

STATE OF MINNESOTA

ENVIRONMENTAL QUALITY BOARD

**In the Matter of Faribault Energy Park,
LLC's application for a site permit for a
large electric power generating plant
located in Faribault, Minnesota.**

**ENVIRONMENTAL IMPACT
STATEMENT - SCOPING DECISION
Docket #02-48-PPS-FEP
October 29, 2003**

The above-entitled matter came before the Chair of the Minnesota Environmental Quality Board (MEQB) for a decision on the scope of the Environmental Impact Statement (EIS) to be prepared on the proposed Faribault Energy Park project. The EQB held a public meeting on October 15, 2003, to discuss the project with the public and to solicit input into the scope of the EIS to be prepared. The public was given until October 24 to submit written comments regarding the scope of the EIS. Having reviewed the comments submitted and consulted with EQB staff, I hereby make the following Scoping Order. The draft EIS shall address the following.

ALTERNATIVE SITES

The draft EIS shall address the following two sites:

The preferred site is located in the southwest $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 13, Township 110 North, Range 21 West, Rice County, Minnesota.

The alternative site is located in the southeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 13, Township 110 North, Range 21 West, Rice County, Minnesota.

IMPACTS TO BE EVALUATED

The draft EIS on the Faribault Energy Park project will address the following matters:

A. GENERAL

- A.1. Purpose and Need
- A.2. Regulatory requirements

B. PROPOSED ACTION

- B.1. Typical operation cycle of the plant (hours per day, days per year) and conditions determining fuel type usage
- B.2. Construction plan: time needed to construct the plant and the anticipated time frame for plant operations based on the plant's design

- B.3. Selection of emission controls, Best Available Control Technology (BEST) analysis, and effects on overall plant operations
- B.4. Combustion turbine and cooling technologies

C. SITE SELECTION

- C.1. Property acquisition for the land where the plant may be sited
- C.2. The process used to identify the sites
- C.3. Municipal services and corresponding infrastructure needs (e.g., storm water system, water lines, sanitary waste treatment capacity, spray irrigation for wastewater disposal, roads, pipeline routing and transmission interconnection)
- C.4. The plant siting process, including the agency responsible for site selection
- C.5. Siting considerations contained in Minnesota Rules part 4400.3150

D. AIR POLLUTION

- D.1. The type, amount, and impact of fugitive dust generated during construction and operation
- D.2. Fugitive dust management practices during construction
- D.3. The quantity and quality (i.e., chemical and physical characteristics) of potential criteria and hazardous air pollutant emissions from the plant, including a discussion on carbon dioxide and ammonia. A discussion on emissions relative to fuel type (i.e., natural gas versus fuel oil)
- D.4. The potential impact from the release of moisture to the atmosphere related to fogging and icing along Interstate 35

E. BIOLOGICAL RESOURCES

- E.1. Threatened and endangered species and species of concern
- E.2. The potential for disruption of critical habitat
- E.3. Discharges to the streams and rivers and the effect on wildlife and aquatic life
- E.4. The location of utility lines and potential impacts on wetlands

F. CULTURAL RESOURCES

- F.1. The impacts of proposed plant site and associated facilities on historic and archaeological resources

G. GEOLOGY AND SOILS

- G.1. The potential for soil erosion at the plant site
- G.2. The potential for loss of prime farmland

H. HEALTH AND SAFETY

- H.1. The effects of noise and pollution on human health, including information contained in the facilities Air Emission Risk Analysis (AERA) document
- H.2. Potential accident scenarios concerning the use of natural gas
- H.3. The current regulatory status of health risks related to electric and magnetic fields
- H.4. The use, location, size, and potential effects of high voltage transmission lines and high pressure natural gas pipelines for the proposed project
- H.5. Emergency preparedness plans for the plant

I. LAND

- I.1. Zoning requirements and compatibility with local land use planning
- I.2. The need for setbacks from highways and residential areas
- I.3. The amount of prime farmland that the power plant would use
- I.4. The effects on existing land uses
- I.5. The impacts of site decommissioning, closure, or abandonment

J. NOISE

- J.1. Noise associated with construction of the plant
- J.2. Noise associated with operation of the plant
- J.3. Noise heard by the public

K. SOCIOECONOMICS

- K.1. Housing or lodging requirements during construction and operation
- K.2. Construction, operation, and closure effects upon the local economy (jobs, property taxes)

L. TRANSPORTATION

- L.1. The transportation of materials to the plant, including routes, frequency, mode of transportation, and time of day or night
- L.2. The accident potential associated with truck, train, and other vehicular traffic during construction and operation

M. VISUAL IMPACTS AND AESTHETICS

- M.1. Line-of-sight issues and visual impact of the power plant's stack, and related structures
- M.2. Brightness of operations and security lights, day and night time visual impacts
- M.3. Visual impacts of emission plumes and fog

N. WASTE MANAGEMENT AND DISPOSAL

- N.1. Constituent characteristics and handling (treatment/storage) of waste water
- N.2. Types, quantities and management practices of solid and hazardous waste generation
- N.3. Storm water runoff management practices (collection, storage, and treatment)

O. WATER

- O.1. Water withdrawal needs and availability from groundwater sources
- O.2. The potential effect of groundwater withdrawal on neighboring wells
- O.3. The impacts if the plant were sited in a floodplain
- O.4. Use of municipal water
- O.5. Wastewater management and discharge, including the quantity and quality of effluent (i.e., chemical and physical characteristics), point of release, and the effect of discharges on a municipal wastewater treatment plant or agricultural land

P. OTHER

P.1. Creation and management of artificial wetlands

ISSUES OUTSIDE THE SCOPE OF THE EIS

The EQB will not, as part of the draft EIS, consider whether a different size or different type plant should be built. Nor will the EQB consider the no-build option.

IDENTIFICATION OF PERMITS

The draft EIS will include a list of permits that will be required for the applicant's to construct this project.

SCHEDULE

A draft EIS will be completed by February 15, 2004.

Signed this ____ day of _____, 2003

STATE OF MINNESOTA
ENVIRONMENTAL QUALITY BOARD

Robert A. Schroeder,
Chair