



Preliminary Decision Aids

Biomass Energy Plant

FibroMinn LLC Non-Waste Determination

Benson, Minnesota

July 2015

For more information

For questions, comments or more information about EPA's tentative non-waste decision for the FibroMinn biomass generation plant, contact these EPA team members:

For technical questions

Carol L. Staniec

Project Manager

Land and Chemicals Division

EPA Region 5

312-886-1436-fax 312-692-2058

Staniec.Carol@epa.gov

For general questions

Rafael P. Gonzalez

Public Affairs Specialist

Land and Chemicals Division

EPA Region 5

312-886-0269

Gonzalez.rafaelp@epa.gov

EPA toll-free: 800-621-8431, 8:30 a.m. – 4:30 p.m., weekdays

On the Web:

For the administrative record of this case, the signed tentative decision document and this fact sheet, go to www2.epa.gov/mn/fibrominn.

Official documents

For local community information concerning this non-waste determination, view official documents by visiting these repositories: Benson Public Library, 200 13th St. N. (in digital format only on CD); the Willmar Public Library, 410 Fifth St. S.W. (in digital and hard copy format); and the website.

U.S. Environmental Protection Agency is proposing to grant FibroMinn LLC's request that the poultry litter burned at the company's power plant in Benson, Minnesota, be considered a non-waste fuel. This is the first EPA response to a non-waste petition in the country under the Non-Hazardous Secondary Material Rule.¹

The company receives turkey and other poultry litter from contracted farmers, mixes it with wood chips, and then burns the fuel to generate electricity that it sells to Northern States Power, a subsidiary of Excel Energy.

Comments welcome

Before EPA makes a final decision on FibroMinn's non-waste petition, the Agency will collect opinions and statements from the public during a 30-day comment period that runs from July 22 until midnight, Aug. 21, 2015. EPA will consider reasonable requests to hold a public hearing on the issue.

To make a comment, email Project Manager Carol Staniec at staniec.carol@epa.gov or mail to Carol at U.S. EPA Region 5, Land and Chemicals Division (LM-8J), 77 W. Jackson Blvd., Chicago, IL 60604-3590. You can also comment on EPA's FibroMinn website at www2.epa.gov/mn/fibrominn.

First action under Secondary Materials Rule

FibroMinn's 55-megawatt biomass power plant is the nation's only large grid-connected boiler specifically designed to burn poultry litter as the principal fuel. This is EPA's first "non-waste" determination under the Non-Hazardous Secondary Material Rule and it would allow FibroMinn to continue burning poultry litter as its primary fuel source. If EPA denies the petition, the state of Minnesota would require FibroMinn to demonstrate compliance with the new EPA air rules.

One of the criteria required to fulfill the Non-Hazardous Secondary Material Rule is for FibroMinn to prove the poultry litter it burns as fuel has not been previously abandoned or discarded. FibroMinn must also show it considers and handles poultry litter as a valuable commodity and not waste and prove the litter does not contain pollutants at higher levels than traditional fuels such as coal, oil and wood.

¹EPA is acting on FibroMinn's petition application under its responsibilities set out in the federal Resource Conservation and Recovery Act, or RCRA. The determination has included a review of FibroMinn's application that its Non Hazardous Secondary Material – poultry litter burned for fuel – deals with the legitimacy criteria in 40 Code of Federal Regulations, or C.F.R., at § 241.3(d)(1) and other relevant criteria found in 40 C.F.R. § 241.3(c)(1)(i) through (v). The petition application and other relevant materials can be viewed at the official repository locations: EPA Region 5 Offices, RCRA Branch, 77 W. Jackson Blvd., Chicago, IL; Benson Public Library, 200 13th St. N.; Willmar Public Library, 410 Fifth St. S.W.; and on the EPA website at www2.epa.gov/mn/fibrominn.