

**STATE OF RHODE ISLAND
ENERGY FACILITY SITING BOARD**

<hr/>)	
IN RE: SEA 3 PROVIDENCE, LLC PETITION)	
FOR DECLARATORY ORDER REGARDING)	
THE RAIL SERVICE INCORPORATION)	DOCKET SB-2021-03
PROJECT (PROVIDENCE, RI))	
<hr/>)	

**PRE-FILED TESTIMONY OF
LEAH BAMBERGER**

November 8, 2021

TESTIMONY OF LEAH BAMBERGER

1 Introduction

2 Q. Please state your full name and business address.

3 A. My name is Leah Bamberger. My business address is 25 Dorrance Street,
4 Providence, Rhode Island.

5 Q. What is your position with the City of Providence (“the city” or “Providence”)?

6 A. I am the Director of Sustainability for the city.

7 Q. How long have you held that role?

8 A. Since June 2015.

9 Q. What are your responsibilities in that role?

10 A. I lead the city’s sustainability efforts, including climate resilience,
11 environmental justice, and energy policy and programs. The Office of
12 Sustainability, which I lead, works to provide a better quality of life for all
13 residents while maintaining nature’s ability to function over time by
14 minimizing waste, preventing pollution, promoting efficiency, improving
15 equity, and developing local resources.

16 Q. What is your background before becoming Providence’s Director of
17 Sustainability?

18 A. I previously worked for the City of Boston, most recently as the Greenovate
19 Boston Program Manager from 2014-2015 and before that as the

1 Sustainability Advisor to the Chief of Environment, Energy, and Open Space
2 from 2012-2014. Before that I worked for Vanasse Hangen Brustlin, Inc. as a
3 Climate Program Officer in 2012, for The Nature Conservancy as a Coastal
4 Resilience Geospatial Specialist from 2011-2012, as a Climate Fellow at the
5 University of New Hampshire in 2010, and as a Sustainability Planner
6 Assistant for the City of Charleston, South Carolina. *See Resume*
7 (Appendix A).

8 Q. Are you familiar with Sea 3 Providence, LLC's ("Sea 3") petition for
9 declaratory order filed in the Energy Facility Siting Board ("EFSB" or
10 "Board")?

11 A. Yes, in addition to learning of the planned expansion to Sea 3's facility in the
12 media, it was brought to my attention by concerned residents of the city with
13 whom I have built relationships by virtue of my position.

14 Q. What is your understanding of that petition?

15 A. It is my understanding that Sea 3 is requesting that the EFSB decide that it
16 does not have oversight over Sea 3's proposed rail service addition and other
17 associated modifications to its liquid propane gas ("LPG") facility located in
18 the Port of Providence ("ProvPort").

19 Q. What is the purpose of your testimony?

20 A. To urge the EFSB to exercise its statutory authority to oversee and decide
21 whether to license the proposed modifications to Sea 3's LPG facility.

Q. Are you familiar with the area where the Sea 3 facility is located?

A. Yes, the Sea 3 facility and ProvPort are located in South Providence, an area of the city that is disproportionately impacted by pollution. The United States Environmental Protection Agency (“EPA”) tracks 11 Environmental Justice (“EJ”) Indexes. Each EJ index is a combination of environmental and demographic information. I pulled data from the EPA’s Environmental Justice Screening and Mapping Tool (Version 2020) (available at <https://ejscreen.epa.gov/mapper>), and, when compared to the rest of the state, the neighborhood adjacent to Sea 3 is in the 81-96 percentile for all 11 of these indexes, as detailed in the table below:

	Percentile in State	Percentile in EPA Region	Percentile in USA
1 mile Ring Centered at 41.790093,-71.399514, RHODE ISLAND, EPA Region 1 (Population: 18,654)			
EJ Index for Particulate Matter (PM 2.5)	87	91	75
EJ Index for Ozone	87	91	79
EJ Index for NATA Diesel PM	87	95	85
EJ Index for NATA Air Toxics Cancer Risk	87	91	76
EJ Index for NATA Respiratory Hazard Index	87	92	76
EJ Index for Traffic Proximity and Volume	94	96	94
EJ Index for Lead Paint Indicator	86	91	91
EJ Index for Superfund Proximity	81	91	83
EJ Index for Risk Management Plan Proximity	93	97	93
EJ Index for Hazardous Waste Proximity	96	97	95
EJ Index for Wastewater Discharge Indicator	96	99	96

Providence already is in the most polluted county for year-round particles in the Boston-Worcester-Providence metro area, and Providence County received an F for high ozone days from the American Lung Association in its

1 2020 “State of the Air” report. The communities adjacent to the Sea 3
2 facility—South Providence and Washington Park—have some of the highest
3 rates of asthma in the state and are predominately low-income communities
4 of color. *See The City of Providence’s Climate Justice Plan (2019), at 12-17*
5 (hereinafter, Appendix B). The adverse health effects in these communities
6 will only be exacerbated by climate pollution and a warming climate. *See id.*

7 Q. How might Sea 3’s proposed modifications to its facility impact these
8 communities?

9 A. The additional storage tanks and daily rail shipments proposed by Sea 3 will
10 increase the facility’s capacity to process, transport, and supply LPG,
11 increasing truck transport and fossil fuel emissions in an already congested
12 and overburdened area of Providence.

13 Q. Are you familiar with the City of Providence’s Climate Justice Plan?

14 A. Yes, intimately. I led the development of the plan in collaboration with other
15 city staff, consultants, and community members. It is a comprehensive plan
16 aimed at creating an equitable, low-carbon, and climate-resilient future for
17 Providence communities. The plan has been recognized nationally and was
18 featured in *Grist*, *The American Prospect* magazine, and *The Weather*
19 *Channel’s “Race to Save the Planet”* series.

20 A. Does it set targets to reach those goals?

1 Yes, it sets various targets for all major sources of climate pollution in the
2 city, as well as targets to ensure that the transition away from this pollution
3 is equitable. It sets clean energy supply targets for Providence that include
4 50% of electricity being carbon-free by 2035 and 100% of electricity being
5 carbon-free by 2050. *See Appendix B*, at 69. It sets targets to address
6 community health, including reducing childhood asthma-related emergency
7 department visit rates to 10 per 1,000 children by 2035 and to less than four
8 per 1,000 children by 2050, and reducing direct emissions in environmental
9 justice communities by twenty percent (20%) by 2035 and eliminate them by
10 2050. *See id.* at 49. Notably, the city's Climate Justice Plan aims to work
11 toward a zero-emissions, pollution-free port and develop strategies to reduce
12 climate and other pollution from port operations including vessels, trucks,
13 cargo-handling equipment, and other industrial processes. *See id.*, at 56. It
14 aims to work toward a clean port economy by restricting the import and
15 storage of hazardous and polluting materials in the port. *See id.* The city also
16 set targets for itself, to lead by example, including making 100% of municipal
17 buildings' electricity renewable by 2030, making 100% of municipal buildings'
18 heating renewable by 2040, and 100% of the City's fleet and school buses
19 renewable by 2040. *See id.* at 25.

20 Q. Are you familiar with the climate goals of the current leadership in
21 Providence?

1 A. Yes. Mayor Jorge Elorza set a goal for the city to become completely carbon
2 neutral by 2050 via an Executive Order in 2016. *See Executive Order 2016-3*
3 *(April 22, 2016)* (hereinafter, Appendix C). This means that by 2050 the goal
4 is to have no greenhouse gases coming from energy consumed in homes,
5 schools, office buildings, hospitals, cars, buses, or any other activity in the
6 city that causes climate pollution. *See id.* In June 2021, the Mayor and the
7 City Council unanimously passed an Ordinance that codified this goal, as
8 well as other targets from the city's Climate Justice Plan. *See Providence*
9 *Ordinance 2021-17 (June 1, 2017)* (hereinafter, Appendix D). One of the
10 citywide goals set by that Ordinance is "[h]ealthy air and community spaces
11 free from pollution, with a focus on port-area neighborhoods and other
12 communities exposed to the highest rates of pollution." *Id.* at 2.

13 Q. Are Sea 3's proposed modifications to its facility likely to impact the City's
14 Climate Justice Plan and the Mayor's and City Council's climate goals?

15 A. Yes. The expansion of the Sea 3 facility and its intention of expanded
16 capacity to supply LPG will increase reliance on fossil fuels in contravention
17 of these local climate pollution mitigation targets intended to curb carbon
18 emissions and protect our communities. When burned, propane emits CO₂, a
19 key contributor to climate change, and nitrogen oxides, which are key
20 ingredients in the formation of ozone. Expansion of this facility would be an
21 affront to the city's climate and environmental justice commitments because

1 it increases emissions in a low-income community of color that is already
2 disproportionately burdened by pollution. Increased rail and truck traffic will
3 bring more air pollution and congestion to a neighborhood that already is in
4 the 94th percentile in the state pursuant to the EJ Index for Traffic Proximity
5 and Volume. The EPA defines environmental justice as “the fair treatment
6 and meaningful involvement of all people regardless of race, color, national
7 origin, or income, with respect to the development, implementation, and
8 enforcement of environmental laws, regulations, and policies. This goal will
9 be achieved when everyone enjoys: the same degree of protection from
10 environmental and health hazards; and equal access to the decision-making
11 process to have a healthy environment in which to live, learn, and work.” *See*
12 *epa.gov/environmental justice* (last visited October 7, 2021). Expansion of the
13 facility, especially without an application by the energy facility and full
14 review by the EFSB, will exacerbate environmental injustices in Providence,
15 moving the city farther away from the goals set forth by the city’s Climate
16 Justice Plan and Ordinance 2021-17.

17 Q. Are you familiar with the Act on Climate, R.I. Gen. Laws § 42-6.2-1 *et seq.*?

18 A. Yes, it is a state law that became effective in April 2021 and which, among
19 other things, sets mandatory targets for reductions in greenhouse gas
20 emissions. Those targets are ten percent (10%) below 1990 levels by 2020,
21 forty-five percent (45%) below 1990 levels by 2030, eighty percent (80%)

1 below 1990 levels by 2040, and net-zero emissions by 2050.

2 Q. Are Sea 3's proposed modifications to its facility likely to impact the Act on
3 Climate?

4 A. Yes. The expansion of the Sea 3 facility and its intention of expanded
5 capacity to supply LPG will increase reliance on fossil fuels in contravention
6 of these state climate pollution mitigation targets intended to curb carbon
7 emissions and protect Rhode Islanders. To meet these targets, Rhode Island
8 must be investing in low-carbon alternatives to fossil fuels rather than fast-
9 tracking development that expands fossil fuel infrastructure.

10 Q. What are some of the problems associated with climate pollution that will
11 impact Providence?

12 A. We are already seeing and can continue to expect impacts to our environment
13 and on our health from climate pollution. Rising sea levels are causing
14 flooding in downtown Providence and sea level is expected to rise by almost
15 10 feet by 2100. Rhode Island summers are expected to get much hotter by
16 2100, with an increase in high heat danger days (above 105 degrees °F).

17 Rhode Island also has seen a steady increase in extreme precipitation. While
18 curbing emissions from Providence or even from the entire state will not have
19 a measurable different in global emissions, it is critical that both Providence
20 and the State are positioned to thrive in a low-carbon economy and that we
21 lead by example. Reducing climate emissions locally will have, however,

1 immediate benefits on improving air quality and will help address the
2 associated health and environmental justice issues.

3 Q. Are you familiar with the City's Multi-Hazard Mitigation Plan?

4 A. Yes, I was on the Providence Local Hazard Mitigation Committee that
5 worked on that plan. *See City of Providence Strategy for Reducing Risks from*
6 *Natural, Human-Caused and Technological Hazards: A Multi-Hazard*
7 *Mitigation Plan (April 2019)* (hereinafter, Appendix E).

8 Q. Based on your experience on that committee, what can you tell us about the
9 hazards presented by the Sea 3 facility?

10 A. It is my understanding that LPG is a hazardous and flammable material.
11 From my work on the committee, I learned that Sea 3's LPG facility is one
12 mile from a liquified natural gas ("LNG") facility and only 500 feet from the
13 largest chemical storage facility in the City. Given the proximity of these
14 hazards, there is a potential for cascading hazard events in the event of a
15 leak or explosion at any one of them. *See Appendix E, 73-74.* I am aware that
16 the entire port is within a hurricane surge inundation area and an
17 evacuation zone for a category 1 or 2 hurricane. *See id.* at 36, Figure 2.2;
18 Appendix A (thereto), Map 2.1. It is scientifically understood that climate
19 change is expected to increase the frequency and intensity of hurricanes. *See*
20 *id.* at 36. A hurricane event could adversely compromise the LPG facility and
21 its safety measures.

1 Q. How will Sea 3's proposed modifications to its facility impact the City's safety
2 and hazard-mitigation planning?

3 A. The City's 2019 Multi-Hazard Mitigation Plan assumes that LPG is brought
4 in by sea vessel and then trucked out. *See Appendix E*, 84. Accordingly, a
5 change in the delivery method of LPG into the City would require a change in
6 the City's hazard response planning. Additionally, Sea 3's proposed rail
7 service addition would mean that LPG, a hazardous and flammable
8 substance, would be traveling by rail through areas of a densely settled city
9 where it previously was not, exposing those areas to an additional risk. The
10 recent derailment of an Amtrak train in Montana illustrates the type of risk
11 associated with rail delivery that was not present with delivery by vessel.
12 Sea 3's modifications are intended to expand its capacity, which means a
13 higher volume of LPG transport by tractor-trailers and increased storage
14 capacity at the port. The increased storage and transport of LPG would
15 increase the likelihood of risks associated with that storage and transport.
16 This also implicates the environmental justice concerns I previously
17 discussed, because Sea 3 intends, with this proposed expansion, to bring more
18 hazardous materials into South Providence, which is in the 93rd percentile in
19 the state pursuant to the EJ Index for Risk Management Plan Proximity.
20 Furthermore, Sea 3's facility in the port is vulnerable to flooding from coastal
21 storms and is unprotected by the Fox Point Hurricane Barrier.

1 Q. In your opinion, do the modifications that Sea 3 is proposing to make to its
2 LPG facility pose significant potential impacts to the environment, and to the
3 public health, safety and welfare of Providence's businesses and residents?

4 A. Yes.

5 Q. Does this conclude your pre-filed testimony?

6 A. Yes.