emitted especially organochlorines produced when the chlorine reacts with casting lubricants. The DNR analysis consists of Aodor surveys@, a 19<sup>th</sup> century approach to a late 20<sup>th</sup> century toxic process. The proposed design will only serve to disperse the chemicals more widely and make it impossible to obtain statistically significant results.

Dan Marz - I am opposed to Kipp expand and existing within this densely populated neighborhood. My wife miscarried last July and I've also heard of others nearby who have miscarried. This area is no place for this type of business, a smoke stack will only spread the problem. A larger area should be surveyed. What is the value for Kipp to be located where it is currently? Why can't they expand by relocating? Where do most of Kipp employees reside? Maybe an interstate lot would be closer for employees and far from densely populated areas.

Don Kliese - What do Madison Kipp and the state have to fear from an independent, 3<sup>rd</sup> party environmental impact statement? If, as they claim, there is nothing to be concerned about the statement will bear them out. It would also highlight the good corporate citizenship of Kipp and the responsiveness of the state. In that light I challenge them to support said statement. I am also sure many concerned people and groups would gladly aid in defraying any burdensome costs involved in conducting such a survey. I would be happy to contribute money to this. After all, it is all about the money, right?

Lauren Marz B I think the people living in the area surrounding Kipp should be entitled to a comprehensive environmental impact study done by the DNR. We have a right to know exactly what it is we are breathing. It is not just the fact that the emissions smell bad (which is disturbing enough when you are trying to enjoy the outdoors and go for a walk in your own neighborhood) but I'd like to know what it is doing to my health and my family's health. I think it is outrageous that Kipp wants to expand and increase emissions in our neighborhood. Kipp should not even be operating in our neighborhood. The odor and the danger we are exposed to is unacceptable. And, in the least important sense, they are decreasing my property values. (Had I known more about Kipp before purchasing my house 32 years ago, I would not have chosen to live in this neighborhood.) I am 7 months pregnant and am scared to death that Kipp may have already harmed my unborn child. UNACCEPTABLE! I pay high taxes to live in Madison and should not have to be exposed to Kipp's poisons.

Tim Wong B Oppose the belief that having the smokestack higher somehow makes the pollution more palatable. When I mentioned to my 13-year old why I was going to the hearing, I told him that Kipp was trying to increase their pollution by building a taller smokestack, he said ADad, that's not going to do any good. It will just spread the pollution further. Why don't they put in a filter?@ I told him I agreed with him, and that's why I was coming. If a 13-year old understands this, why doesn't the DNR?

Michael Wyatt B I oppose DNR granting a permit to allow Madison Kipp to expand operations, or increase emissions, particularly of chlorine compounds and particulates. In any event, a full EIS should be done by DNR before granting any permit. I am greatly concerned that soil and groundwater contamination issues are not addressed by the DNR permit, despite evidence of serious problems possible. I am concerned with the lax attitude DNR has shown in the past toward Kipp and noncompliance with regard to pollution limits. I am concerned with the plans to increase chlorine and particulate air emissions, and oppose this. Higher stacks are not an acceptable or adequate solution to this. That would just spread the emissions and dangers more broadly to other neighborhoods. Kipp should be required to use state-of-the-art best remediation technologies to reduce pollution, or else relocate away from residential neighborhoods. I am concerned that the plastic operation is not addressed in the permit.

Sharon Radbil Cooper B Any risk on increased pollution must be regulated. I cannot fathom any reason to allow possible new pollution to be unchecked. If expansion means pollution, than the pollution issue must be the first priority. Our children breathe the air and drink the water in this neighborhood.

Michele LaVigne B I live behind Lowell School. Depending on the wind, the air can get pretty nasty. The smell is unmistakably chlorine. I think it is time for Kipp to start working with the community instead of against us. I would be in favor of TIF or some other form of public financing to help clean up emissions. But Kipp's Awe were here

first@ attitude discourages any interest in compromise whatsoever. Kipp is people, we are people. Let's try problem solving rather than drawing a line in the sand. For starter's let's do a serious air quality analysis and then let's talk.

Lance Quyle B The agencies responsible for environmental quality should not be allowing companies to increase the release of harmful pollutants into the environment. If anything, companies should be required to reduce pollutants through any appropriate measures. But the age is long past when we can allow the increase release of pollutants into the environment.

Ann Arant B I'm here because I'm concerned about the chemicals used and the emissions and smells from Kipp that pervade my neighborhood. I'm perplexed by the DNR findings that their study didn't warrant any action and they're going to allow them to expand their ability to send more pollutants and odors into the area. I live between the two sites and am affected by their sounds and smells day and night. I don't mind the factory and I don't mind the noises B I do mind the sinus problems I've had since moving here. I do mind having to run through my house and shut ever window to the intense, overwhelming ammonia-like cloud that wafts through and makes me unable to breathe (this happens 3-4 times a year). I oppose allowing Kipp to use more toxins and emit more pollutants B I think they should actually be asked to lessen their emissions.

Barry Carlsen B Over the last few years I am noticing more offensive odors on a regular basis. Metallic-oil solvent smells with frequent Abitter@ chlorine like acrid smells. I'm home and at work in my studio 3-4 days a week during the day and every night. When winds prevail, 5 out of 7 days I smell Kipp. I find myself coughing, wheezing and feeling anxious quite a lot more in the last year, and I'm concerned for mine and my family's health. I don't want conditions to degrade, any change should improve conditions in the neighborhood. Not increase or spread pollution further.

Joan Frost B When will the welfare of community members be considered as strongly as business interests. This is a common theme throughout the United States. One would hope that the WI DNR would not allow increased health risk in our community B are they not charged with protection of our natural resources B once our air is damaged all Wisconsinites suffer. The price is too high for the protection of a private enterprises' bottom line.

Aleta Klicko B I oppose the permit to give Madison Kipp the go ahead to increase chlorine usage and the air particulates without an Environmental Impact study by the DNR. I am concerned extremely by the impact of increase pollution to the air quality in the community and contamination to groundwater. I feel there possible is an existing concern with the 35 #/hr use and the need to monitor this activity.

Helena White B I strongly oppose the permit for Madison Kipp. I don't want more chlorine in my air, soil, or water. I don't want more dioxins in my environment. Kipp should not be trusted to do its own testing. The DNR should be doing more to protect our environment rather than making life easier for industry. We need an environmental impact statement by DNR and Kipp. We need filters on the smokestacks. We need better exploration of current water and soil contamination.

Michael Bridgemon B I am very skeptical that increased use of potentially dangerous chemicals is advised at this time. One, I am not confident of Kipp's commitment to neighborhood safety. Their record is not particularly good. Two, increase activity, output and risk are not compatible with this mixed neighborhood of small houses, businesses, a school, and a large park (Olbrich). Three, neighbors do not have enough assurance of long-term compliance and attention by Kipp. I am also disappointed in the timing of this meeting 4 days before Christmas. It is a significant burden on residents at this time of year.

Elizabeth Matson B I am frustrated by the fact that this hearing is the last chance to make a statement and there's so little information distributed. Anything that affects the health of so many should not come down to commerce. When we know something is toxic we simply cannot be too careful. I wish I had more information. I certainly need

it to be able to find any kind of support for adding more toxins to the environment. Announcement ahead of time of the precise time of the formal hearing would have been much appreciated.

Kimberlee Wright B I am in complete opposition to any expansion of Kipp's operation which adds any amount of emissions beyond current levels. They need to lessen the current emissions which have caused significant health problems for myself and my son. I demand Kipp clean up their operation! I'm extremely concerned about the underground storage tanks on Kipp's property. They are old, have been used for toxics and are impacting our surface and groundwater. I demand complete information about air emissions and about the past and current content and state of repair of the underground storage tanks. Deny this permit request.

Katherine Schramm B It's very sad that Kipp and the DNR feels comfortable in making so many neighbors ill. There must be an environmental impact study done on Kipp by the DNR to determine what the outcome of the stacks will be. I have experienced burning eyes and throat as I bike around my house and on the bike path. Why should Kipp have the right to determine the demise of the entire neighborhood? Is Kipp saving money in the ? really worth all the people they are potentially killing with their contaminants. This isn't an industrial park B people's lives and health are at stake! Be a good neighbor Kipp B put in the scrubbers!

Andy Swartz & Kristin Long B We live outside of the zone where surveys on odors were distributed. However, on days when the wind is northeasterly we experience offensive and uncomfortable odors. We strongly oppose the existing odors which occur several times per summer! We cannot imagine having stronger or more frequent odors originating from Madison Kipp Corporation's operations. We believe it is a travesty to subject one of the otherwise most desirable areas of the city to additional degradation of air quality. My wife, children and our neighbors pay one of the highest city/county property tax rates we've heard of and do not deserve to be shut indoors, unable to enjoy our yard or neighborhood due to the pungent and toxic odors being forced upon us.

J. Kruse B My neighborhood stinks. Sometimes it smells like burnt plastic, other times like burnt corn, and lots of times it has the same retched smell that the Oscar Mayer neighborhood has. We live across the street from the little park off of Wirth Court. One day this summer I looked out my window and saw an odd bluish haze hanging in the park, it covered almost the entire park and was about 20 feet to 30 feet high. I walked over to investigate and when I finally got next to it, could smell the familiar burnt plastic smell I had grown to know. The haze seemed to go right up to the back door of Kipp. My neighborhood stinks all different times of the day, all days of the week. It prevents me from going outside and doing normal things.

Suzanne Stute B I complete oppose the permit for Kipp to double it's chlorine emissions into my neighborhood. I do not believe that the Kipp has been responsible with their current operation and I do not believe they will be responsible with expanded use. They have not responded responsibility to citizens complaints and they have no plans to put environmental safe guards into their expansion. This neighborhood is no longer light industrial. It is full of families and there is a school within 100 yards. I live across from the Kipp B frequently I smell acrid odors that burn my nose and eyes. I do not believe this is harmless. I love my neighborhood, I don't want to leave because I am afraid of what it will do to my health.

Zachary Kmiel B The people deserve to know about all conditions going on in their neighborhood. Financial issues should not come before the health of the people. The new smokestacks would obviously increase the expulsion of harmful chemicals. Not only is this neighborhood a densely populated area, but the buildings and stacks are less than a mile away from Lowell Public Elementary School. Approximately 500 children in their pre-teens and early teens attend school there and a large part of their day is spent in the playground or another outside area in close proximity to the deadly fumes which already cause major problems in our community. More smoke stacks? I don't think so.

Jennifer Ruef B Where to begin? I feel so cynical about the DNR and Kipp's response to pollution in my community. The bottom line is this: It is harmful to breathe chlorine. I may leave my home as a result. It is wrong to hold the meeting in this fashion. It is divisive and exclusionary. It gives the appearance of something to hide. I am so angry my body is shaking.

David Hestad B I request that the permit be delayed until all emissions are identified, and if unacceptable toxins or levels are detected, the permit should be denied until such time as processes are changed or technologies employed to reduce or eliminate emissions. Special consideration should be given this permit due to the proximity to housing, a park frequented by young children, and Lowell elementary School. Standards devised for an unmixed land use are not strong enough for a dense neighborhood situation. I believe an environmental impact statement is also needed. Also consideration should be given to fugitive emissions coming out the windows and doors. I personally have experienced fumes so strong in my backyard that I had to leave the area. In addition, questions should be asked about the impact of noise if the plant increases production. It is already very noisy, and I believe violates any common sense nuisance standards.

Lance Green B I've been a home owner for 16 years about one block downwind from the Kipp plant. We've smelled obnoxious odors from the plant very regularly, and are very concerned about whatever chemicals are being released. This procedure should be closely analyzed, with a full EIS done, along with regular, thorough monitoring of all emissions B funded by Kipp, now. I strongly oppose the DNR granting any permit for increased operations, and seriously consider the conditions and permits Kipp now operates under.

Gary Mitchell B Very concerned about the timing of the public hearing. Against tall smokestacks in the neighborhood. Against using chlorine in industrial processes both because of neighborhood residents and workers at plant.

Richard Braddock B Kipp Corp is the source of pollutants today without permitting to increase. Kipp is also the source of increasing noise pollution and I have the following comments that I would like to be addressed: 1) The meeting time (during the week before Christmas) and the lack of advance notice are entirely inappropriate must be addressed by DNR with a follow-up public hearing. 2) A comment period must follow such a public hearing. I am today getting a picture of the impact of the permit but have no ability to assess its impact and make comments. 3) Chlorine is a poison that should and is being reduced in its use in industrial processes (such as papermaking). A permit to increase its use in the center of urban area is completely reckless. It plays with the health of neighbors of the city and our lakes. Chlorine's effects are well known. 4) I object to issuing this permit until Kipp's overall pollution is assessed. I object to using issuing this permit without a proper public hearing and comment period.

Patricia Arandorfer B While noxious odors are unpleasant, short-term and especially long-term health effects must be considered when determining how Madison Kipp is allowed to operate. Quality of life B people's lives B cannot take a back seat to the almighty dollar when it comes to this issue. Let's be pro-active, not reactive where people's lives are involved/at stake. Reaction 10 years from will no nothing for those who suffer debilitating or life-threatening illness/disease due to lack of pollution controls imposed on Kipp. Pro-action now could save lives. Is that not worth the time and consideration?

Dianne Steinbach B There needs to e an environmental impact study to show the effects of increasing chlorine B particulates from proposed stacks before Kipp is allowed to increase chlorine in our air. Particulates are vehicles for dioxin B chlorine is poison which causes severe health problems especially over time. Like toxic metals, chlorine enters the body and decrease the functioning capacity of its organs. This is chemical poisoning. The body's immune system is threatened by these chemicals. Damage to internal organs especially the liver, may occur. This damage may not be noticed for many years, however, it is poisoning. Putting up through stacks does not make it go away. What goes up will come down. It is in the air that we breathe, the water and the earth. Many neighbors have been questioning Kipp Corp. for years. We need a neighborhood agreement as well as an impact study on the environment. These issues won't go away B unfortunately the neighbors may move out. My allergies have swung from mild to severe since I have lived in the nearby neighborhood (Leon St.) I walk the path 5 times a week (approx). I can't prove that Kipp caused this. I certainly question it. I also question the undemocratic process and manners that DNR (and Kipp) have set up this hearing. We need an extension for closing comments.

Mary Anglim B Although I support light industry in residential neighborhoods I want such businesses to be subject to careful regulation to prevent damage to residents. I think it is clear that Kipp handles large quantities of

dangerous materials. I think that it's absurd that neither the EPA, the DNR, or the city of Madison will take an aggressive role in monitoring Kipp and restricting emissions to a level acceptable to an urban neighborhood. I demand a more active regulatory role for the DNR or else pass the responsibilities on to a more appropriate agency. The process of this hearing is mystifying.

John Hestad B As a long-time pedestrian/bicycle commuter who uses the exercise path behind Kipp, I am opposed to any widening or increase in gases eliminated by manufacturing process because I have experienced flu-like nasal irritation from being exposed to a limited area surrounding Kipp before.

Eileen Stuntebeck B I live in the neighborhood. I have noticed the smell now, some evenings when I walk my dog. I don't want Kipp to be allowed to increase the output of chemicals in the neighborhood. I just don't think it is healthy. This is a fairly densely populated neighborhood. There are lots of families which children, older folks, etc. We don't want or need more chemicals in our air.

Bonnie Anderson B Kipp's engineers have worked to ensure the safety of their workers by proposing the installation of a new stack which will put any toxins out of the workplace, but they have not considered the effect of those toxins on the neighborhood. The new stack needs more than the minimum standards applied to the filtration of the emissions into the area. Please consider the effects on the community as a whole. I am a homeowner and want to know that my safety and safety of my family is not compromised for the sake of profit.

Morgan Sharpe B Please hold true open meeting face-to-face public hearings at convenient times with plenty of advance notice. Please get an environmental impact statement before granting a permit. We should be doing everything possible to reduce/eliminate the use of chlorine everywhere not making it easy to increase its use. The DNR is getting a bad reputation for informing and defending the public in environmental pollution cases. It should do everything possible to regain public confidence B not all public hearings three days before Christmas.

Steven Leovy - I am concerned that approval for an increase in emissions from Kipp may be granted without sufficient consideration of the relevant issues. It is particularly important that this decision be made carefully and on a sound basis given that Kipp has been expanding production in a close, crowded residential neighborhood and contemplates further future increases. This is a potentially problematic situation and it is in no one's interest for Kipp to begin investment in additional productive capacity without thorough consideration of the issues involved. I support refraining from giving approval for increased emissions until the associated issues are fully and publicly explored, preferably by means of an EIS. I am a homeowner in the neighborhood and am concerned about possible health effects and negative effects on the value of my property associated with increased emissions. From what I know of this case, I am not convinced that Kipp is prepared to make reasonable steps to reduce emissions. What is appropriate in the way of emissions controls in an industrial area or lightly populated area is not necessarily sufficient in a residential neighborhood. If Kipp is serious about continuing to operate and to expand operations in this residential neighborhood, I think they should be prepared to take significant steps to alleviate concerns of Kipp's neighbors. I oppose a decision on this application until associated issues are fully explored in an EIS.

Shari Cohn B I oppose any increase of Kipp that will increase emissions B including chlorine usage increasing. As it stands I already experience feeling sick as I walk towards the Kipp on many days as I am taking my daughter to school at Lowell or am walking my dog or just walking close to the Kipp. I worry about my health and my children's health as well as that of my neighbors. I worry about the effects on children at St. Bernard's School, Lowell School and Atwood Center as they play outside and in the parks. As well as breathing air inside the buildings that may be tainted. I want a thorough survey done B door-to-door of people in the neighborhood in a sufficient area to see how many and how much people in the surrounding area are affected B also interviewing representatives of the schools to find out how teachers and school children are affected. I want respect by Kipp of how people in our neighborhood quality of life is already negatively affected by air that is noxious and not to consider making this worse. I want the DNR and City Madison to respect this as we (unreadable). Schedule this meeting on Solstice and just before X-Mas.

Tamara Packard B No change in the status quo should occur until after an Environmental Impact Statement is obtained and until further public hearings are held. The timing of the present public hearings are bad and not likely to result fair public input B four days before Christmas! Also, it is my understanding of the law that DNR could view the facts in a manner that would provide it with authority to require an EIS. As a new homeowner in the neighborhood, I feel little to no meaningful information has been provided for the public, and more info should be disseminated by DNR for neighbors to consider.

Deidre Robinson B I live a few blocks from Kipp and have experienced objectionable odors several times over the past three and a half years, (the time I've lived in the neighborhood). I am strongly opposed to the proposed increase in chlorine usage by Kipp and urge the DNR to reject their proposal. The interest and the health of the many individuals and families in this area far outweigh those of the Kipp Corporation to abuse and pollute our homes in order to increase their profits. I implore the DNR to give priority to the testimony and concerns of the residents here tonight. I am extremely concerned and appalled at the apparent lack of oversight and enforcement of statutes to date in regard to Kipp and do not understand how the DNR can justify their lack of action on behalf of the residents of this neighborhood. This is precisely the kind of situation which contributes to the general impression of the WI DNR as an ineffective and poorly-run state agency that seems not to have a good understanding of its missions and responsibilities vis a vis the citizens of this state. You can do better and I urge you to take this opportunity to do the right thing.

Cheryll Mellenthin B I live about one block from Kipp. On any given day I can go out my front door, depending on the wind, I smell an obnoxious disturbing odor. When my kids comment on it, I tell them its Kipp. My husband, kids and I jog along the bike path, skate at the park, eat vegetables from our garden, knowing that something in the air has the potential to make us sick while enjoying all of those activities. This is a high traffic neighborhood with lots of kids, with the rate of respiratory illnesses on a rise it is irresponsible for Kipp and the DNR to consider putting more toxic elements into the air we breathe.

Jennifer Conn B I live in the residential area near the Kipp Corp. plant B along with many others who are living nearby. I can smell the fumes coming from the plant B and truly fear the health risks that could result from toxic emissions. As part of the neighborhood I believe Kipp has responsibility to have a DNR environmental impact report conducted. It owes it to all of the people around the area to put their questions and concerns to rest and to take these concerns seriously. Profit should never come before the health and well-being of our community and it's air and water.

Donald Horne B I think more tests should be conducted specifically looking at emission as opposed to odors. Emissions are far more important than odors. Many issues were raised that I was unaware of prior to the meeting and that were not addressed by questionnaire.

Caryl Terrell B Concerns: Why is this not a major air contaminant source? What is the basis for this determination? Increasing the height of the stack will disperse contaminants, not control/treat or collect toxic heavy metal emissions. The stack should be required to have (wet or dry) scrubbing and/or electrostatic precipitators and/or baghouses B depending on the single or combination of techniques which best controls emissions. How does the permit propose to control dioxin emissions? Will the permit include requirements to clean up on-site groundwater and soil contamination? This is the opportunity to require such cleanup.

Amy Bethel B I understand that Kipp provides jobs, but we don't need jobs at the expense of the health of workers and those who live around Kipp. There are already health problems caused by existing levels of emissions. To allow Kipp to increase its use of toxic materials, even if the emissions are dispersed over a broader area and therefore, appear lower, is irresponsible. An industry operating in a neighborhood should be held to extremely strict standards. I have noticed more respiratory problems since moving to Emmet Street and I do not normally have many health problems, and I don't have allergies or asthma. For those who are more sensitive its' even worse. If Kipp is in compliance now, the regulations need to be made stricter. Tripling levels of chlorine use is outrageous. I know there have been chlorine spills in the past. I would like to know what it would take fore DNR to decide an Environmental Impact Study was warranted? There have been so many health effects testified to today. I would

like to see a report/survey/study of particulates and health effects, not just something as subjective as odor. I am concerned about dioxins.

Fritz Hastreiter B Am concerned with how conservative and/or practical the current air standards are. Cities and neighborhoods should be desirable places, so that the best and brightest want to live there. Smells and noise, even if not a health hazard are not desirable. The quality of life in cities should be going up, not down.

Pamela Hill B I want my neighborhood to be free to noxious fumes and discharged particles. There have to be safe and conservative limits set for safety of neighbors of Kipp. No variance for chlorine production!

Laura Van Slyle B I was aware of Kipp's existence when chose to move into the neighborhood. I do not wish Kipp to expand their operation. If they wish to stay in the neighborhood B stay the size they are. If they wish to expand move out of a neighborhood where people live and go to an industrial area. I feel it is very inappropriate for them to increase use of chemicals such as chlorine especially without the requirement that it be scrubbed out (or however it is accomplished) the chlorine before emitting through the smokestack. I do not wish Kipp to build a taller stack. 1) Spreading the pollution only does that B not reduce it. 2) I do not wish the visual mar in the neighborhood. I walk or bike on the bike path often. Yes B often the smells around Kipp are strong, unpleasant, and always think Al am glad I do not live closer to Kipp@. More often, I very much notice the noise from Kipp. A constant rather loud hiss that extinguishes all other sounds. Especially, because of the noise, I am very glad I do not live closer to the plant. The noise, I'm sure, is not loud enough to be at Aillegal@ levels, but it is very pervasive and invasive. It is already too loud for a neighborhood setting. I can accept Kipp at the size and capacity and composition that it is B it was in the neighborhood before me. I moved, knowing it was there. I am very opposed to any increase or expansion of Kipp. Thank you.

Katherine Kocs B I'm very unhappy that Kipp chose this date B so close to the holidays B I absolutely do not want Kipp to be given a permit. I have a brother-in-law who had worked with these same chemicals in Philadelphia and he is now permanently disabled from these, as determined by the State of Pennsylvania. For years his company said there was no connection (to his health problems) but now that he's disabled, he has the sad satisfaction of learning he was right all along. Kipp has grown through the years and has added to its by-products, both in complexity and amount, and has therefore, become a greater threat to the health of its neighbors. Models are seldom accurate B they are, in fact, a best guess of what one might expect. It's not a guess we should accept when our health and that of our neighbors is at risk. I am a resident with a concern for property values and the effect of odors on that (not to mention other pollution) B as well as health concerns! The stack doesn't solve the problem B it only spreads the by-products further! No B do not allow Kipp to grow or add to their operations. If you do it will then be DNR's responsibility for the harm done to all B health and economic.

Maria Powell B Please do not permit MKC to build higher stacks and increase chlorine use without and EIS! I demand that every possible precaution be taken to reduce emissions from Kipp. I have lived in this neighborhood for 2 years. Within a month of moving in, I began to develop severe sinus problems, (infections, congestion, worsened allergies). I have also had nausea, headaches, and stomach problems.

Sheila Bultman B As a 20 year homeowner in the immediate vicinity of Kipp (Corry St.) I am concerned about the health effects of the intentional releases particularly since I occasionally suffer from asthma.

Kathy Rasmussen B there are apparently a lot of interests being represented here tonight. As a new homeowner in the area, I'm certain my concerns are understood. I just want to understand what this is all about and the risks such a move by Kipp imposes at this point. I'm seriously concerned. While I wrongly responded to a recent survey about Aodors@ stating no mostly and having recently changed by running route toward Kipp, I do recognize smells that are foul and malodorous and I've no idea what else is happening within lungs or on a cellular level. Now adding to these emissions, I'm not to happy with that news. What is the impact to Kipp if they don't increase this? And what is the impact to us if they do? There are the answers I'm looking forY. I want more answers before they are allowed to do this.

### Written Comments Received

Melissa Denman  
2730 Center Avenue  
Madison, WI 53704

My family and I live in a super neighborhood. All the homes are inhabited and well cared for. We are in walking distance to stores, restaurants, a post office, day care facilities, and other businesses. Children have access to quality elementary and middle schools. There are parks, green spaces, and bike paths close by. Most importantly of all, people in my neighborhood really believe that we are a community and act accordingly. We watch out for each other and all the children. We help and support each other. Despite all these positive attributes, my neighbors and I are fearful for the health of everyone who lives in the area. We are fearful because of the many unknowns surrounding the pollutants being emitted by Kipp Corporation. Some of the questions: Why isn't Kipp considered a secondary aluminum processing plant, since they purchase, burn, and use scrap metal? Since Kipp is purchasing, burning, and using scrap metal, why doesn't the plant have to meet the air standards set for that type of operation? What are the levels of dioxin being emitted at the plant? Why hasn't this been tested? Why haven't smokestack emissions been tested at all since 1995? For the health of my family and my neighbors, I am strongly opposed to the construction of an additional 100-foot smokestack at Kipp Corporation. I do not believe that emitting three times more chlorine into the air than is already emitted is a responsible way for Kipp, the Department of Natural Resources, or the Environmental Protection Agency to act. Thank you for your consideration in this serious matter.

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I am writing to request that the permits requested by KIPP be denied until at least an Independent Assessment Study is conducted. Concerned local citizen

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Janis Nussbaum Senungetuk - I am very alarmed by the lack of concern to the increased pollution spewing from the Kipp Corp. plant on Fair Oaks. I'm in the neighborhood often enough to know to roll up my window when I drive by the plant. In the summer the air around Fair Oaks and Atwood burns my eyes. Now Kipp wants to send their stink over a much larger part of the area and the D.N.R. has no objections? The objections of the people who live in the neighborhood need to be heard and listened to.

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Kent Palmer B Thank you for providing opportunity for public input regarding Madison Kipp's operating permit that would allow increased emissions and taller smokestacks. As the Kipp plants are located within neighborhoods, an ongoing dialog must be established between citizenry and company officials. I suggest that Madison Kipp officials work directly with the existing associations in the area. I am opposed to increasing the amount of chlorine in operations at Madison Kipp. Chlorine is a very dangerous substance and must be handled extremely carefully. Increased use of chlorine at the Kipp plants will result in increased importation of chlorine through neighborhood streets, a danger that must be taken into serious consideration. Spills may require evacuation of nearby residents. Such risks may be too high to ensure community safety. I am also opposed to the increasing the height of stacks at the plants. Passive stacks simply spread emissions further downwind, never getting rid of potential hazardous particulates. Taller stacks with filters are a virtual solution to a real problem of increased industrial pollution in existing neighborhoods, a band-aid on a gaping wound. I call for Madison Kipp to produce an Environmental Impact Statement (EIS) for its proposed increased chlorine usage, increased emissions, and taller stacks. This document would help give Madison Kipp a stamp of approval for their operations, if they meet appropriate standards, and would provide neighbors a level of comfort that their industrial neighbor will operate within acceptable limits. I also call upon Madison Kipp to produce a second EIS, an Economic Impact Statement, for its proposed increased activity. Increased importation of chlorine may require heightened emergency service



preparation and staffing by the City of Madison and Dane County. Increased, wider-spread emissions may effect neighborhood home values, and may disrupt nearby community gardens, a tool for sustainable living. I believe these costs must be enumerated. If the DNR and Madison Kipp do not heed the input and concerns of the community I will be certain to rally direct citizen action in support of their rights to control the conditions in which they live.

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Ann Fleischli B I hereby submit this written comment within 30 days from publication of the notice with regard to these permits. I attach to these comments, letters written to the DNR describing or setting out the health effects that this plant has had and continues to have on the neighborhood surrounding it. It is my understanding that the DNR, under NR 445.03, has the non-discretionary duty to shut down any pollution source that is injurious to human health. This standard of conduct is separate and apart from the so-many-parts-per-million standards and other standards that the DNR has waived over and over for this plant. Each waiver has allowed Kipp to claim that it is complying with DNR standards which misleads and justifies Kipp's continued existence in this suffering, low-income neighborhood. I have done a thorough, formal open records search of the DNR's records on Kipp. My letter to the DNR of December 12, 1996 documents the notice that the DNR has had that the health complaints in its files are the same health complaints that are warned of in a DNR listing of predicted adverse human health reactions to the metals, fluxes and processes of this plant. The DNR persists in waiving the 85 percent control of organic compound emissions standard as new machines go on line in this plant. The DNR does not because of, as it states, Athe excessive cost@ to the plant. The DNR's agreement to modeling of pollution for this plant rather than actual testing, has violated its standard of conduct toward the public. It did in the face of Kipp consultant FMI's indication that the particulate emission from degassing would not be in compliance with DNR standards. The DNR talked about over 4 times the standards on March 15, 1994. To put it in administrative law terms, the DNR has repeatedly abused its discretion with regard to Kipp. It has also violated its own regulations with regard to protecting the public from the health effects of this plant. Further, it is my conclusion that DNR Secretary Meyer and his staff have engaged in criminal behavior by acting as partners with this pollution source, putting the monetary welfare of Kipp above the health of the humans that liver near this plant. It is time for Kipp to move its presence and its very lucrative contracts outside of an inhabited area. It is time for DNR to follow its own rules and not the will of Kipp.

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Ann Fleischli B Hearing on Kipp permits by DNR. The meeting on 12/21/99 at Olbrich to get public input broke into 2 parts after the initial remarks by DNR Attorney Penner and DNR employee Roushar. One part formed into a public hearing that discussed the process of the meeting. It was the intent of this part to have an interchange of ideas instead of the open house planned by the DNR to extend from 5-7 p.m. This part that separated to form a genuine public hearing discussed the process that the DNR proposed for the meeting. The group made several motions and voted on what they decided was the sense of their public meeting. Before it was over most of the attendees were a part of this meeting. The following are the minutes of the public hearing that occurred from 5-7: 1) The first motion stated that the sense of the meeting was that the format of the DNR meeting was designed to reduce public energy, that it was designed to reduce the hearing to a one by one reduction of testimony into a tape recorder at the front of a room filled by 132 or more chairs, about 50 to 60 feet in length. No microphone was provided next to the tape recorder. An amendment to the motion added that the format of the meeting was designed to limit participation and to undermine the democracy of the concept of a public hearing. A further amendment was that the format effectively prevented us from hearing what the others said. The undersigned commented that Atty. Penner stated to her that Aif anyone is left@ at 7, they would take comments into the tape recorder. The undersigned commented that the format appeared to be designed to discourage people staying around to hear comments at 7. Another amendment to the motion was that the DNR needs to go back to the drawing board to provide a meeting that optimizes input and participation, rather than the opposite. With no further comments or amendments the meeting voted 17 yes B 1 no that the sense of the meeting was as described. 2) The second motion was that the format of the meeting was confusing to people arriving after 5 and that the milling around of people at the display tables made it appear to not be a public hearing. An amendment to the motion by someone who arrived after 5 was that she would have left if she hadn't seen our public hearing over in the far

corner of the room. So again, the format of the meeting seemed designed to discourage attendance. The group then voted 21-0 that the format was confusing to people and drives people away. 3) The third motion said that the sense of the meeting was that the form that each attendee was handed to fill out was confusing. After discussion, the group voted 12 yes that that was the sense of the meeting. One voted no. 4) The fourth motion requested by State Representative Mark Miller was that the DNR had cut off the comment period at the date of the hearing. Rep. Miller's motion was that the sense of the meeting was that a cut off of comment at the date of the hearing was unreasonable and that a 30 or 60 day period after the hearing was normal and should have been the condition of this hearing. One member of the group had called and the DNR and asked why there was a cut off at the date of the hearing rather than a 30 or 60 day period after the hearing. She was told by the DNR, was that it was to accommodate Kipp's schedule, that Kipp wanted the process speeded up. The group then voted that the sense of the group was that the cut off date for comment was unreasonable. The vote was 27 for the motion, 12 voted against the motion and it was noted that those 12 were wearing Kipp t-shirts and later identified themselves as Kipp workers. 5) The group moved that the sense of the meeting was that the choice of date (so near Christmas on 12/21) and the time of day (5 p.m) and the staggered format of starting speaking at 7 and starting at 5 was not appropriate and designed to have fewer people attend. The vote was 24 in favor of this sense of the meeting. There were 2 votes against that. 6) The last motion was that the defects on the timing of the hearing were such that a re-hearing was needed. The voted 17 in favor and 19 against, with the 19 wearing white Kipp shirts. This report is submitted by Ann Flesichli, an attendee who agreed to take notes during the break off public hearing that took place during the milling about portion of the hearing.

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Elizabeth Ivers & Douglas Hemken  
117 Ohio Ave.  
Madison, Wisconsin 53704

We are concerned about the current plan to issue a permit allowing Madison-Kipp Corporation to triple its chlorine use in the processing of aluminum scrap. As residents in the Schenk-Atwood neighborhood, we are deeply concerned about our own health and the health of our neighbors. We are also worried about what these changes will mean for the general quality of life in the neighborhood.

We are also disturbed by how little effort the Department of Natural Resources has made towards encouraging public input. Whether the decision was deliberate or not, it seems as if the December 21st Public Hearing was scheduled so close to major holidays to avoid as much public involvement as possible.

We strongly urge the DNR to require an Environmental Impact Statement before any decision is made to issue the Kipp permit. We also feel that a second public hearing should be held so that those of us who were traveling during the Christmas holidays would be able to attend and provide public testimony.

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Kate MacCrimmon - I am writing my comments and concerns to the DNR about the request for increased use of chlorine and higher stacks at Kipp Corporation on Madison's east side. My concerns are that Kipp has not been a company who has been "up-front" with some of its practices in the past and admissions from employees suggest that this is still the case with its reported furtive use of recycled metals. I am further concerned by the exposure from emissions to the two schools that are in very close proximity to Kipp, not to mention the neighborhood itself which includes myself and my family. Kipp should explore other methods besides chlorine use to operate its facility and become a company that the neighborhood could be proud of, not fight against. I cannot accept this going forward until a thorough environmental studies report has been made.

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Madelyn Scheer B I am a resident homeowner at 522 Ludington Ave. I routinely can smell odors from KIPP when the wind is right. Many times during the summer and winter I can experience physical problems: eyes stinging, sore nose & throat, and lungs hurting. It has been bad enough to wake me on a summer night and have to close my window. This is not acceptable living environment, so I certainly do not support further expansion of KIPP. What is it going to take to get this factory to be safe? Obviously the complaints to date have not been sufficient. We cannot wait for research to reveal the long term effects and problems. P.s. Spencer Black B Can your office help us find a better means of voicing our outcry.

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Torrey Nelson B I have the following concerns about Madison Kipp Co. 1) I moved into the area in December 1998. By August 1998 I was experiencing increase congestion and headaches. I do not know the cause of this, but Madison Kipp Corp may be contributing. 2) Given the numerous reports of health problems, there should be a full Environmental Impact Study done. 3) The odors from Madison Kipp Corp are greatly reducing the quality of life around the factory. The odors should be eliminated. 4) There is evidence of dioxin emissions. Madison Kipp Co. should be tested for dioxin. All dioxin should then be eliminated. 5) What is the procedure if a chlorine spill, leak, explosions, or fire occurs? I would like to know how I can protect myself and my property. Please send me this procedure. 6) Benzene and formaldehyde are also a concern. 7) until items 2 through 6 are addressed and remedied (fixed) the permit should not be approved. 8) Unless all sources of pollution and odors can be eliminated, Madison Kipp Corp should be shut down.

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Randall Ballwahn B Although I am unable to attend the DNR public meeting on Tuesday, Dec. 21, our family is very concerned about neighborhood contamination. My wife and I want our 9-month-old son to be able to grow up in a safe and health environment. I urge the DNR to require an Environmental Impact Statement to address pollution, odor and health concerns before any permits are issued that allow Madison Kipp to further increase their output of hazardous substances into the neighborhood. This is especially important considering that Kipp appears to have ignored requests to address similar issues in the past. I'm sure that Madison Kipp provides many benefits to the neighborhood and the city through employment opportunities and economic development. This does not mean that they, or any other business, should be allowed to operate in an unsafe and irresponsible manner. This is a wonderful neighborhood in many ways, and we would like Madison Kipp to help keep it that way.

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Laura Rogers B I moved to Sommers Ave. in the fall of 1989. I was a healthy, active person, with no history of respiratory problems and no family history of asthma or allergies. By the spring of 1992 I had developed asthma, allergies and rhinitis and chemical sensitivities. My air passageways are not Asticky and reactive@, and I am sensitive to airborne particulate matter. These conditions require that I use several medications daily to be able to breathe more comfortably. These respiratory problems make me uncomfortable and have limited by lifestyle significantly. In 1993, my husband developed asthma. He also was a very health, active person with no family history or asthma. It is my belief that the rise in numbers of people with asthma and other respiratory health problems is directly related to environmental pollution. Many of us already know we're impacted by Kipp's emissions. I have noticed the foul odor of Kipp whether in my own yard or in any of several adjoining neighborhoods B spending on wind direction. These emissions are thick enough that they give my mouth a bad taste and I feel as I were eating something awful. It is especially noxious closest to Kipp. I often avoid walking the bike path that goes past Kipp B when I do go there I usually have to cover my mouth and nose. We all eat it, whether we're aware of it or not. Thus, it is especially appalling to me to think Kipp would be increasing its pollution when I believe it should be decreasing its pollution! There are some nights in some spots where it's so thick I gag B I would like these times and places monitored. I cannot believe at these times that these emissions are not above the odor threshold! I cannot believe that Kipp meets air quality standards and emission limits! I do expect a fair and unadulterated Environmental Impact test. I am suspicious when I hear that Kipp does its own testing. I want testing that is accurate and unbiased. Despite these tests or the DNR's authority I ask that Kipp prioritize its responsibility to the community and do the right thing. Kipp needs to shut its windows add filter or use whatever technology is available to clean up its act. Kipp must be held accountable to us; it's neighbors, and the

environment it inhabits. We have a right to clean air first. Our air and our well being are not for sale! Thank you for this opportunity.

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Thomas Loeser B We would like to register our unhappiness on hearing that the DNR will not require an Environmental Impact Statement for Madison Kipp's proposed increase use of chlorine. We live at the corner of Lakeland and Elmside. We are fortunate in that the prevailing wind blows from our house towards the factory. As a result we smell the plant at our house only occasionally. However, when we walk, bike, or drive towards Atwood the smell of the plant is often quite strong. Many of our friends and neighbors that live closer to the plant complain regularly of the smells. One of the families that we are good friends with is seriously considering a move out of the neighborhood. Concerns about Kipp pollution being at the top of the list of reasons that they are considering leaving the neighborhood they love. Given the already high level of unhappiness in the neighborhood with current pollution from the Kipp plant we were taken by surprise to learn about the proposed expansion. It seems to us that this sort of an increase in emissions should receive the most extensive review possible. We would like to have more detailed information about the expansion and its potential impact. This meeting scheduled 4 days before Christmas when many people are out of town also can't help but seem like a Astealth@ meeting scheduled to raise the least possible neighborhood response. This is a critically important neighborhood issue that should receive far more extensive review.

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Dick Saunder B I request EPA testing, especially for dioxin. Install pollution control devices on Kipp die-cast machines. I do not know if my health problems are associated with this pollution. I have experienced B eye and ear problems, sinus problems, chest constriction, light headedness, disorientation, drowsiness. I think we need to have business in our community. If Kipp Corp considers these concern as one of their priorities, they will find solutions. If Kipp Corp. can take care of some of these problems, they can get back to doing their job. And the neighborhood can enjoy quality of life.

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I understand that the Kipp Corporation of Madison has requested a permit to increase their allowed level of air pollutants. As a member of this community I am strongly opposed to the issuance of such a permit. Before such a permit is considered, implementation of an Environmental Impact Statement is absolutely necessary. The neighborhood already suffers ill effects from this Corporation's effluents. Moreover, there has not been any soil nor water quality testing done. These are just as important to consider. I believe there are cost effective methods of operation for the Kipp Corporation without polluting our home. It is my understanding that the DNR is charged with protecting the environment and people, not to save business interests. I ask that this be done.

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Steve Preller B I am strongly opposed to the plan to allow the Kipp Corporation to increase particulate emissions and triple the amount of chlorine used in its production without an environmental impact statement for the following reasons: I am already concerned about the lack of any apparent disaster plan to protect area residents in the event of an accident in the plant which would create life-threatening toxic fumes. Based on the comments of a UW professor in an Isthmus article concerning the Kipp Corporation, should there be an accident in the plant area, residents for blocks around the site could be killed very quickly from toxic gases released into the air. I was not able to put my hands on the article, but I believe the professor was referring to the aluminum smelting process in which chlorine is used. In a July 12, 1996, letter Kipp itself refers to numerous safeguards they say are in use in the plant to prevent an accident including Aautomatic systems for emergency shutdown@. I am not reassured by the alleged safety precautions of a company that seems to be interested in doing the absolute minimum on other issues of concern to area residents over the years I've lived here. If there is any sort of disaster plan, no one has told me about it. An environmental impact statement might answer the following questions I have: 1) is it appropriate to have this smelting process in use at any level in a residential area? 2) If the current safeguards fail within the plant and an accident occurs, how many deaths and injuries would be expected. 3) In the same scenario, how many more deaths and injuries would result with 3 times the chlorine in use? 4) How far from the plant would deaths and

injuries result in both the current and proposed scenarios? 5) Why isn't there any disaster plan in effect? 6) Is it even possible to protect ourselves in the event of an accident of this nature? On occasion a strong odor of chlorine is noticeable in the air. What are the health effects of the current levels versus the proposed levels? The increased stack height is intended to disperse the pollutants enough to make them safe. What happens to those of us who live right next to Kipp when there is no wind and/or there is an inversion that keeps fumes, etc., from dispersing? My fear is that we will be exposed to higher levels of both chlorine and particulate in these situations. The format and timing of this Ahearing@ seems designed to limit and shut out public comment and awareness of these proposed changes. Is it any wonder that we are suspicious that no environmental impact statement is being done? The DNR is supposed to look out for my interest as well as those of the owners of the Kipp Corporation. Conclusion: The Kipp Corp. and the DNR seem to be taking the attitude that since the company has been in the neighborhood for 100 years, they have a right to increase production (and the resulting pollution) and introduce new, and potentially dangerous technology, no matter the risk to area residents. Perhaps there really is little or no risk to us, but without an environmental impact statement I certainly am not willing to take the word of Kipp or the DNR. An environmental impact statement should be done.

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Nancy Ciezki B My name is Nancy Ciezki and I live at 501 Ludington Avenue, which is approximately 3 blocks from the Madison Kipp plant. I have been a resident here for 14 years. And I would like to address two points regarding the Kipp permit. The first is regarding this public hearing. I first read about it over the weekend of December 18<sup>th</sup> in Isthmus. My first reaction was, why schedule this meeting at holiday time when people are on the move; school is no longer in session; people have left town to travel for family celebrations. And four days later, the question still remains. I spoke with Tom Roushar on the phone today, December 21, and after some discussion of the permit process and the statutory requirements for having a public hearing, the answer I got to my questions was that Madison Kipp wanted to move this process along as quickly as possible. Later in the conversation I restated by concern about having this meeting at this time of year and how it could be justified. I wanted to be sure I accurately heard why the DNR would schedule the meeting during the holidays. Mr. Roushar's response was the same. I asked if there was any reason why the meeting could not have been held two weeks later, say January 4, when school was back in session and people would be able to attend to this issue more directly. He had no answer. He also said that there was no additional meeting scheduled for another time. I strongly encourage the DNR to think of all sides of this issue when scheduling a public meeting. If you are truly serving as an impartial facilitator and not an advocate for business, scheduling a public information meeting should take into account more than a request from the petitioner. If you truly seek input from the public, you should think of the public when scheduling the meeting. Given this, I think another meeting should be scheduled at a time that is not three days from Christmas, when people are otherwise engaged. There will always be conflicts with people's schedules and there is no perfect time for a meeting. But by no stretch of the imagination would December 21<sup>st</sup> be considered a judicious or reasonable time for the meeting. And directly to the point, Kipp's desire for expediency could have been met if they had in fact given a complete application for the permit to the DNR in June. According to Mr. Roushar, Kipp continued to complete the application from June through October. If they really wanted to move things along, they could have spent the past three years completing the application that was inevitable and gave it to the DNR in a complete form. Had it done so, Kipp could have had this public meeting during September or October rather than during the Christmas season. My concern about those left out of this alleged public process leads me to my second point regarding this issue. That is the permit application by Kipp. This company has been a long time member of the Schenk Atwood community. One of the things that attracted me to this neighborhood was the very positive sense of mixed-use real estate that existed. The mix of commercial, education, retail, recreation and residential is very appealing and really makes it a neighborhood. But there comes a time when growing pains begin to call into question the extent to which all these members can continue to live side by side. Up until the time Kipp began to expand into the old Madison Metro space, there had been little friction between Kipp and the surrounding residents. Since that time, there has been almost continual strife. I don't need to repeat Kipp's series of non-compliance, late compliance, lack of approval from DNR about the addition of chlorine gas into the production process. Since you are the citing agency, you have all the records relating to these violations by Kipp. But I think the record does speak to the point that Kipp does not care about participating in a mixed-use environment. It cares only about its individual needs. And, one could argue, that is its fiduciary responsibility. But it is then the responsibility of citizens to voice the needs of the neighborhood and of government regulatory agencies

to fairly and openly balance the needs of all those involved in this mixed-use environment. And who are the other participants in this mixed-use neighborhood? The workers and people served by the Atwood Community Center. The Center just recently added a youth facility for after school and off-time activities. How is their safety taken into account? Elderly people make up a large portion of this neighborhood. How is their health in their later and more physically vulnerable years being compromised by Kipp's request? Residents of the area have lodge hundreds of complaints about noise (a symptom of Kipp's actions) and health (the result of Kipp's actions). In the past 7 or 8 years I've noticed a difference in the persistence of smells that weren't there when I first moved to the area. And they seem to become most apparent in the evening when the wind is blowing from the west. I don't want them to persist, let alone become more prevalent or potentially more hazardous. And most important to my mind, is the presence of an elementary school one block from the Kipp plant. This to me is the most fundamental aspect of the questions raised about Kipp's record. If there is the slightest doubt about the safety of Kipp's practices (and its record speaks for itself), we would err on the side of extreme caution because of the existence of hundreds of children who live in the area and go to Lowell School. If there is the slightest doubt about Kipp's willingness to fully comply with state, federal and local regulations (and its record on this speaks for itself), we should error on the side of stringency in seeing that Kipp is ready to be a willing and forthcoming company in following rules and regulations. Its record to this point is no reassuring in the least. If there is the least indication that Kipp is unwilling to work with the neighborhood, to respect it and try to be a good neighbor and install equipment that will truly decrease the pollution from its plant, then I think we have to pause and ask if this mixed use neighborhood has reached its limits in regard to Kipp expansion. My response to this is yes; its limits have been reached. I do not think the permit should be granted. If after several years, any of the above questions have different answers, then I think the question might be revisited. Kipp can make those changes if it really wants to move this process forward.

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My wife, two children and I live at 2138 LaFollette Avenue - a half-mile west of Madison-Kipp Corp. We have reviewed the permit application and other materials submitted by Madison-Kipp Corp. and hereby make a preliminary determination that a construction permit (request for modification and revision) and an operation permit NOT be issued at this time. We are not at all certain, based on the materials before us, that the source will not cause nor exacerbate a violation of an ambient air quality standard or ambient air increment. We would recommend that a final decision on the operating permit be DEFERRED FOR 90 DAYS - TO ALLOW DISCUSSIONS TO TAKE PLACE BETWEEN MADISON-KIPP CORP., THE SCHENK-ATWOOD-STARKWEATHER-YAHARA NEIGHBORHOOD ASSOCIATION (SASYNA), and Ald.'s Olson and Palmer, to attempt to answer the public's questions about this permit request. At the conclusion of the 90 days, and upon receipt of a memorandum of agreement, to be submitted to the Department, signed by Madison-Kipp Corp., SASYNA, and Ald.'s Olson and Palmer, agreeing to the information contained therein, the Department could resume its final determination process. We do not consider DILUTION - through simply building taller stacks B and spreading emissions over a wider area - to be the only - or the most cost-effective AIR POLLUTION CONTROL TECHNOLOGY, control device or technique to be considered. Subject sources are to be reviewed for their air pollution control technology. What other control technology options were considered and evaluated? If the applicant wishes to increase its use of chlorine, then

it should be required to discuss and evaluate a range of CONTROL TECHNOLOGIES.

Simply building taller stacks may be considered a 'control technology' under the law, but we - as members of the public - wish to go on record as saying, we do not consider that a 'control technology.' Much of the rest of the industrial world is making successful efforts to reduce or ELIMINATE use of CHLORINE in industrial processes. In this request for modification and revision #99-BSP-912, Madison-Kipp is proposing to significantly INCREASE its use of chlorine for the RCI furnace - from 35 lb/hr to 90-lb/hr maximum usage. Have the costs and benefits of alternative furnace processes - which do not use chlorine - been evaluated and reported? The most recent stack test we can find mentioned in the permit materials is JUNE 1995. This can not be. We assume - for the protection

of the public and to ensure compliance - that stack tests are done, at minimum, every three months. We look forward to seeing the results of the Fall 1999 stack tests. If stack tests have not been done in the second half of 1999, then we trust they will be - BEFORE issuance of a final permit is considered. Madison-Kipp and the Department would want this permit review process to be based on current data. Re: the MPH Furnace, the Department's materials say, "No dirty scrap and no scrap with oil may be charged to this furnace." How is the Department proposing to ensure compliance with this condition? We respectfully request the Department to prepare an Environmental Assessment (EA) for this permit. We understand it is your view that an EA is not 'required.' We respectfully request the Department to prepare an EA whether it is 'required' or not.

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JAMES POWELL  
3414 Dawes St  
Madison, WI 53714  
608-240-1485

In following up to my testimony at the December 21, 1999 hearing, I am requesting a written answer to several questions I asked. I will share DNR's response with other concerned neighbors.

1. How did DNR determine that Madison-Kipp Corp. is not a secondary aluminum production plant?
2. How did DNR respond to a former Madison-Kipp employee's testimony at the 1997 DNR hearing that dirty scrap aluminum, such as old radiators, were melted in the RCI furnace? Such an accusation is in direct conflict with Madison-Kipp's assertion that it only uses clean aluminum scrap.
3. Since significant levels of benzene, toluene and formaldehyde have been detected outside the Madison-Kipp facility, did DNR investigate the possibility of fugitive emissions of these pollutants from the facility? If so, what did DNR determine?
4. Were the last actual stack emissions tested in 1995? Were these figures used in the modeling described in the proposed permit? Why not use conduct tests now rather than rely on five year-old data?
5. Considerable confusion surrounds the "major stationary source" of pollution classification. How has DNR determined Madison-Kipp's classification? A clear response to this question may well ameliorate many neighbors concerns about this issue.
6. Will DNR conduct an environmental assessment or environmental impact statement? As you know, many people testify that only an EIS will satisfy their need to feel comfortable living next door to a polluting industry such as Madison-Kipp.
7. What is the process DNR will be following now that the public comment period has closed? Where in the process can the public make additional comments and learn about the process status?

Thank you for your time and consideration. Yours,

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Todd Faulhaber, 3414 Dawes St., Madison WI 53714 - to whom it may concern, I, Todd Faulhaber am a resident of the Eastmoreland neighborhood and a neighbor of the Madison Kipp Corp. Concerning their request for increased usage of chlorine, I am opposed to granting approval for such an increase until an impact study has been done on the effects of their current usage. They are based in a neighborhood which I am in favor of but they have responsibility to that neighborhood. I have heard of complaints of smell and health problems and I don't want to live near an air polluter. Thank you

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Erin Burchette - My name is Erin Burchette, and I am writing you to let you know that I am opposed to granting a permit to Madison Kipp Corp to increase the amount of chlorine used in their process and to the construction of a new 100-foot stack at their facilities on Atwood Avenue and Fair Oaks Avenue. Thank you for your time.

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Glenn Landers  
Sierra Club  
2460 Fairmount Blvd, Suite C  
Cleveland Heights, Ohio 44106  
216-791-9110

I am writing on behalf of the Sierra Club Great Lakes Program to provide comment on the draft construction and operating permit for Madison-Kipp, located at 2824 Atwood and 166 South Fair Oaks Avenue, Madison, Wisconsin.

1. In light of information recently collected by DNR in a survey of the surrounding community, we believe the monitoring provisions in the draft permit are not adequate. The DNR survey produced 182 responses from homes and businesses within 500 meters of Madison-Kipp that say there is an odor problem. More than 100 of those responses identified Madison-Kipp as the source of the problem. According to the survey, citizens reported sleeplessness, headaches, nausea, and other ailments as a result of exposure to odors they attribute to Madison-Kipp. They also reported needing at times to stay indoors, to close windows, and to limit outdoor activity. The majority of these people said the odors occurred at least once or twice a week.

Given the number and the nature of complaints that DNR has received about Madison-Kipp, including the results of DNR's own survey, we believe that continuous emission monitoring should be required for all stacks from melt furnaces and diecasting operations. Pollution limitations that should be continuously monitored are: particulate emissions, opacity, chlorine, hydrogen chloride, volatile organic compounds, aluminum soluble salts, sulfur dioxide, and nitrogen oxides.

We believe that for the health and safety of the surrounding community, it is crucial that compliance with applicable limits be established on a continuous basis. It is obvious from the survey results that there is an odor problem around this facility. The DNR should require continuous emissions monitoring to establish beyond any doubt whether the problem is being caused by excess emissions from Madison-Kipp. This is in the interest of all parties - the community, the permittee, and the DNR.

2. With regard to the particulate matter mass limitations found in the draft permit, we do not understand how compliance with the limitation of 0.3 pounds per 1000 pounds of exhaust gas can be verified. There does not appear to be anything in the permit that requires monitoring or calculation of the mass of exhaust gases. How exactly will the permittee determine if the 0.3 pound per 1000 pounds of exhaust gas is more restrictive than the other possible limitations and how will the permittee determine whether they are meeting this limitation?

3. For emissions units where the particulate matter emissions limitations are based on the assumption that only natural gas and propane will be combusted, there does not appear to be any record keeping associated with this requirement, aside from maintaining plans and specifications that indicate the combustion unit's fuel usage design capabilities. A footnote says this is adequate because the boiler is designed to burn only natural gas and propane.

We believe that it would be better to establish a more direct requirement that has the permittee maintain records establishing that only natural gas and propane was combusted. The permit should also contain a requirement that any time a fuel other than natural gas or propane is combusted, it needs to be reported as a violation. This record



keeping would not, we believe, be of any greater burden to the permittee, as the records to establish this are probably already being maintained for other reasons.

4. We have been unable to locate in the draft permit much of the standard conditions that are required for a Part 70 permit. We are having trouble locating required language for entry by DNR inspectors, severability, permit duration, a condition that states the need to halt or reduce activity is not a defense, and a statement that the permit does not convey any property rights, or permit reopening provisions.

It appears that some of these provisions may be in Part II of the permit. This part does not seem to have been distributed to citizens requesting copies of the permit. If this is true, it would be a violation of Part 70 rules dealing with public participation, which require that the public have access to all information necessary to judge the permit by. Failure to include required conditions in the copy of the permit given to the public deprives the public of their full participation. If copies of the permit have been distributed to the public without Part II, then we believe this permit comment period does not meet the requirements of the Clean Air Act or Part 70 and should be re-noticed and re-opened for comment, with full copies of the permit available to the public.

The issue of citizen review of standard conditions is not trivial. For instance, we did find a requirement for annual compliance certification, but there does not seem to be any requirement that the certification be sent to the Administrator of U.S. EPA, as required by Part 70. Similarly, we find some language concerning the duration of the construction portion of the permit, but have not been able to locate anywhere that the duration of the Title V permit is specified within the permit, which is a requirement of Part 70. Both of these problems need to be corrected.

5. For emissions units with a baghouse, there is a requirement that the pressure drop across the baghouse be continuously monitored. The draft permit, however, requires only a record of the pressure drop once per shift or every eight hours, whichever yields a greater number. This does not make sense to us. How is the pressure drop to be monitored? If it is electronically monitored, there should be a continuous record of the pressure drop. If it is manually monitored, any deviation could be recorded by the person who does the monitoring.

The conditions found in the draft seem to allow the permittee to have 7.5 hours of a pressure drop outside the proper range, but record being in compliance if they do a reading during the half hour when the baghouse is operating properly. If fact, continuous monitoring of the pressure drop could potentially be used to ensure readings are never recorded during a deviation. The DNR should require continuous monitoring of the pressure drop with a continuous record, or at least of a record of all deviations.

6. The draft permit says with regard to testing, "whenever compliance emission testing is required...". Is there a provision for regular testing during the life of this permit? We believe that annual emissions testing would be appropriate for this facility.

7. What are the next steps in the permitting process and what opportunities are there for citizens to appeal decisions by DNR on the federal or state level?

8. DNR recently surveyed the neighborhood of this facility after receiving citizen complaints about odors. From the survey results, DNR concluded that Madison-Kipp Corp. is not in violation of NR 429.03 (1), Wis. Adm. Code.

NR 429.03 (1), Wis. Adm. Code, states the general limitations for objectionable odors. It states:

" No person may cause, allow or permit emission into the ambient air of any substance or combination of substances in such quantities that an objectionable odor is determined to result unless preventive measures satisfactory to the department are taken to abate or control such emission"

NR 429.03 (2), Wis. Adm. Code, is the section that provides the actual tests for determining what constitutes an objectionable odor. According to that section:

An odor shall be deemed objectionable when either or both of the following tests are met:

- (a) Upon decision resulting from investigation by the department, based upon the nature, intensity, frequency, and duration of the odor as well as the type of area involved and other pertinent factors.
- (b) Or when 60% of a random sample of persons exposed to the odor in their place of residence or employment, other than employment at the odor source, claim it to be objectionable and the nature, intensity, frequency, and duration of the odor are considered.

The survey conducted by DNR was not a random survey, so we cannot tell for certain whether Madison-Kipp constitutes a source of objectionable odor within the meaning of NR 429.03 (2) (b), Wis. Adm. Code. Despite problems with methodology, the survey does provide good reason to believe that Madison-Kipp's odors are objectionable.

Approximately 50 percent of those who responded to the survey claimed they had been subjected to objectionable odors. The actual percentage of people exposed to objectionable odors in the area could easily be greater than the 60 percent threshold, however, because there was a large number of non-responses.

Nor can we clearly conclude anything from the fact that only 103 of the respondents identified Madison-Kipp as the source of an objectionable odor. This was only 57 percent of the total number of people reporting exposure to an odor, but another 24 percent could not identify any source. This uncertainty concerning the source of the odor, combined with the large number of non-responses, makes it impossible to tell from the survey if Madison-Kipp is or is not violating the standard established in NR 429.03 (2) (b), Wis. Adm. Code.

The regulations, however, allow an alternative test for judging whether there is an odor problem. NR 429.03 (2) (b), Wis. Adm. Code, allows the DNR to find odors objectionable "based upon the nature, intensity, frequency, and duration of the odor as well as the type of area involved and other pertinent factors." The survey conducted by DNR, we believe, supports such a finding.

According to DNR's survey, there were more than 100 households or businesses responding that Madison-Kipp was the source of an objectionable odor. An additional 44 households or businesses could not identify a source, but had experienced an objectionable odor. Of those who said the odor came from Madison-Kipp, the odor was frequent (9% said everyday, 31% said 3-4 days a week, and 42% said 1-2 days per week); of an objectionable nature (31%), of an objectionable intensity (27%), of an objectionable duration (20%). It should be noted here that the actual percentages for how many respondents found the nature, intensity, and duration objectionable are low because of flaw in the design of the survey that required respondents to choose between characteristics, rather than answer whether they have found each individually objectionable.

The survey also found other pertinent factors that argue in favor of a finding that the odor from Madison-Kipp is objectionable. Of those who identified Madison-Kipp as a source of objectionable odors, 82% said they had experienced the problem in their home, 19 people said it interfered with sleeping, 30 said it interfered with eating meals, and 79 said it interfered with outdoor activities. Respondents reported having to close windows and limit outdoor exercise, gardening, cookouts and sitting outside as a result of the odor. Respondents reported nausea (34), headaches (48), irritability (32), and a number of other health problems resulting from exposure to the odors.

These statistics, we believe, clearly add up to reasonable cause for a finding that Madison-Kipp is the source of objectionable odors, as defined by the test provided in NR 429.03 (2) (b), Wis. Adm. Code. This rule was intended to give DNR flexibility in those cases where a purely statistical approach will not work - where the survey is not truly random, where other sources may be contributing to the odor problem, where non-respondents make it impossible to draw sure conclusions. It is the intent of this rule to ensure that DNR has the authority to deal with objectionable odors like those that appear to be coming from Madison-Kipp.

We believe that DNR erred in not finding that Madison-Kipp is in violation of NR 429.03 (1), Wis. Adm. Code, and we ask that the DNR reverse its finding before proceeding with permitting action. As it stands now, the DNR is proposing to make changes that may or may not alleviate the problem. But, without a finding that there is an odor problem, DNR will have no ability to ensure the odor problem is in fact solved by the project. It is, in effect, asking the community to rely on the good faith of a permittee whom they believe is responsible for depriving them of their sleep, the peaceful enjoyment of their property, and at times their health.

The DNR has the authority to declare odors from Madison-Kipp objectionable and to force actions by the company to deal with them. Changes meant to deal with the odor problem should move forward under that authority.

In conclusion, it is our belief that the draft Title V permit for Madison-Kipp fails to meet the requirements of the Clean Air Act. We believe the monitoring, recordkeeping, and reporting requirements need to be revised. We also believe that some conditions required by Part 70 are not included in the permit. We request the permit be re-issued for public comment after necessary changes are made. Further, we request that the DNR maintain a mailing list for interested parties and provide notice of future permitting actions for this facility. Please feel free to contact me at the address or phone number below if you have any questions.

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Chris DeMarco & Francine Hartman B We learned in a January 5 Capitol Times article that public input is being solicited regarding a proposed Madison Kipp Corporation combustion stack expansion at their Madison near east side location. As residents of this area, we wish to express our opposition to this plan. It is our understanding that no recent tests or studies have been performed to ascertain the nature of pollutants that would be emitted, the area over which they would be dispersed, or their concentration. This is a densely populated residential area, with Lowell School serving young children (soon to include our own), and neighborhood facilities serving the elderly. Adding a combustion stack in this environment seems irresponsible. We urge the DNR to oppose it.

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P.C. Busch B Madison Kipp should not be permitted to increase its pollution into our neighborhood. The timing of this hearing is typical of Madison Kipp's heavy-handed and arrogant treatment of our neighborhood. While minimally abiding by environmental law, Madison Kipp will do whatever they please. It is absurd that the DNR will allow Kipp to do this given Kipp's record of accidental chlorine discharge. It is absurd that any of our governmental agencies would allow Kipp to further degrade our neighborhood. Although the recent odor survey by the DNR was not able to conclude Kipp's responsibility for odors in the neighborhood, my family and my neighbors do believe Madison Kipp adversely affects our health and quality of life. Judy, I want you to fight this violence to our neighborhood.

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Mary Geving B Thank you for attending the Madison Kipp Corporation permit hearing December 21, 1990. Unfortunately, due to the Auntimely@ timing of the hearing during the holidays I, and my partner could not attend. From what I hear through my very active, tax paying neighbors, it didn't matter that anyone attended. The DNR (Dept. of No Results) has decided that Kipp Corp. can continue to release toxins in a neighborhood even though its residents have asked and pleaded for a study or closer look at the environmental impacts placed upon the neighbors adjacent to Kipp. Please call or contact me with information on this subject.

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Laura Miller B I work at Bongo Video across Atwood Avenue from Madison Kipp. I smell Kipp at least once a week coming and going from work. When it's nice outside, we often leave our doors open to the outside. But some days the smell from Kipp is too strong and we have to keep the doors shut. I've also had customers come into the store and complain about the smell coming from Kipp. Or, if they don't know where the smell is coming from, show concerns and ask what smells so bad. I would attend the meeting scheduled for Tuesday, December 21, but I work that night.

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Brian Lutenecker B I am unable to attend Tuesday night's public hearing, so I am submitting my comments regarding Madison Kipp Corporation's request for a permit to increase chlorine usage and build new stacks to you via email: As a student at the University of Wisconsin with a deep interest in environmental issues, I feel that allowing this corporation to increase their chlorine usage and particulate emissions, as well as building two new stacks, is totally unacceptable. We must not allow corporations to increase their pollution output, but rather must require them to reduce it. An environmental impact statement must be written which addresses the company's neighbor's pollution, health and odor concerns. Thank you.

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Leslie Ninneman B We are concerned about air quality that is coming from Madison Kipp Corp. My husband found out he had lymphoma in August 1998. And this last September he had a bone marrow transplant. So, his health is a major concern of ours. So, please make sure Kipp has clean air coming from the plant.

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Alex Converse B Letter attached.

- ✂ PSD consideration - DNR should reconsider its conclusion that Madison Kipp is not a secondary metals production plant.
- ✂ Modeling - Has reason to believe that the WDNR analysis under predicts the impacts on the surrounding neighborhood.
- ✂ Rural versus urban dispersion coefficients B I believe that urban dispersion coefficients would be recommended in USEPA background documents to the ISCST3 model.
- ✂ Use of flagpole receptors - Since variation in terrain were not used for the modeling analysis, I assume that all receptors at which predictions were made were at ground level.
- ✂ Consideration of airflow around buildings - The modeling discussion in the WDNR analysis does not indicate which buildings or structures were considered when predicting the dispersion of the project discharges.
- ✂ Size of the Receptor Grid B The use of a larger receptor grid for the modeling analysis would determine if higher concentrations will occur beyond the original 500-meter receptor grid.
- ✂ Evaluation of Odor Impacts B By modeling the concentrations of the odorous pollutants, the WDNR could predict the effects of the project on objectionable odors.
- ✂ Modeling Emissions PM<sub>2.5</sub> B I believe the WDNR should use the modeling analysis to compare the factory impacts with the proposed PM<sub>2.5</sub> air quality standard as was done with the RfC analysis. If exceedances of the standard are predicted, the WDNR could ask Madison Kipp to implement voluntary changes to comply with this standard.
- ✂ Need for air pollution control equipment B If the WDNR can require other large sources of hydrogen chloride to control their discharges, the WDNR should consider requiring Madison Kipp to control its discharges as well.
- ✂ Pollutants not evaluated -BWDNR analysis does not include any emission estimates from some HAPs including nickel, lead, chromium, antimony, cobalt, selenium, cadmium, and arsenic. Prior to issuing a new permit to allow Madison Kipp to disperse rather than control the emissions from its aluminum melting furnaces, there should be a thorough identification of all the pollutants to be emitted and evaluation if these discharges comply with applicable air quality standards.
- ✂ Continuous Monitoring of Stack S22 Emissions B should require more stringent monitoring of these operations to assure compliance with the permit emission limitations. At a minimum require continuous monitoring equipment on the stack for the furnaces.
- ✂ Regular Testing of S22 - DNR should require more frequent testing of the factory emissions. At a minimum Kipp should be required to test this (S22) annually.
- ✂ Testing for Other Pollutants B Require tests to determine if and how much emissions of other pollutants (nickel, lead, chromium, antimony, cobalt, selenium, cadmium and arsenic) are discharged. Testing of Aluminum diecasting
- ✂ Preparation of an Environmental Assessment B so there is a complete review of other impacts such as the increase of odors and noise from this project.

✂ Ability to Petition USEPA B DNR should provide the name and address of the person to whom this petition should be submitted.

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Lynn Rothermel B Letter attached. Odors and long-term health effects. The incidence of child asthma is enough to cause alarm about the current level of pollution from Kipp.

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Karen Nickels B letter attached. Disapproval of granting the permit with almost no pollution control technology. Need independent assessment done in the neighborhood to determine the harmful effects of current emissions.

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Madelyn Scheer B letter attached. Kipp needs to revamp their factory to use the newest in technology. DNR should facilitate Kipp and other small factories in finding some funding that would allow them to keep their technology current with regard to pollution and competition. Strongly support a Good Neighbor Agreement. Poor effort of the DNR in handling this issue. Comment period not adequate to allow full participation of the general public. Survey areas was too small and talked about smells, not health issues. Wants to see a full EPA review and assessment done on Kipp.

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Dennis Watierd B letter attached. Son has asthma and he needs clean air on the east side of Madison.

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Steve Meiers B letter attached. Has not experienced any difficulties with the air quality, however was shocked to hear that 200 people showed up for the recent meeting. Wants more information about the issue.

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Emma Czarapata B letter attached. Letter outlined health effects while living near Kipp. Has since moved away and is virtually symptom free.

Jane Eiseley B letter attached. Wants the City of Madison to demand an environmental impact statement and that the city is looking to zoning and any other possible avenues to prevent the proposed increase in emissions and the taller stacks. Kipp should be made to install scrubbing devices on its smokestacks, present and/or future, or they should be induced to move.

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Vicki Berenson B letter attached. DNR needs to do more testing and research before allowing this expansion to continue. Allowing a factory to increase their level of emissions without studying the health effects appears to me to be irresponsible and inconsiderate of the population which the DNR is supposed to serve.

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Bob Mitchell B letter attached. Concerned about effects of increased emissions over w wide area. Since Kipp is located in the middle of a residential area near a school Kipp's emissions should be restricted to a greater extent than is called for in their current plan.

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Mary Jean Conroy B letter attached. We need independent testing of current levels of emissions before any new smokestack is built. Also has discovered that some studies link multiple sclerosis to dioxin. Since moving into neighborhood in 1992 has been diagnosed with multiple sclerosis.

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Sam Johnson B letter attached. Would like to be assured that the decision makers at the Kipp Corporation are not putting additional risk into the neighborhood and hope Kipp fully discloses to the public all aspects of expansion as well as current details of their operation.

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Mary Paulauskis Johnson B letter attached. Please encourage Kipp Corporation to make sure that our environment will be safe as they expand.

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Deb Bailey B letter attached. Health effects, since moving into the area allergies and asthma have been more problematic.

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Ann Fleischli B letter attached. It is time for Kipp to move its presence outside of an inhabited area. It is time for Kipp to stop using a chlorinated process that guarantees adverse health effects. It is time for air quality and lowered level of air particulates to become a DNR priority rather than the financial interests of Kipp.

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Marcell Helmus B letter attached. Does not want tall stack also concerned about noise.

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Marcia Kaltenberg B letter attached. Concerned about pollution of the near by lakes. Father was a former Kipp worker who had to retire on disability because he developed asthma from working there and could no longer tolerate working in that environment.

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Robert Klevins B letter attached. Strongly against the permit. Asks that extensive tests be made of the soils around Kipp and no increase in chlorine use be permitted.

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Lorraine Stoltzfus B letter attached. Strong objection to the permit being granted.

- ✗ MACT for secondary aluminum production plant should be applied (if dirty scrap is being processed, then MACT should apply). Furthermore, because the processing of dirty scrap could potentially lead to dioxin formation, dioxin testing should be conducted, and if any is being formed, stringent controls should be put in place.
  - ✗ Current Health Problems B DNR should take health problems into account in considering whether to issue a permit which allows Kipp to use and emit this toxic substance. Chlorine emissions have been linked to increased incidence of breast cancer. This concern needs to be addressed.
  - ✗ Odor Survey B does not believe survey is accurate or complete. Survey should have been conducted in the summer, when people are gardening and enjoying their yards. A permit for new construction should not be issued before DNR conducts another survey, this time in the summer so that is accurate.
  - ✗ DNR is putting Kipp's profits before health and environmental concerns.
  - ✗ Kipp's operations and proposed operations are a source of health problems, that adversely affect the ability of people in the neighborhood to enjoy their properties.
  - ✗ Public comment/public hearing period was compressed into only 30 days.
- 

Karen Rahmeier B letter attached.

- ✗ Time of this hearing was not good B noted that the DNR hearing schedule specifically states that there are no hearing scheduled during the week of December 20-December 24, however that statement is then belied by the Kipp hearing being set for that very week. Believe that another public hearing should be set during January, after the holidays, in order to give the public a fair opportunity to appear and comment on this permit application.
- ✗ Area in which the Kipp facility is located is a residential neighborhood, not an industrial park. Pollution emitted affects thousands of people. Therefore, the most stringent regulations which are applicable should be used in this situation, not the least stringent which can somehow be justified.
- ✗ Odors, although DNR conducted an odor survey, we were not contacted.
- ✗ Urge DNR to apply the major source emissions regulations
- ✗ Pay attention to problems which already exist from Kipp emissions.
- ✗ Require a comprehensive environmental impact statement for Kipp's application.

- ✧ Strongly urge the DNR not to permit Kipp to increase its use of chlorine, and in fact, to require Kipp to reduce current emissions.
  - ✧ Require Kipp to install whatever air pollution control measures are necessary to keep its emissions at a level absolutely no greater than what it currently emits, and preferably less.
  - ✧ Request that Kipp be a good neighbor, and listen to the concerns of its neighbors, and work with our city alderperson and citizen groups to address those concerns in a positive manner.
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Elizabeth Ivers & Douglas Hemken B letter attached. Concerned about health and general quality of life in the neighborhood. Also disturbed by how little effort the DNR has made towards encouraging public input. Strongly urge the DNR to require an environmental impact statement. Also feel that a second public hearing should be held so that those of us who were traveling during the Christmas holidays would be able to attend and provide public testimony.

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Madison Department of Public Health B letter attached. The allowable ambient air concentration for chlorine as determined by DNR regulations is not protective enough of human health because it is based on occupational standards set by the American Conference of Governmental Industrial Hygienists in 1988. If allowable ambient air concentrations were based on the most recent 24-hour occupational threshold limit value from ACGIH, an acceptable air concentration for chlorine would be 50% of the level allowed by the proposed permit. At a minimum, the DNR should set Madison Kipp Corporation's emission limits so that ambient air concentrations will not exceed limits based on the current ACGIH standards rather than rely on standards published in 1988.

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Don MacCrimmon B Letter attached.

- ✧ A dioxin study of Madison Kipp is needed; pollution analysis must account for the heightened susceptibilities of infants, children and the aged.
- ✧ The Analysis is difficult to read and often is not forthright.
- ✧ The claim that Madison Kipp is not considered to be a secondary metal production plant, fails the duck test.
- ✧ An environmental assessment ought to be undertaken in order to know whether the air breathed by the City's people is clean or not.
- ✧ The analysis makes no mention of the need for a hazard assessment for a worst case scenario, namely the catastrophic rupture of one or more drums of liquefied CL2.
- ✧ The Analysis fails to describe actual emissions which will result from Madison Kipp's recent proposed minor changes to its operating permits.
- ✧ Why do the limits specified in the footnotes on page 43 of the Draft fall so short of the 384,000 pounds found on page 11 of the Analysis?
- ✧ The author respectfully requests that the deficiencies listed in part 7 of his letter, be answered, addressed or cured before final approval of Madison Kipp's request for the modification and revision of its permits. The author further requests the remedy proposed in part 6 of his letter, be augmented with the use of suitable recording/monitoring devices 24 hours daily, 365 days a year.

J. Kruse B letter attached. Odors, asthma, frequent dizzy spells, and lesions in his nose. Need to test the neighborhood for dioxins. Please require an environmental impact statement.

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Anne Chacon B letter attached. Strongly oppose the granting of these permits.

- ✧ There is no mention in the Analysis of any of the hundreds of residents' health and environmental complaints.
  - ✧ The health effects on the DNR's odor surveys were limited to minor ones.
  - ✧ Taller stacks must be fitted with electrostatic precipitators or filters so that they reduce not increase pollution from Kipp.
  - ✧ Need for an unbiased environmental impact assessment or environmental impact statement is a must.
  - ✧ Why is stack testing not required for increased chlorine injection?
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List Attached. I do not want DNR to use the Madison Kipp Corp. permit until an environmental impact statement addresses the neighbors' pollution, odor and health concerns: Sara Obern, Stuart Stotts, Nichole Toenies, Marylu Green, Beth Durschwer, Barbara Schwarz, Cohn, Sal Serio, Scott Watson, Celest Robins, Robert Tocco, Mary

Lindberg, Terese Allen, Judy Klug, Linnie Levy, Phil Fitz, Charlie & Doreen Grimm, V.Z. Straughn, Dean Morse, Jane Rowe, M. Lynn Benson, Mary Yocum, Devony Smith, Lois Taylor, Laura Miller, Lynn Rothermel, Debbie Crockett, Mary Geving, P.C. Busch, Beth Freunelich, Barb Werner, Garrett & Leslie Ninneman, L. Lathrop, Jennifer Parker.

Mary Conroy

Some studies link MS with dioxins. Moved into neighborhood in 1992. Was diagnosed with MS in June of 1999. Kipp should have staffed a table at the hearing.

Sue Jones

Lives on Circle Park. Everyday hears Kipp and smells their emissions. Requests testing including dioxin testing. Should seriously look at requiring Kipp to meet air quality standards for secondary aluminum processing plants.

Kent Palmer

Guest Column

David Cwik

Deny the permits