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Docket: SB 2015-06 (Invenergy's CREC)

Dear EFSB Board Members:

This is my last written public comment to you, and, frankly, it feels like my last will and testament. I apologize in advance as I do not know its length nor its content as I begin to type. This document will, no doubt, be a combination of science, facts, and emotion.

I want to start with the big picture. Our society is in the midst of a cultural change concerning fossil fuel use. The Earth's climate is changing dramatically for the worst. Whether you believe that this "climate change" is due to human activities or not, the facts remain—the temperature of the planet is rising rapidly; species are going extinct at an unbelievable rate; the oceans are becoming more acidic; the weather patterns on Earth are becoming more extreme; the air emissions from fossil fuel burning (including natural gas) is a health hazard for human beings and wildlife in general; the emissions are polluting our air and our water. This societal culture change is important and vital. The message is clear: human beings have to shift from the use of fossil fuels to renewable energy for the generation of electricity. Our children and our grandchildren are depending on us, THIS present society, to make the decisions NOW in order to protect the future.

As the federal government continues to "ax" the federal environmental regulations, it is imperative that the states "pick up the slack". The problem is, however, that once the federal environmental laws are gutted, there will be no federal guidelines or minimum pollution limits (air and water). Therefore, due to the reduction in money flowing to the state environmental agencies and the resulting reduction in employees, it is indeed possible that some states will have to reduce their inspection programs or even perhaps follow the federal environmental laws (i.e., reduce the state pollution limits). As we know, all air pollution and water pollution have no boundaries. In other words, the pollution (e.g., air pollution) generated and emitted from fossil fuel electric generators from PA and NY "drift" into eastern states including RI. Also, the air pollution generated from RI "drifts" eastward into southeastern MA. (Of course, the direction and wind speeds of the atmosphere change depending on the weather conditions.) Air and water contamination/pollution "knows" no boundaries.

In the past years during EFSB public comment hearings, I have mentioned my sister, Lisa, my only sibling. I spoke of her during those hearings because she (along with hundreds of other opponents) fought AES's Granite Ridge Energy Center in Londonderry, NH for years prior to the New Hampshire Site Evaluation Committee's decision to approve in May 1999. [Granite Ridge became operational in 2001.] Lisa was devastated. She continued to live in Londonderry, raising her children 5 miles as the crow flies from the 720 MW combined cycle power plant. AES promised that the power plant would reduce town taxes, reduce electricity costs, and its operations would result in the closing of the coal-fired power plants in New Hampshire. NONE of the "promises" happened—NONE—not even to this day.

My sister died this past Valentine's Day of Stage 4 breast cancer. It was a horrible death. I am still in shock and I am still a "mess". I miss her every day. She fought until the end even though she knew that it was a "done deal" - just like she fought AES, knowing that Granite Ridge was a "done deal". SHE LOST BOTH BATTLES.

One of the last things that she told me was to keep fighting Invenergy and to never give up. She also told me that if AES's Granite Ridge was "on the plate" today, it would never be approved because the increased renewables and state efficiencies are so widespread. She also told me that if the EFSB had integrity, it would not approve Invenergy's CREC. (I hope she is correct.) The last thing that she told me was that she would always love me and that we would see each other again...someday. I hope she was right—about Invenergy being denied and that I will see her again...someday.

I will try not write about what I have written or spoken to you about before in this (my last) written public comment. I have new information, at least for me, that I would like to share with you. I also have realized the “big picture”.

The Real Issue:

In my humble opinion, the real issue concerning the decision-making process boils down to what is more important—tax money for the state & jobs versus the environment/wildlife & human health. To me, it is a “no-brainer”. The jobs are temporary and the destruction of the 200+ acres of forest and resulting destruction of the wildlife corridor are permanent. Any health issues which are caused by CREC’s air pollutants will be permanent.

The Bottom Line:

After reading the new ISO-NE documents (2019), it is apparent to me that this proposed power plant is not needed. Even if it IS needed, it will only be needed SHORT-TERM...AND, frankly, if you approve the permit, by the time the proposed CREC is built, it will NOT be needed—especially since it does not have a CSO from ISO-NE. It will take 3 years to be built after it receives its approval by you and after it receives a CSO from ISO-NE. The next FCA will commence February 2020. If CREC gets a “green light” from you and then attains a CSO from ISO-NE in February of 2020 and begins construction in June 2020, it will not be operational until June 2023. By THAT time, the power plant will be obsolete due to the increase in renewable energy sources and battery storage and increased state energy efficiencies. But, oh wait, Invenergy has stated that it will build the project “with or without a CSO from ISO-NE”.

Invenergy Plans to Build With or Without a CSO:

Attorney Blazer stated several times (and once during an EFSB hearing recently) that Invenergy would build the power plant with or without a CSO from ISO-NE. All Invenergy needs is the EFSB approval. So what does this mean? I believe (and I am not an expert concerning this matter) that Attorney Blazer meant that if CREC gets your approval, it will be built. The forest will be destroyed, the wildlife will be displaced, the wildlife corridor will be “closed”, and the non-operating power plant will be built, waiting for a CSO that may never come. If ISO-NE never “delivers” a CSO for Invenergy’s CREC, then what? The power plant will just sit there...perhaps testing its turbines/processes? The power plant will be decommissioned? What a waste of money and effort! PLEASE READ THE NEXT SECTION CAREFULLY.

OER’s Post Hearing Brief:

In OER’s Post Hearing Brief, the OER requests 3 “conditions”, the first of which states: *“A license condition that requires construction of CREC to commence within three years is warranted because CREC’s GHG reduction benefits will be most impactful in the near-term and will diminish over time.”* OER states: *“A condition that requires Invenergy to begin construction of CREC within three years of the issuance of a license will help the State realize CREC’s near-term GHG reduction benefits.”* If CREC begins construction within 3 years of EFSB approval, it does not mean that it will be operational and also, if 3 years goes by and then CREC begins construction, it will be 6 years into the future before the power plant is operational. Further in the same section, OER states: *“It also protects the State against CREC becoming a “phantom plant” which is when a developer waits for market conditions to improved before building the plant.”* No where does OER state that the power plant should be **OPERATING**. Let me repeat again: **Invenergy plans to build the power plant with or without a CSO.** The CREC WILL be a phantom plant! (Also, OER recognizes that CREC’s GHG reduction benefits will be short-term.)

OER’s suggested second condition states: *“A license condition that requires Invenergy to comply with an annual emissions cap is warranted because it advances the purposes of the Resilient Rhode Island Act.”* Since the Resilient Rhode Island Act pertains to consumption and not generation, it will be easy for RI to meet it’s GHG targets with or without Invenergy’s CREC. If the EC4 had decided to “run the numbers” with generation, Invenergy would not even be “on the table”. The Resilient Rhode Island Act is flawed in my opinion. The thought-process in the decision was that

consumption would better reflect the GHG emissions in the region. BUT, frankly, the “consumption-based” act just makes it easier for un-needed power plants to be approved. I believe (and pardon my bluntness) that the decision to make the Resilient Rhode Island Act consumption based was political. The decision was made to go the “consumption route” was made in December of 2016. Convenient.

Also, under the second suggested condition, OER states: *“As explained above, the record substantially demonstrates that CREC’s near-term operations will provide GHG reduction benefits. However, forecasting GHG emissions attributable to CREC’s medium- and long-term operations is challenging, and Invenergy’s modeling failed to extend out to the pertinent years associated with the State’s GHG reduction goals (2035 and 2050).”* I repeat: Invenergy’s modeling “failed to extend out to the pertinent years associated with the State’s GHG reduction goals (2035 and 2050)”. Invenergy’s modeling failed because Invenergy knows that CREC will not be needed nor will it be operating well before 2035. It will not be needed even before it is built.

And, why does the OER feel it necessary to include “unacceptable harm to the environment” in its brief? Upon reading this section, it looks to me like there is a political issue. OER seems to be coaching EFSB on how to make its determination of whether or not there is “unacceptable harm to the environment”. On page 7, OER states: **“The statute’s inclusion of the adjective “unacceptable” to describe “harm” implies that an applicant can satisfy this standard despite causing some harm to the environment.”** This statement is **outrageous** and I am disgusted with OER and the whole “process”. The statute’s inclusion of the adjective “unacceptable” does NOT imply that an applicant can satisfy this standard despite causing harm – and especially, as OER states “some harm” to the environment! “SOME” HARM??? Are you kidding me? OER continues on page 8: *“If the Board finds a low degree of need, CREC may have to mitigate any environmental harm and optimize its GHG reduction benefits to avoid causing unacceptable harm to the environment.”* **Apparently, OER is NOT concerned with the broader definition of the word ENVIRONMENT.** It is only concerned with the GHG emissions—never does the brief discuss HAPs (Hazardous Air Pollutants, which includes mercury, arsenic, lead, formaldehyde, benzene, chromium, etc.). OER (and perhaps correctly?) does not consider that the word “Environment” also pertains to forests, wetlands, vernal pools, wildlife, and wildlife corridors. Human beings are part of the environment as well. OER also does not consider the negative health impacts of air pollutants (i.e., HAPs) to the residents of Rhode Island and beyond. But, of course, that would be the responsibility of the RI DOH—which, by the way (and perhaps you are already aware) also did not include HAPs nor their negative health effects in its advisory opinions.

Invenergy’s Post Hearing Brief: Credibility:

I did not finish reading Invenergy’s Post Hearing Brief because, frankly, I was too angry to continue after I read the section concerning Invenergy’s “credibility” statements.

CREDIBILITY. Definition: *“the quality of being trusted and believed in.”*

Invenergy has NO credibility. It has no integrity. It has lied from the beginning and continued to do so. Let me explain.

One of the several reasons I decided to get involved in stopping Invenergy was because of this infamous quote that Invenergy spewed in the very beginning as PR to the town of Burrillville and the state of Rhode Island: ***“How will this impact Burrillville’s water supply? This project will have a positive impact on the local water supply. The Pascoag Utility District will supply all the water we need from a well that has been unusable since a gasoline leak contaminated it back in 2001. The energy center will pay to reactivate the well, clean it up with a new treatment system, and install a separate, dedicated supply line from the well to the Clear River Energy Center. We’ll be the only user of that well and our use will clean up the existing groundwater contamination.”*** After I read that paragraph, I was outraged. I have expertise concerning groundwater and aquifers and I immediately knew that what Invenergy stated was an outright LIE. Even at 700 gpm and over the course of 40 years (the lifetime of the proposed facility) there was no way that the aquifer connected to Pascoag’s MTBE-contaminated Well 3A could be “cleaned up” in the way that Invenergy described. The MBTE (and gasoline) had been leaking for years and it was in the bedrock miles away. All that Invenergy’s plan would do

was to move the MBTE-contaminated water in the aquifer and cause contamination of other wells in Burrillville—including other public wells and private wells. In other words, Invenergy's plan would have further contaminated other parts of the aquifer and would have further contaminated other wells in Burrillville. Once the Pascoag Utility District realized (after listening to residents and hiring its own groundwater expert) that Invenergy's plan was not credible, it "pulled out" of the LOI with Invenergy.

The second lie that Invenergy stated in its PR: *"Why do we need a new power plant in Rhode Island? New England faces a looming energy shortfall—4,200 megawatts will be coming off the grid by 2019, and a total of 10,000 MW in the next decade. Renewable energy alone can't fill that gap."* First of all, Invenergy used OLD documents from ISO-NE and then exaggerated. 90% of the 4,200 MWs that was listed were ALREADY OFF THE GRID in 2015, when Invenergy first submitted its application to the EFSB. The "10,000 MW in the next decade" is really 2,600 MWs which MAY or MAY NOT be retired by 2025 (the end of "the next decade" corresponding with 2015). Perhaps this is just semantics, but these are not the "words" of a credible company.

Mr. John Niland lied in front of over 600 people in 2016 at an EFSB public hearing concerning the taxpayer savings. I was in the audience. So regardless of what Invenergy or Mr. Niland stated in defense of this lie, the fact remains—Mr. Niland lied. Mr. Niland could have stated that they were working on the new numbers, but he, instead, decided to try to "get away with it". Is the action of a credible person who works for a credible company?

Lying by omission is still lying. How many times did Invenergy do this? 1) It tried to hide the fact that the project would use and store approximately 100,000 scf of explosive hydrogen gas. (And it took the town 1 ½ years to get Invenergy to admit to the correct volume.) 2) It knew about the A-80 aquifer and did not make any attempt to re-configure the project to protect that valuable aquifer nor did it offer to do any further testing of the A-80's exact (and, as it turned out, changed) location UNTIL the town of Burrillville made it known to the EFSB. There are other examples, but I am running out of time.

The RI DEM Air Pollution regulations state that an applicant may either use the air quality emissions data from various air emission monitors in the state OR may do its own ambient air monitoring study on the proposed site. Why did Invenergy use the RI air emission monitors data instead of doing its own ambient air monitoring study at the site? It was not because of money and it was not because of "ease". It was because Invenergy was scared to death that the ambient emissions study would make it clear that ambient air quality at the proposed site was already higher than those RI air quality emission monitor "values". Invenergy knew that ambient air quality monitoring at the proposed site due to the close proximity to the Algonquin Compressor Station and the Ocean State Power I & II (as well as the other existing power plants north and west of the proposed site) would show that adding its power plant's emissions to the mix would make it clear that its air permit would not be approved.

Credibility has to do with transparency. If a company is not transparent, it is not credible. Invenergy tried to get Woonsocket to sell its valuable drinking water by going directly to Mayor Lisa Baldelli-Hunt. The city council was not even aware that this was going on. If it were not for the residents accidentally finding out, the city council would not have been able to conduct a fair and legal public hearing concerning this matter. The same thing happened in Johnston (which was successful for Invenergy) and also in Fall River (which was successful). How is a company transparent when it continued to redact other water sources? Invenergy is NOT credible—NOT trustworthy.

When ISO-NE cancelled Invenergy's CSO (Turbine 1), last year, Invenergy was incensed. It immediately wrote a letter (for a waiver) to FERC stating that it was the opposition's fault that Invenergy's project was "behind schedule". This is absolutely false and was an outright lie. It was Invenergy's own lie to the Pascoag Utility District concerning the "cleaning up" of the aquifer which started Invenergy's delay. Do you think if using Woonsocket's drinking water was a good idea that the City Council would have said "no" to Invenergy? That was a lot of money that Woonsocket was going to receive from Invenergy for the water. Do you think that if using Fall River's drinking water was a good idea that the City Council would have said "no" to an extension of the water agreement between Benn Water (aka, Invenergy) and the Watuppa Water Board? And, if the Johnston Mayor and the Johnston Town Council had allowed a transparent and fair

process concerning the sale of drinking water to Invenergy (i.e., allowing the Johnston residents to speak at the public hearing instead of allowing only the union workers to speak), I am sure that the already-signed agreement would have been withdrawn/rescinded. And, the fact that Invenergy secretly contacted all the mayors of those municipalities makes Invenergy non-credible and not trustworthy. Even going to the Narragansett Indian Tribe for their drinking water in Charlestown was a ploy in order to distract the public from finding Invenergy's true intentions—Fall River's drinking water. ALL THE DELAYS WERE CAUSED BY INVENERGY ITSELF. And, why was Invenergy being so secretive? Because it knew that drinking water is valuable to the state of Rhode Island and probably shouldn't be used for process water for an un-needed power plant.

Here is another example of secrecy. Invenergy has stated that it can only use ULSD for 3 days (consecutively) due to the volume of ULSD (2 Million gallons) and the volume of water (2.25 million gallons) in its holding tanks. It states that it will have to stop using ULSD (even if ISO-NE says that it cannot use natural gas) and "replenish" the tanks over a period of 15 or 30 days. Well, have you seen the new diagrams of the project in the Wetlands Application documents? It clearly shows that there will be 3 (three) ULSD tanker-hook-up areas (NOT one). This increased number of ULSD tanker-hook-ups will allow Invenergy to keep up with the consumption of ULSD while operating firing ULSD. Even the water tanker-hook-up area seems vague and I am sure that the new "project" will have at least 3 water tanker hook-ups as well allowing Invenergy to keep up with the water consumption as well. Invenergy has no intention of only firing ULSD for only 3 consecutive days and then "replenishing" the ULSD and water storage tanks over 15 to 30 days.

What else has Invenergy failed to divulge to the EFSB that no one caught?

I also believe that if the EFSB approves this project, Invenergy will NOT recycle the water as described in its supplemental water plan. There are no existing or proposed power plants that I can find which recycles water. I believe that once Invenergy is approved, it will either announce that it cannot use recycling due to "economic feasibility" or it will not even mention the change to the public or the EFSB. PLEASE REMEMBER THAT IN ALL OF INVENERGY'S (BENN'S) WATER AGREEMENTS THERE ARE NO MAXIMUM VOLUMES PER YEAR!!!! Invenergy has no intention of recycling water. It will go back to its original water supply plan—using an average of 102,240 gpd instead of 15,840 gpd.

Also, Invenergy has never really spoken about both turbines firing ULSD. One turbine will use 724,320 gallons per day. Two turbines firing ULSD will use double that – 1.45 Million gallons per day! And as far as two turbines firing ULSD at the same time, the total annual emissions will remain the same, but the concentration (ppm) of emissions will increase substantially. (I am in the process of scrutinizing Invenergy's draft Air Permit.)

Also of concern to me is that Invenergy has never stated that it will not use ULSD during the summer. Remember that during the summer months, Invenergy's CREC will use Evaporative Cooling which will use 4,600 gallons per hour of water. Invenergy states that it "anticipates" that the Evaporative Cooling will be used 8 hours per day. This adds 36,800 gallons per day to the "anticipated" 15,840 gallons per day. Then if you add two turbines firing ULSD using 1.45 Million gallons per day and there is a drought... well, I think you "get the picture". Even if one turbine fires ULSD and the evaporative cooling process is "on" and there is a drought, well, again you "get the picture".

The town of Burrillville asked Invenergy (Data Request #27-9): *"Is Invenergy/CREC able to guarantee that there will be no blasting during construction? Please explain."* Invenergy's response: *"Yes. Based on the geotechnical information currently available for the CREC site and the anticipated elevation of grade at various points around the site, a minimal amount of rock removal (less than 5,000 cubic yards) may be required for excavations for the CREC project, and this can be accomplished with mechanical means."* Based on the geotechnical information currently available? This leaves a gaping hole. I believe that Invenergy will blast—granite bedrock is prevalent in all of New England. See if I am right.

The town of Burrillville asked Invenergy (Data Request #27-2): *"What is the evacuation zone for the project? Please explain."* Invenergy's response: *"There is no evacuation zone for the Project nor is one required. There are no anticipated Project conditions which would require an evacuation."* Okay, there will be a 27,000-gallon tank of aqueous ammonia,

100,000 scf of explosive hydrogen gas and explosive natural gas being used. And, Invenergy states that there is no evacuation zone for the project and none is required?

In 2018, Invenergy refused its payment of \$500,000 (per its tax treaty with Burrillville) to Burrillville because Invenergy did not like what the town was saying about Invenergy and that the statements violated the agreement. Eventually, after several months, Invenergy did pay Burrillville. This was outrageous. And, by the way, as I hope you all know and remember, Burrillville signed the “tax treaty” with Invenergy NOT because the town wants the tax dollars, but because it needed the money in the agreement to pay experts and attorneys to oppose Invenergy.

Credible company? Absolutely not.

Proposed Killingly Energy Center vs Proposed Clear River Energy Center:

As you know, there is another proposed power plant being decided upon nearby. It is NTE’s Killingly Energy Center, located in Killingly, CT. its proposed site is approximately 11 miles “as the crow flies” from Invenergy’s proposed CREC site. The proposed KEC is exactly the same type of power plant as CREC, using the same pollution control systems, demineralization trailers, and also using hydrogen gas to cool its generator. The main difference between the two proposed power plants is KEC has one Mitsubishi turbine (total of 650 MWs) and CREC has two GE turbines (total of 1000 MWs). The Connecticut Siting Council will be making its decision this summer (as you will too). I mention the KEC because I have done as much research concerning this dual fuel, combined cycle 650 MW proposed power plant as I have concerning Invenergy’s proposed CREC. Frankly, it was easier to “digest” due to the fact that I had already acquired “power plant” knowledge from researching Invenergy’s proposed project. It is true, however, that it was an interesting “ride” learning about Connecticut’s agencies’ regulations including those of the CT Siting Council. (And, yes, I spoke at the last Killingly public hearing and yes, I submitted a written public comment to the CT Siting Council opposing the KEC.)

Also, keep in mind that the CT Siting Council denied NTE’s KEC without prejudice in May of 2017 because the agency felt that the proposed power plant (at that time it was 550 MWs with a Siemens turbine) was not needed. Let me quote from CT Siting Council’s Docket 470’s Final Decision/Opinion’s Conclusion: *“The public benefit, or need, for a facility is a function of time, a relationship directly contingent upon a date when additional capacity will be needed. The Council finds and determines that the proposed facility is not necessary for the reliability of the electric power supply of the state or for a competitive market for electricity at this time. If there is a future need for additional capacity, the market will respond.”* If the CT Siting Council determined that the 550 MWs was not needed in May 2017, I believe that the 650 MWs is not be needed now and I believe that the CT Siting Council will not approve KEC again, especially because of the increases of renewables to the grid (solar and wind) as well as the continued increases in New England states’ electric efficiencies.

Remember that Invenergy has stated multiple times that its proposed CREC will be the most efficient power plant in New England? THIS IS FALSE. This is what I learned when I compared the two proposed power plants:

- 1- Air Emissions (using KEC’s approved Air Permit and Invenergy’s draft Air Permit):
 - a. KEC will emit less greenhouse gases **per MW** than CREC
 - b. KEC will emit less emissions **per MW** than CREC across the board including during startups and shutdowns
 - c. KEC will emit less HAPs **per MW** than CREC
- 2- Fuel usage:
 - a. KEC will use less natural gas **per MW** than CREC
 - b. KEC will use less ULSD **per MW** than CREC
- 3- Aqueous Ammonia: KEC will use less aqueous ammonia **per MW** than CREC
- 4- Water Usage:
 - a. KEC will use less water **per MW** when firing ULSD than CREC
 - b. KEC will use less water **per MW** when using Evaporative Cooling than CREC

- c. KEC will use less water per MW overall per year than CREC
 - d. KEC's process water will be piped into the facility and CREC will truck it in—meaning that there will be more truck traffic during CREC's operations
- 5- Chemical storage (mentioning this because of accidental spill potentials)
- a. KEC will store ½ as much ULSD on site as CREC
 - b. KEC will store approximately ½ as much ULSD on site as CREC
 - c. KEC will store 40,000 standard cubic feet of explosive hydrogen gas as compared to CREC's 100,000 scf
- 6- Wastewater: KEC's process wastewater will be connected (via pipeline) to the Killingly Municipal Wastewater Treatment Facility; whereas, CREC will truck out its process wastewater—meaning more truck traffic during operations for CREC

(Oh, and one more quick point of interest, at least for me, is that NTE had to be forced to divulge/admit the fact that it would use explosive hydrogen gas to cool the generator. This should sound familiar as Invenenergy had to be forced to divulge the same fact.)

So, my point is that the proposed CREC is NOT as efficient as the proposed KEC, and therefore, CREC would not be the most efficient power plant in New England. HOWEVER, BOTH PROPOSED POWER PLANTS ARE NOT NEEDED.

I understand that your decision has nothing to do with the proposed KEC or the CT Siting Council's decision. I just wanted you to know that Invenenergy's proposed CREC is NOT as efficient as the proposed KEC.

"At-Risk" Power Plants:

Invenenergy continues to use the ISO-NE "at risk" power plants as one reason why the proposed power plant is needed. There are 20 "at risk" generators (according to the new ISO-NE list). After researching each of these "at risk" power plants, I discovered that 16 out of the 20 are peaker plants—only operating during cold-snaps. Invenenergy has failed to state this fact. It is true that when these peakers are operating their emissions are more/MW than natural gas power plants, but they only operate for a small number of days and sometimes hours. This means that the total annual emissions are low.

Invenenergy also failed/fails to mention is that at least one "at risk" power plant, located in CT, will indeed be retiring, BUT the CT Siting Council has already approved a new natural gas combined cycle power plant to take its place in the same town. It is already under construction.

Remember that 14 generating "units" with a total of 2,611 MWs **MAY or MAY NOT** retire by 2025 and that 6 generating "units" with a total of 2,966 MWs **MAY or MAY NOT** retire by 2030. And, I hope you remember and consider in your decision-making process that every year more and more renewable energy is coming on line, more battery storage capacities are coming on line, and every New England state's energy efficiencies are increasing as each state's need for electricity is decreasing.

Although Ocean State Power (Units 1 and 2) is not "at risk" for retirement, it is a peaker plant. There are many power plants in New England that are peaker plants NOW and NOT considered "at risk" by the ISO-NE. The environments (forests and wildlife) has already been destroyed. Why approve another/new power plant when there are so many other existing power plants not running at 100% capacity and have the MWs to satisfy the region's electricity needs, especially when renewables, battery storage, and state efficiencies continue to increase?

Redacted Documents/Portions of Documents:

One of the things that really angers me is the portions of Invenenergy's documents that were redacted. I totally understand why certain areas had to be redacted (e.g., payments to Enbridge, etc.), but when water sources are redacted, I draw the line. If the water sources need to be redacted from public view, there is a problem with the water sources (i.e., not enough ADD or MDD or unethical methods of obtaining contracts).

An example of this concerns the Fall River water source. The video of the Watuppa Water Board meeting's approval of the Benn Water contract (i.e, Invenergy) shows that this decision was made on August 17, 2017 EVENING. The Mayor of Fall River signed the agreement on the same date...so did Mayor Correira stay late at his office and sign the contract? I don't think so. I believe that Mayor Correira signed the contract BEFORE the Watuppa Water Board approved the agreement. This was an unethical and perhaps illegal act. And I also believe that members of the Watuppa Board were perhaps coerced somehow by the mayor to approve the agreement. It is obvious in the video that one board member knew exactly what was going on and voted "no" to the agreement. The fact that Invenergy redacted the Fall River water source from its Supplemental Water Plan shows that the company, itself, is unethical and knew that if the public found out, there would be a problem because water is valuable and finite.

A very similar thing happened regarding the Johnston Water Deal. The Mayor of Johnston signed the contract before even getting permission from his town council.

And as far as the proposed water deal with the Narragansett Indian Tribe in Charlestown, this was another tactic that Invenergy used to distract the public from looking for the redacted Fall River water source which was its main objective/goal. Invenergy's tactic worked to some degree, but it back-fired when the redacted Fall River water source was discovered by much research. However, Invenergy NEVER had any intention of using the Narragansett Indian Tribe water source in Charlestown. It was another unethical tactic.

[If there are droughts, Invenergy's CREC will never be asked to reduce its water consumption—but the businesses and residents of Rhode Island will have to reduce their drinking water use. If the drought becomes extreme, those residents and businesses may have to reduce their water use by up to 30% - 50% or even more as per the Statewide Planning water documents as well as the Water Resources Board's documents.]

I understand that this has nothing to do with your decision, but I must state here, officially, that Invenergy knew exactly what it was doing concerning Fall River and Johnston (i.e., that the contracts/agreements for water were obtained unethically). Does the state of Rhode Island want/need a company (which continues to take unethical actions) in its boundaries? How can you (the EFSB) and the DEM trust Invenergy to adhere to the regulations and to all conditions pertaining to the permits? The DEM does not have enough money in its budget for inspections during construction or operations. If you do not believe me, check to see how many DEM inspections have been completed at the existing power plants in Rhode Island over the years. It will be the Burrillville residents who will be the unofficial inspectors and who will notify the DEM of possible violations.

EFSB's "Cease and Desist" Violation Fine:

Once again, you have no control over this, but I feel it is important. According to the RI Energy Facility Siting Act, the fine for a violation of a "cease and desist" violation is \$20,000 per day. This is outrageous! If the EFSB issues a "cease and desist" order, it would have to be because there was something extremely dangerous happening! Do you believe that Invenergy will "cease and desist" under such an order? If its employees were in danger, perhaps it would, but other than that, would it? Do you really believe that Invenergy will even notice a \$20,000 per day fine? There should not even be a fine, for God's sake. The EFSB should have the authority to send someone...idk... state police?... to officially arrest the CREC manager or whoever is in charge. Do you have that authority? It is not stated in the EFS Act.

Hydrogen Tube Trailers:

Only one point here. Remember that there will be 2 (two) 50,000 scf-hydrogen tube trailers on site. Remember that the town of Burrillville finally (via Data Requests) forced Invenergy to finally admit to the estimated volume of hydrogen after 1 ½ years of asking. Remember that according to Exponent's document ONLY using 50,000 scf hydrogen Scenario #2a ("the entire contents of the hydrogen in the tube trailer contributing to the overpressure event, with no natural gas") would potentially result in a blast radius of 943 feet. Well, this blast radius of 943 feet will cover **64 acres**. The

Scenario #2b (“the entire contents of hydrogen in the tube trailer plus enough natural gas to produce a mixture defined as a high reactive fuel in the BST method”) would potentially result in a blast radius of 1,420 feet or **145 acres**. What would the blast radius and resulting acres destroyed be for 100,000 scf of hydrogen? Exponent did not calculate this.

Distance from George Washington Wildlife Management Area:

I apologize for not remembering the name of the person in charge of the George Washington Wildlife Management Area who testified at one of the recent EFSB hearings. The gentleman stated that the distance between the proposed CREC site and the George Washington Wildlife Management Area was 3 miles. This is completely false. It is 3 miles from the Route 44 entrance of the Management Area. However, the Management Area encompasses approximately 4,000 acres (according to the website) and the northern end of the Management Area sits approximately 800 feet from the proposed site.

Smithfield and Glocester Traffic Impacts:

It is really too bad that the EFSB did not officially contact the town councils of Glocester and Smithfield concerning the massive volume of diesel trucks during construction of the proposed project. Most of those vehicles (according to Invenergy) will be traveling up Route 44 from Route 295 to Route 100. Smithfield is already suffering from traffic problems. I am mostly concerned about the Glocester village of Chepachet. There are so many unique and historical buildings and businesses in “downtown” Chepachet. The construction traffic will make it almost impossible for those Chepachet businesses to survive, especially after 3 years of construction. Tavern on Main is a famous and popular restaurant which used to be a stagecoach tavern/inn. There are countless antique shops that will also suffer. It would not surprise me if most of those Chepachet businesses will be bankrupt before the 3 years of construction is over.

“Trust the Process”:

When Governor Gina Raimondo came to speak to the residents of Burrillville in 2016, she told the audience to “trust the process” and that, and I quote, “if there are issues, then the plant won’t go forward”. Well, there are issues.

This is why the process cannot be trusted:

Let me be blunt. The fossil fuel industry runs the United States and the states including Rhode Island. Politicians receive campaign contributions from the fossil fuel industry and the politicians invest in the fossil fuel industry—case in point: yesterday it was discovered that Massachusetts Governor Baker has invested in multiple fossil fuel companies. Then these politicians (federal and state) write and vote on bills that become laws, specifically environmental laws. The politicians want to remain in office AT ALL COSTS and want to continue to receive campaign contributions from the fossil fuel industry so they do the “bidding” of the fossil fuel industry. So, what happens? ALL (yes, ALL) the environmental laws/regulations (federal and state) are written to make it easy for the fossil fuel industry to do what it wants—to build fracking wells (which contaminate the groundwater); to build power plants (which consume valuable drinking water; contaminate the air with not only GHG but toxic HAPs; destroy forests, wetlands, vernal pools; destroy the habitats of wildlife, both aquatic and terrestrial; cause negative health problems for human beings;); to build natural gas pipelines (which leak profusely regardless of the ridiculous efforts of the Federal Pipeline Safety Administration).

Invenergy’s draft Major Source Air Permit will be approved by the RI DEM Office of Air Resources. It doesn’t matter what the public states or the multiple non-profit environmental organizations state. Why? Because the RI DEM Air Pollution Regulations are written to make it easy for power plants to be approved. Because the federal Air Pollution Regulations are written to make it easy for power plants to be approved. Invenergy submitted its ESTIMATED emissions using BACT (Best Available Control Technology) and BAM! The RI DEM used the exact emissions in Invenergy’s permit. If Invenergy had doubled the ESTIMATED emissions and stated that it was BACT, the DEM would still have used those exact emissions in Invenergy’s permit.

The VOC's and NOx emissions are too high? No problem because there is the federal Emission Reduction Credit regulation where a power plant seeking a state air permit can purchase "emission credits" from other sources—in this case a power plant located in the state of New York which has SHUT DOWN. This New York power plant is not emitting any VOC or NOx emissions (no more pollution) and yet the regulations are written so that Invenergy can purchase the emissions ONE time and Invenergy is "good to go". The same is true for the carbon dioxide emissions—the Rhode Island CO₂ Budget Trading Program. Invenergy will purchase carbon credits and will be "good to go". These regulations state that this will compel power plants to reduce their emissions over time. This is nonsense. Do you think that these regulations will compel Invenergy to reduce its emissions? Invenergy has no intentions of reducing its emissions and they have plenty of money to purchase any credit necessary.

Also, why do you think that Invenergy changed its project to only fire ULSD from 60 days/year to 30 days/year? It all had to do with emissions being too high. Although I do not have proof, I am positive that the RI DEM Office of Air Resources told Invenergy that the emissions were too high and may have a problem getting its air permit. Oh yes, I am sure that the Office of Air Resources has stated (or would state if asked) that it only wanted the application to be "complete" and so it "helped" Invenergy to adjust its project's processes to make the application "complete". There is nothing stated in the RI Air Pollution Regulations that states anything about the agency making sure that Major Source Air Permit Applications are complete and that it is the responsibility of the DEM to help an applicant make its application complete. No where.

Invenergy's "Application to Alter Freshwater Wetlands" will be approved as well. The regulations make it easy. And, regardless of what the Wetlands Division states concerning "not helping" Invenergy make its application "complete", it did. Again, no where in the wetlands regulations does it state that it is the agency's responsibility to make sure that an applicant's application is complete. No where.

Even the mitigation properties listed in Invenergy's documents (Application to Alter Freshwater Wetlands) do not have the environmental/wildlife habitat value to claim that the unacceptable harm to the environment at the proposed site will be mitigated by Invenergy purchasing and donating to some agency or non-profit organization. There is a wildlife corridor at the proposed site. There are no wildlife corridors on or near either of those two listed properties. Invenergy did not do a "Biological Inventory Report" of those two properties. Also, if the RI DEM accepts those properties as mitigation (if the project is approved by the EFSB), wouldn't that be considered a "conflict of interest"? This portion of the wetlands permitting is no where near what it needs to be—biodiversity studies should be required. Also, there should be a regulation to protect "upland forests"—remember that the spotted salamanders spend most of their time in the upland forests approximately 1000 feet from wetlands.

Do not misunderstand me. I am not saying that the RI DEM is doing anything unethical or illegal. I am saying that the RI DEM regulations are written such that it is easy for Invenergy's permits to be approved. It is not the RI DEM's fault that the regulations are "lax". Even the fines are a joke.

Even the RI EFS Act makes it easy for Invenergy to be approved. True, Invenergy has the "burden of proof", but the fact remains that the "need" for electricity perhaps out-ways "unacceptable harm" to the environment. AND there is NO NEED for any new power plant in New England. And, as the DEM Fish and Wildlife Division witness stated: "There is unacceptable harm."

Invenergy's Lackawanna Energy Center, Jessup, PA:

Since Invenergy's Lackawanna Energy Center came online, it has violated its air permit 4-5 times. Did the LEC contact the PA DEP concerning these violations per its air permit conditions? NO. The fact is that the Citizens for a Healthy Jessup (a non-profit organization) installed air monitors around the power plant and due to the increased emissions, contacted the PA DEP. Here is a link concerning this: <https://www.ecori.org/renewable-energy/2019/5/9/as-draft-sir-permit-is-approved-invenergy-struggles-with-pollution-at-penn-power-plant>. And, of course, Invenergy "spinned" it to make it seem like they did nothing wrong.

During the construction period, Invenergy guaranteed that all construction trucks would only travel on designated roads. This did not happen. The construction trucks traveled on rural, undesignated roads causing diesel emissions and noise which harmed various families throughout the 3-year-construction period.

Also, Invenergy (in Jessup, PA) threatened to sue the non-profit organization, Citizens for a Healthy Jessup, as well as the individuals who were members of that legal non-profit organization. As a result, the Citizens for a Healthy Jessup backed off in fear. Is this the actions of company with integrity?

RI OER's "2018 Clean Energy Jobs Report":

Jobs from energy efficiency and renewable energy projects continue to increase. According to the Rhode Island Office of Energy Resources' "2018 Clean Energy Jobs Report" (which does NOT include any jobs pertaining to natural gas): *"Now 15,866 jobs strong, Rhode Island's clean energy economy continues to demonstrate robust economic growth. Since 2014, clean energy employment in the Ocean State has grown by an impressive 72 percent: Employment climbed by just under four percent between 2017 and 2018, as the energy sector continues to grow at a faster pace than the state's overall workforce; Energy efficiency remains the largest portion of the state's clean energy employment. It accounts for about 59 percent of all clean energy jobs, or over 9,300 workers; This year, Rhode Island's clean energy economy showed the largest employment growth in engineering, research and professional services."* It is clear that energy efficiency and renewable energy jobs are increasing every year.

IF EVERY STATE HAD A PROGRAM TO MAKE SOLAR PANELS AVAILABLE TO ALL RESIDENTS AND BUSINESSES, THERE WOULD NOT BE A NEED FOR ANY MORE FOSSIL FUEL POWER PLANTS! Most New England states have a program to help residents with solar panels, but the money is finite and tends to "run out" quickly. California has a law which states that every new house that is built MUST have solar panels on the roof.

People throughout New England are investing in solar panels...especially in CT and MA. Rhode Island, not so much. Governor Raimondo has an ambitious plan to have 1,000 MWs of renewable energy in Rhode Island by 2020. There is a new offshore wind farm that has just been approved and others being proposed. Towns and cities in Rhode Island are working on solar farm ordinances and some already have solar farms operating.

My Suggestions for Conditions:

If you approve this proposed project, here are my suggestions for conditions:

- 1- Invenergy must always use the water recycling as described in their water supply plan (dated Jan. 11, 2017).
- 2- Invenergy must give the EFSB and adhere to a maximum ("cap") volume of water used per year. (Invenergy listed a 15 million gallons per year maximum in their water agreement with Woonsocket. However, at the last minute, Invenergy pulled that maximum out of the contract. This was one of the reasons why Woonsocket City Council said "no" to Invenergy.)
- 3- Invenergy must never use ULSD for electricity generation between June 15 and Oct. 15 and never when using evaporative cooling. (This one of the CT DEEP's conditions for the proposed KEC. The reasoning is that the ULSD firing and evaporative cooling would put a strain on the drinking water system. Also, drought is a concern.)
- 4- Invenergy should supply the EFSB and the town of Burrillville with an evacuation plan.
- 5- Invenergy must not have more than 1 ULSD tanker-off-loading station.
- 6- Invenergy must not have more than 1 water tanker-off-loading station.
- 7- Invenergy must guarantee that no blasting will be done during construction.
- 8- Invenergy must guarantee that all construction and operation trucks/tankers will travel on state roads.
- 9- Invenergy must not "fell" trees during the months of March and July. (Invenergy has agreed not to "fell" trees in June and July due to bats, but there should be consideration of birds and other wildlife breeding.)
- 10- Invenergy must remove and replant all "rare" plants observed on the site and already known to be there from other surveys.

- 11- Invenergy must guarantee that at least 87% (as listed in its application) Rhode Island contractors (living in RI). Documentation should be submitted to the EFSB.
- 12- Invenergy must notify the town of Burrillville two weeks before heavy-haul vehicles (“goldhofers”) are scheduled to travel to the proposed site. Exact routes and exact days/times must be included.
- 13- Invenergy must not allow CREC to become officially operational if it cannot maintain the noise levels per the town’s noise ordinances.

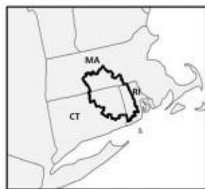
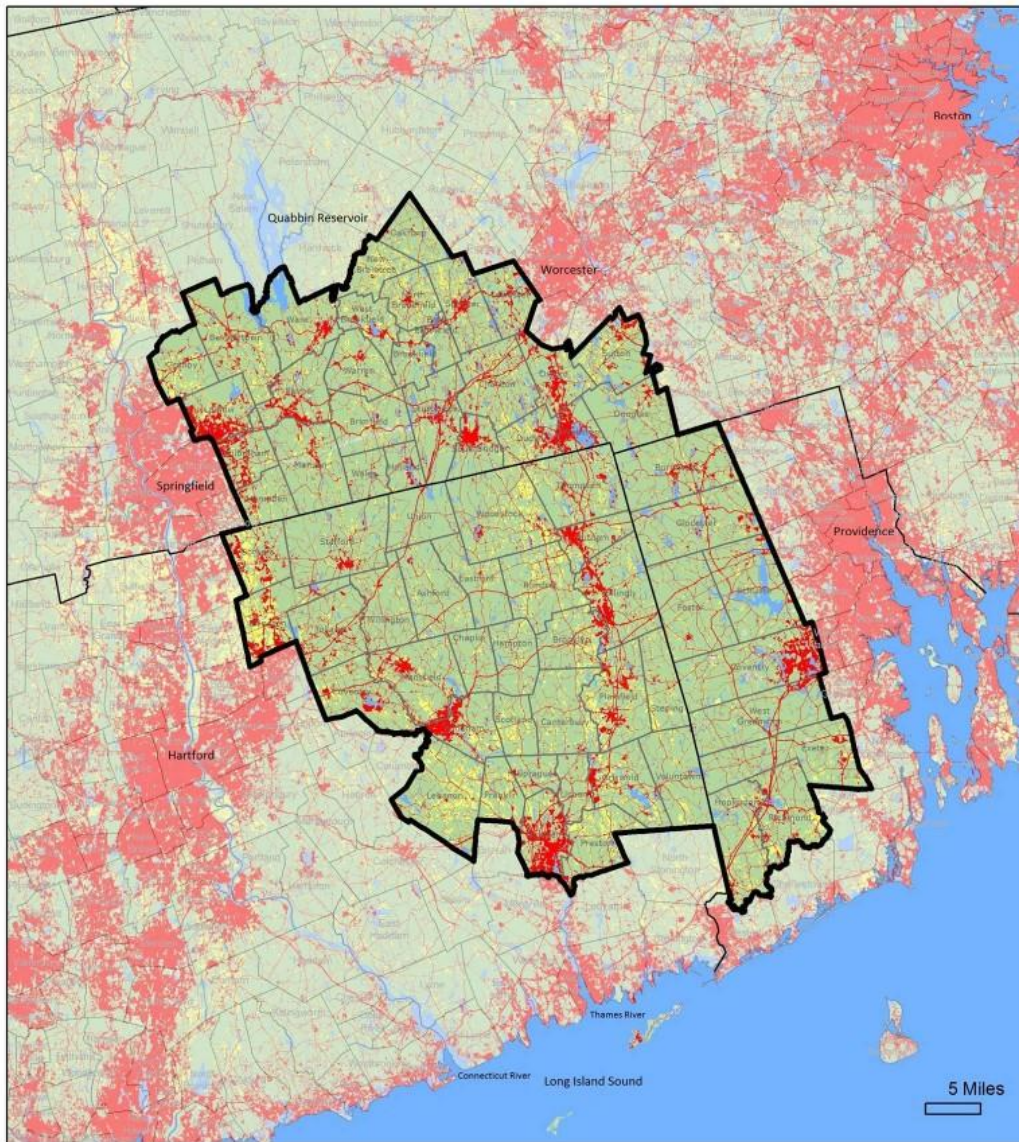
In Conclusion:

Look, I am an environmentalist. I am a scientist. I look at facts. I learn from history (e.g., CT Siting Council’s May 2017 decision concerning KEC, other power plants, and regulation changes over the years). I am not being paid for my research or my opinion. I am not receiving anything and have not received anything over the last 4 years except migraines, stress, and frustration. I am not just opposing/fighting Invenergy. I am opposing/fighting the Killingly Energy Center, Cricket Valley Energy Center, and multiple other proposed fracked gas polluting monsters across the country. I am still helping other people who already have new power plants operating in their communities. What’s my point? ALL OF THESE POWER PLANTS WILL OR ALREADY ARE NEGATIVELY AFFECTING THE ENVIRONMENT AND DESTROYING VALUABLE WILDLIFE HABITATS. They all are increasing the greenhouse gas concentrations, regardless of their “spew” of “we will cause older, dirtier power plants to close”. As I stated in the beginning of this written public comment, Granite Ridge Energy Center in NH did not cause any other power plants to close. I am fighting to save EARTH and the wildlife (flora and fauna—including human beings) from a horrible end.

I have one more personal thing I’d like to share with you. Since Invenergy first submitted its original application to the EFSB in 2015, I have become a grandmother. I have two grandchildren now. My second granddaughter was born 10 days after my sister passed away. I do not know if you have grandchildren or not, but, if you do, I know that you love them as much as I do mine. Your decision concerning CREC will indeed impact the course of climate change—one way or another—and will indeed negatively impact our “Ocean State” (whether you believe it or not). I worry about my children’s and granddaughters’ futures—due to climate change’s negative impacts to the environment. But, unlike you, I do not have the opportunity to make decisions which will reduce “unacceptable harm” to the environment.

You, the members of the EFSB, have a decision (to me it is an easy one). The regulations and the process have you constrained. Your job (in my opinion) is to “way” the money/jobs against the obvious (to me) “unacceptable harm to the environment”. However, remember the cultural changes that are occurring. Remember the negative ramifications of climate change. Remember that every year more and more solar panels (PV) are being installed and more and more off-shore wind projects are being built and being proposed. Remember that battery storage capacities are increasing and becoming more and more available. Remember the continuing increase in states’ energy efficiencies. Remember the innocent wildlife that will be negatively affected. Remember the value and finite source of Rhode Island’s drinking water sources. Remember the value of the forests to absorb the climbing carbon dioxide emissions. Remember those 47 RI “Species of Greatest Conservation Need” that will be displaced and perhaps killed during the project’s construction. Remember all the ULSD tankers traveling along rural country roads and the possibility of tanker accidents spilling thousands of gallons of ULSD into the multiple lakes, ponds, streams and rivers which are nearby those routes.

Remember too that the proposed power plant site sits within “**The Last Green Valley**”. Its official name is the “**Southern New England Heritage Forest**”. In the official link, <https://thelastgreenvalley.org/learn-protect/agriculture-forestry/southern-new-england-heritage-forest/>, it states that it “*is a 1.49 million-acre unfragmented forest corridor stretching along the Connecticut and Rhode Island board to the Quabbin Reservoir in Massachusetts. Bounded by more heavily urbanized areas, with more than one million nearby residents, the SNEHF has an astonishing 76% forest cover and offers one of the last viable wildlife corridors from southern to northern New England. The SNEHF is a green oasis and the last undeveloped region in the coastal sprawl from Boston to Washington, D.C.*” This is quite impressive.



**Southern New England
Heritage Forest**

- Land Cover (NLCD2011)**
- Water or Wetland
 - Grassland/Herbaceous
 - Forest or Shrub/Scrub
 - Developed
 - Agriculture

Brian Hall; Harvard Forest; 978-756-6154; Date Saved: 8/29/2016; SNEHF Basemap.mxd

I hope that you all remember that Invenergy is only interested in one thing: to make money. It is not interested in the environment nor human health. Remember that Invenergy is untrustworthy.

Perhaps someday, the Rhode Island Energy Facility Siting Act will be changed—adding more members and increasing the fine for violations of an EFSB “cease and desist” order. I believe that before that happens, the EFSB will, itself, be obsolete—at least pertaining to the siting of fossil fuel power plants.

My advice to you, for whatever it is worth, is to deny this project without prejudice. Wait and see what happens with the energy market (i.e., renewables) for the rest of 2019. Let Invenergy seek a CSO from ISO-NE in 2020. Let's face it: Invenergy is in the same "place" that NTE's KEC was in May 2017 (when the CT Siting Council denied without prejudice)—Invenergy (and KEC in May 2017) does not have a CSO; does not have an approved Major Source air permit; does not have an approved wetlands permit. Invenergy will not sue the state for a "denial without prejudice" if that is what you are concerned about. Invenergy will wait to get the air permit and wetlands permit and get all its other "ducks in a row". Then it will "reapply" to the EFSB. By this time, the EFSB will be able to see more clearly and more definitely the renewable energy developments and be able to make a more "long-term" decision concerning Invenergy's proposed CREC.

Human beings have the unspoken responsibility of protecting Earth. The Native Americans knew/know this and lived/live by it. It is too bad that most human beings have failed to realize that if the environment is destroyed, they, themselves, will be destroyed.

And you should ask yourself: "What will history say about our decision?" Remember that by the time Invenergy is operational (if you approve it), it will be obsolete. Natural gas power plants are NOT the bridge to renewables.

Also, perhaps you (the EFSB) should take another walk in the pristine, lush forest where the proposed power plant would be sited. The birds and other wildlife are in the "throws" of breeding and raising their young. I am not sure if Ms. Brady has seen the beauty of this 200+ acre forest which is 800 feet north of the George Washington Wildlife Management Area. Regardless, it would be a visual reminder of what your decision could destroy.

Thank you for the opportunity to submit my last written public comment in opposition to Invenergy's proposed CREC.

And I hope you still have the framed picture of 9 out of the 47 "Species of Greatest Conservation Need" that will be either destroyed/displaced or saved (depending on your decision) which I gave to you during the EFSB Public Hearing in Warwick held in September 2016. Just to remind you:



Sincerely,
Stephanie Sloman

Bianco, Todd (PUC)

From: debrilliant1@hotmail.com@mg.gospringboard.io on behalf of Deborah Speckhard
<debrilliant1@hotmail.com>
Sent: Saturday, June 01, 2019 12:39 AM
To: Bianco, Todd (PUC)
Subject: [EXTERNAL] : Reject the Invenergy Burrillville Power Plant

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Bianco,

In the interest of preserving a unique and rare forest canopy, its surrounding environment and the varied species within, as well as the air, land, and water quality for Burrillville residents and surrounding towns, I urge you to reject the fracked gas power plant proposed for Burrillville. Simply put, this power plant would take Rhode Island in the wrong direction.

There are serious concerns about local air and water pollution wherever a fracked gas power plant is built and operates, resulting in environmental and health concerns. If built, this plant would use thousands of gallons of Rhode Island's water and generate huge amounts of wastewater every single day. And it would promote fracking and accelerate climate change. Moreover, energy analysis and grid operators have proven that there isn't even a demand in the region for this power plant.

Burrillville residents deserve better than this fracked gas Invenergy plant. Rhode Island's future deserves better, too.

Protect our climate, our water, and the next generation of Rhode Islanders by rejecting Inenergy's Burrillville Power Plant proposal.

Sincerely,

Deborah Speckhard
PO Box 1191
Douglas MA, 01516-1191

Bianco, Todd (PUC)

From: beejuice2@hotmail.com@mg.gospringboard.io on behalf of Jesse Speckhard <beejuice2@hotmail.com>
Sent: Saturday, June 01, 2019 12:27 AM
To: Bianco, Todd (PUC)
Subject: [EXTERNAL] : Reject the Invenergy Burrillville Power Plant

Follow Up Flag: Follow up
Flag Status: Flagged

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I urge you to reject the fracked gas power plant proposed for Burrillville. Simply put, this power plant would take Rhode Island in the wrong direction.

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Sincerely,

Jesse Speckhard
PO Box 1191
Douglas MA, 01516-1191

Bianco, Todd (PUC)

From: debrilliant1@hotmail.com@mg.gospringboard.io on behalf of Deborah Speckhard
<debrilliant1@hotmail.com>
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