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## DNR finds hundreds of violations of ethanol plant's permit

By [STACY VOGEL](#) ([Contact](#)) Sunday, June 29, 2008  
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MILTON — The Wisconsin Department of Natural Resources has named United Ethanol a “high-priority violation” after finding hundreds of violations of the plant’s permit.

An inspection report released earlier this month by Brian Barbieur, air management engineer, recommends the DNR refer the case to the Wisconsin Department of Justice for fines and forfeitures.

“This is a very serious case in our view,” said Eileen Pierce, DNR regional air and waste leader.

United Ethanol does not agree with all of the DNR’s characterizations, Dori Lichty, a spokeswoman for the plant, wrote in an e-mail to The Janesville Gazette. Some parts of the report refer to matters the plant already has fixed, and the plant is working to fix other problems, she wrote.

The 60-page report details each item in the plant’s permit and the plant’s compliance status through Feb. 29. Of 371 items in the permit, the plant was found to be out of compliance with 178.

“The facility was not constructed in accordance with the permit or permit application,” the report

concludes. "The permittee did not install all process equipment consistent with the permit of application.

"The permittee did not install all pollution control devices prior to operation. The permittee did not inspect any pollution control devices prior to operation. The permittee has not operated in accordance with the permit."

Pierce said a high-priority violation designation sets in motion actions prescribed by the federal Clean Air Act. The DNR has 60 days to issue a notice of violation and 270 days to either bring the plant back to compliance or refer the case to the Department of Justice. If the DNR doesn't meet the deadlines, the U.S. Environmental Protection Agency could take over the case.

But Pierce expects the DNR to take action quicker than that, she said.

"I expect timely action, and we're not waiting 60 days," she said.

In most cases, the DNR would resolve the issue by sending a notice of violation and asking the plant to correct the problems, but Barbieur, the engineer who handled the report, believes this case is serious enough to send it to the Department of Justice, Pierce said. The action would require approval of the DNR secretary, Matthew Frank, she said.

According to Wisconsin air quality statutes, the Department of Justice could fine the plant between \$10,000 and \$25,000 per day for each offense, Pierce said.

The Clean Air Act also includes provisions for residents to bring suit against plants in federal court in certain situations.

In February, the DNR notified the plant it had tested over the limit in October for emissions of particulate matter, volatile organic compounds and nitrogen oxide.

Volatile organic compounds are pollutant gasses. Particulate matter is extremely small particles and liquid droplets made up of acids, chemicals, metals, soil or dust.

At the time, the plant said it had corrected the problem that caused the high emissions.

The plant was retested June 3 and 4, but the results aren't yet available, Pierce said.

The plant hopes to install a new regenerative thermal oxidizer to fix some of the problems in the report, but it's waiting for permission from the DNR, Lichty wrote.

"United Ethanol maintains regular communication with the DNR, and ... employees are working hard to operate the facility according to our permit to stay in compliance," she wrote.

The DNR is reviewing the permit application and hopes to open a 30-day public comment session on it in mid-July, Pierce said.

Plant neighbors have been following the DNR's actions and are concerned about the inspection results, said Ginny Goodman, who lives near Milton's Eastside Industrial Park that houses the plant.

"I feel like from the very beginning we had concerns and issues, and I feel that (the plant) might have addressed some of them," she said. "But from the very beginning, it wasn't done correctly. Just by reading that DNR report, you can see that for yourself."

Goodman and others are concerned about possible health risks from plant emissions, she said. Neighbors need to keep questioning the way the plant is operating, she said.

"The building is there," she said. "We just want it to run properly, to be in compliance."

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[proartist](#)

Jun 30, 2008 at 12:16 p.m.

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Agreed, thekid3477! Hemp is a fiber for processing, a fabric, a paper, a nutritious food, a fuel, a crop that revitalizes and enriches the land and can produce multiple crops each year. If people could get beyond the mind-set that some varieties are only a drug (whose benefits are just beginning to be understood!), it could truly become the cash crop of the world providing profit and unlimited sustainable quality of life. As society looks for alternative renewable fuels, let's all be careful that we "first do no harm" as has now been indicated with ethanol. Perhaps there is valuable insight that previous generations growing hemp can teach if we only look to their knowledge and apply it to contemporary needs.

[thekid3477](#)

Jun 30, 2008 at 9:43 a.m.

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use hemp for fuel. its literally a weed and will grow ANYWHERE. we can grow a crop AFTER we grow the food. it actually RESTORES soil quality and takes NO FERTILIZERS to grow.

[www.hemp4fuel.com](http://www.hemp4fuel.com)

[Hockeyjockey](#)

Jun 30, 2008 at 6:35 a.m.

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I knew that all of the protesters would think that this news justifies everything they accused Milton officials of in the first place.

All it does, in reality, is show that this particular ethanol company welched on its word. And it is

particularly galling that after everything Milton did for this plant, that UE won't keep their end of the bargain. I supported this plant and thoroughly researched the concept and company and was satisfied that they would be good neighbors. Instead, they just spat in the face of people who put their reputations on the line for this plant. This is why corporate America gets a bad name. I will find it very difficult to ever trust the word of a company official again.

[maven](#)

Jun 29, 2008 at 11:16 p.m.

[Suggest removal](#)

chainsawchuckie... I am very sure! Thanks for covering my back, though! lol

[JohnDoe](#)

Jun 29, 2008 at 10:43 p.m.

[Suggest removal](#)

Whether you believe in ethanol or not, there's no denying the back door way the city administration went about getting it in the first place. And there's no denying the violations that are taking place now.

Those are the issues that were not addressed at the beginning because the citizenry were not allowed to be a part of the governmental process this country was founded on.

Perhaps the citizens should now be allowed to meet in secret to decide what they want to do with the plant and the administrators who voted for it.

[werpknarly](#)

Jun 29, 2008 at 10:34 p.m.

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those who live near the ethanol plant who believe in it have not had any issues with the operation, those who dont believe in it find lot of problems... for me, its a steping stone to cellulose and its better than sending semi loads of cash to fuel wars in the mid-east. (unless u own stock in exxon or mobil) also Oil money is turning south america to socialisum and bringing back the soviet union.

[JohnDoe](#)

Jun 29, 2008 at 9:15 p.m.

[Suggest removal](#)

Time for some re-call petitions.

[blogger123](#)

Jun 29, 2008 at 6:46 p.m.

[Suggest removal](#)

Everyone goes broke? I have a feeling some Milton big-wigs (or so they think) are making a few bucks off this "wonderful safe" Ethanol plant WHICH PEOPLE KNEW WOULD BE AS CRAPPY,STINKY AND UNSAFE AS WE ALL KNEW FROM THE GET-GO! I agree with "woody",shame on Nate Bruce and all his "disciples" - they don't live near the nasty smelly plant. Gee HONEST MILTON RESIDENTS could have told you this was coming,but did they listen??? NO! SHAME ON ALL OF YOU!

[chainsawchuckie](#)

Jun 29, 2008 at 6:46 p.m.

[Suggest removal](#)

i smell a rat oh wait it's the new "E" plant

[deltafox5674](#)

Jun 29, 2008 at 4:57 p.m.

[Suggest removal](#)

Ethanol = Everyone Goes Broke

[Zoom](#)

Jun 29, 2008 at 4:28 p.m.

[Suggest removal](#)

Ethanol is a boondoggle. I've also wondered where the "grass" (weeds, really) will be grown, and not effect the food supply.

[Unidentified](#)

Jun 29, 2008 at 1:51 p.m.

[Suggest removal](#)

Although I think the environmental issues should be addressed, I also think cool heads should prevail. These are good paying jobs and the last thing the area needs is another layoff. Let's wait and see if the new test results prove in compliance before creating uproar. Although this plant may currently provide ethanol through food sources the long term potential may be bio fuels from non food sources like grass.

[chainsawchuckie](#)

Jun 29, 2008 at 1:21 p.m.

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maven are you sure you want us to do that??  
have you read the bessie the cow comments??  
LOL have a great day and STAY SAFE!!!!

[maven](#)

Jun 29, 2008 at 12:01 p.m.

[Suggest removal](#)

I'd like to invite you all to also post on [www.discovermiltonwisconsin.com](http://www.discovermiltonwisconsin.com) Sticks'nStones Forum.  
Thanks, Linda

[whybesad](#)

Jun 29, 2008 at 11:46 a.m.

[Suggest removal](#)

Just another reason why making a food source to fuel. It not only is raising the cost of gasoline and the costs of food. It also pollutes the environment. This stuff was suppose to help the environment.  
Where's Al Gore now?

[ekim8404](#)

Jun 29, 2008 at 11:38 a.m.

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Just one more example of a private company cutting corners and putting a community's health at risk to make a profit. What ever happened to personal responsibility and doing what's right instead of what is politically and financially expedient and profitable? I guess we have to go to fantasy world to experience those attributes anymore.

...not to mention the fiscal boondoggle that is ethanol production to begin with.

[woody](#)

Jun 29, 2008 at 11:10 a.m.

[Suggest removal](#)

The people that were fighting against getting the ethanol plant knew this was going to happen unless they were very careful. Nate Bruce and his cronies instead pushed forward without care because none of them would have to put up with living next to the plant. You don't hear about them trying to fix what they allowed to happen...do you. Shame on them!

[Professor](#)

Jun 29, 2008 at 5:14 a.m.

[Suggest removal](#)

Well, there's a surprise: A company promising the world about safety/noise/pollution/odor. People who don't believe them are labled as naysayers, or worse. And then it happens, and leaders scratch their collective heads, wondering if this has ever happened before....sheesh!

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