

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

IN RE: SB-2021-03 – SEA 3 PROVIDENCE, LLC PETITION FOR DECLARATORY ORDER REGARDING THE RAIL SERVICE INCORPORATION PROJECT

Pursuant to the provisions of R.I. Gen Laws § 42-35-8, on March 15, 2021, Sea 3 Providence, LLC (Petitioner) filed a Petition for Declaratory Judgment with the Rhode Island Energy Facility Siting Board. Specifically, the Petitioner seeks a determination that a proposed rail service and other associated enhancements to its current liquid propane gas (LPG) terminal and storage operations at 25 Fields Point Drive in Providence do not constitute an alteration of a major energy facility such that a full application to the Board is required. Petitioner plans to incorporate a vacant adjacent lot into the daily operation of its existing terminal to enable it to acquire LPG by rail in addition to its current means of obtaining supply from marine vessels. In addition to connecting an existing rail spur, Petitioner will install the requisite piping and equipment to allow for the offloading of LPG into six new 90,000-gallon horizontal storage bullet tanks on the vacant adjacent property, which will increase the storage capacity on site by less than 4 percent. The Petition also identifies other new equipment that will be installed in connection with the rail service delivery and offloading process. R.I. Gen. Laws §42-98-3(b) defines “alteration” as “a significant modification to a major energy facility, which, as determined by the board, will result in a significant impact on the environment, or the public health, safety, and welfare. Conversion from one type of fuel to another shall not be considered to be an ‘alteration’”.

The Board hereby gives notice that it is extending the comment deadline in this docket and will accept public comments at any time prior to a decision being made. However, any person or party wishing to file a formal memorandum of law must file the memorandum by no later than 4:00 p.m. on May 28, 2021. Objections to the Petition for Declaratory Judgment or comments filed in support should address the issue of whether the proposed project constitutes an alteration as defined in the statute. Paper copies of public comments are not required. Any filings made electronically should be sent to emma.rodvien@puc.ri.gov. Formal memoranda of law shall be filed electronically, with an original and 5 hard copies, addressed to Emma Rodvien, Coordinator, Energy Facility Siting Board, 89 Jefferson Boulevard, Warwick, RI 02888. The Board will be holding a hearing for purposes of having oral argument from attorneys representing parties in the case, at a date yet to be scheduled. In order to participate in the oral argument, a motion to intervene must be filed and granted.

The filing may be examined at the Board’s office. The filing can also be accessed at http://www.ripuc.ri.gov/efsb/2021_SB_03.html.

Emma Rodvien, Coordinator
May 13, 2021