

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC's :
APPLICATION TO CONSTRUCT THE : DOCKET No. SB-2015-06
CLEAR RIVER ENERGY CENTER IN :
BURRILLVILLE, RHODE ISLAND :

SURREBUTTAL TESTIMONY OF JAMES A. JACKSON, P.E.,
ON BEHALF OF THE TOWN OF BURRILLVILLE

1 **Q. Please state your name and business address.**

2 A. My name is James A. Jackson. My business address is 225 Chapman Street Providence,
3 RI 02905.

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5 **Q. On whose behalf are you testifying?**

6 A. I am testifying on behalf of the Town of Burrillville, Rhode Island as an expert witness in
7 the field of civil engineering on issues related to the proposed Clear River Energy Center
8 (CREC).

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10 **Q. What is the purpose of your surrebuttal testimony?**

11 A. To respond to the rebuttal testimony, filed on September 1, 2017, of Mr. Bacon and Mr.
12 Ringler who are witnesses for the Applicant, Invenergy Thermal Development, LCC.

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14 **Q. Have you reviewed the testimony of Mr. Bacon?**

15 A. Yes.

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17 **Q. What aspect of his testimony are you responding to?**

18 A. I am responding to Mr. Bacon's testimony on Wastewater Disposal, regarding
19 identifying a wastewater hauler and a wastewater treatment facility. Mr. Bacon states that
20 the wastewater to be generated at the site will be suitable for transport by licensed
21 contractors and for disposal at a Publicly Owned Treatment Works (POTW). He further
22 states that information regarding the hauler and disposal site are not necessary at this time
23 to evaluate the environmental impacts of the CREC.

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Q. Do you agree with Mr. Bacon’s statement that it is not necessary to identify a hauler and disposal facility for the wastewater generated on the site?

A. No. Disposal of wastewater is a major component of the project, and a wastewater hauler and disposal facility must be identified to properly evaluate the adverse environmental impacts of the proposed CREC Project. If the waste is to be disposed at a POTW, as Mr. Bacon claims, the facility should be identified now to allow all impacts to be fully evaluated by the parties and their experts, including DEM.

Q. Have you reviewed the testimony of Mr. Ringler?

A. Yes.

Q. What aspect of his testimony are you responding to?

A. I am responding to Mr. Ringler’s testimony regarding sharing the existing Spectra Energy/Algonquin Access Road. Mr. Ringler states that Spectra will not allow Invenergy to use the existing access road and he refers to a letter from Spectra stating this.

Q. Do you agree with Mr. Ringler’s statement that Invenergy can not use the existing Spectra Access Road?

A. I agree with Mr. Ringler that Spectra signed a letter denying Invenergy use of the existing access road. In my original direct testimony I strongly recommended that the project utilize the existing Spectra/Algonquin Access Road instead of constructing a new road that will significantly and adversely impact wetlands. Due to the adverse environmental

1 impacts of construction of the CREC access road, Invenergy should meet with Spectra
2 and make an effort to have Spectra reconsider their position on sharing the existing
3 access road. Spectra has agreed to sell the land for the project to Invenergy, so they have
4 a common financial interest in this project. Spectra and Invenergy will be operating
5 related facilities on adjacent properties, it would be the environmentally responsible thing
6 to do, for the two parties to agree on a shared access road in order to avoid the serious
7 adverse environmental impacts of the construction of a new access road that will disturb
8 wetlands and wildlife.

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10 **Q. Does this conclude your testimony?**

11 A. Yes.

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