



Gary environmental group responds to news of biofuel company going under



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Dorreen Carey, of Gary, sets among a signs distributed by Gary Advocates for Responsible Development (GARD) during the public hearing to gather questions and comments on the licensing of Fulcrum Counterpoint at the 21st Century Charter School in Gary, Indiana Wednesday April 27, 2022. (Andy Lavalley for the Post-Tribune)

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Gary Advocates For Responsible Development members were pleased to read the recent news that Fulcrum, the company that proposed construction of a trash-to-jet biofuel plant in Buffington Harbor, is going under.

Bloomberg reported Tuesday that Fulcrum is on the verge of going under as the company recently laid off nearly all of its staff of about 100 and halted most of its operations. The company's Nevada plant suffered multiple issues and delays, including the creation of nitric acid that ate through the equipment and caused millions of dollars in damage, which led to the company defaulting on \$289 million in bonds to build the plant, according to the Bloomberg article.

When the Nevada plant issues began, Fulcrum stopped plans to sell \$500 million of tax-exempt bonds through the Indiana Finance Authority to build a larger trash-to-fuels facility in Gary, Bloomberg RA drawing of the proposed Centerpoint BioFuels Plant by Fulcrum Bioenergy is displayed in Gary, Indiana on Tuesday, March 29, 2022. The plant's future is in doubt as Fulcrum laid off most of its employees and ceased operations earlier this month (Andy Lavalley for the Post-Tribune)

"We welcome this news because we never thought it was a good idea for our city," said Carolyn McCrady, GARD board secretary. "We feel vindicated. We didn't want this experiment brought to the city. We stuck with it and I'm glad we did."

In a statement, GARD President Dorreen Carey said the organization is not surprised that Fulcrum is going under.

"We said from the beginning that the technology they are promoting is unreliable, unproven, dangerous, and would not work. There was plenty of scientific evidence to support this view for any who cared to investigate," Carey said in the statement.

Gary Advocates for Responsible Development member Jennie Rudderham looks at a jar of "feed stock", used to make biofuel, during an open house to provide information about a proposed Fulcrum BioEnergy biofuels plant in Gary on Wednesday, Dec. 15, 2021. (Kyle Telechan for the Post-Tribune)

Gary Mayor Eddie Melton said city officials have heard about the challenges Fulcrum is facing.

"We are currently assessing our next steps and will make decisions that are in the best interest of the City of Gary," Melton said.

California-based Fulcrum Bioenergy's claimed that its planned Centerpoint Biorefinery in Gary's Buffington Harbor would turn household garbage and other organic materials into a more sustainable form of jet fuel. Announced in 2018, the still-unbuilt facility has been a great source of controversy among community activists, elected officials and community members.

In September of 2022, GARD filed a petition with the Indiana Office of Environmental Adjudication alleging that the Indiana Department of Environmental Management inappropriately granted a Federally Enforceable State Operating Permit (FESOP) to Fulcrum for the Centerpoint facility in August of that year. The group filed an updated petition in December.

GARD has claimed that IDEM failed to substantiate Fulcrum's claims that the plant's emissions of pollutants will be low enough to qualify for the FESOP, which can only be issued to facilities designated "minor" emissions sources under criteria outlined in environmental regulations.

In November, GARD filed a motion for summary judgment to block an air permit necessary for the construction of the biofuel plant in Buffington Harbor as part of its ongoing litigation seeking to stop the project.

The motion, filed on GARD's behalf by Michael Zoeller, an attorney with the Midwest-based Environmental Law and Policy Center, claims that IDEM relied solely on information provided by Fulcrum, which in some cases was incomplete, when calculating the proposed

facility's projected emissions levels in multiple key categories, and did not independently verify Fulcrum's data.

The motion further claims that IDEM cannot accurately predict the Centerpoint facility's emissions without accurate information on the composition of feedstock used to produce the jet fuel, which Fulcrum did not provide, and that the FESOP granted to Fulcrum is not "protective of public health" as legally required.

Zoeller cited elevated levels of particulate pollution and ozone already present in northern Lake County and argued that the Centerpoint facility, if built, would "impair the health of its already overburdened residents."

McCrary said GARD does not plan to drop the lawsuit anytime soon.

"We're not going to make any fast moves with this case," McCrary said. "We have no plans to withdraw."

Carey said the organization is hopeful this news will limit the expansion of other trash-to-jet biofuel companies.

"We hope that this is the end for Fulcrum and other groundless schemes that suggest you can magically turn mixed municipal garbage into aviation fuel," Carey said.

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