

November 14, 2023

Comments regarding National Grid New York's rate filings in Cases 23-G-0225 and 23-G-0226 for gas service in Brooklyn, most parts of Queens, Staten Island and Long Island

Testimony delivered in person at
Brooklyn Central Library
10 Grand Army Plaza
Brooklyn, New York 11238

Good Evening,

My name is Willis Elkins, I am the Executive Director for the Newtown Creek Alliance. NCA has worked since 2002 to restore, reveal, and revitalize Newtown Creek - a 4 mile waterbody that has suffered from over 150 years of environmental degradation, abuse, and neglect. Newtown Creek was designated a federal superfund site in 2010 due to elevated levels of hazardous toxins within the sediments that originated from local industrial operations, including National Grid's predecessor Brooklyn Union Gas.

We stand in strong opposition to this rate increase and any investment at the Greenpoint Energy Center that does not prioritize a cleanup of the site as well as a transition away from the storage of hazardous Liquefied Natural Gas and processing of fracked gas.

Before diving into the specific concerns with the Greenpoint Energy Center facility, I would like to also address the Renewable Natural Gas (RNG) project that National Grid runs at the Newtown Creek Wastewater Treatment Plant, as the RNG project is mentioned numerous times within the Rate Case proposal. We are very concerned about National Grid seeking to expand RNG to other facilities within NYC and are strongly opposed to any scenario in which ratepayers are helping to foot the bill of the construction, maintenance, operation or expansion of RNG. The Newtown Creek RNG project has been a failed proof of concept to date, creating adverse impacts for the local community and climate emissions in the process.

Originally scheduled for completion in January of 2016, the massive delays - which by all accounts seem to be the responsibility of National Grid - have spiraled out of control. Less than two months after an eventual ribbon cutting in June 2023 - already 7.5 years behind schedule - the system went offline and has been flaring excess gas ever since. While the project has been touted as visionary and a path towards meeting the CLCPA goals - it has to date contributed untold amounts of CO2 emissions because the plant does not just burn sewage methane when the RNG project is offline, but tons of organic waste that the city collects through the brown bin program (about 52,000 tons of excess organics in 2022 alone). I raise this issue not just to highlight the negative environmental impact and carbon emissions the 7.5 year delay has had - but to caution against encouraging expansion and considering rate payer funding of this

technology. We should be turning valuable organic waste into compost (which can sequester carbon and improve the health of our soils) and not into a health-hazardous commodity for a profit driven corporation like National Grid.

There is another major project in my backyard that is referenced within the rate case- a significant environmental burden for local residents, it is National Grid's LNG facility, known as the Greenpoint Energy Center.

The previous operations at the facility have left significant amounts of contamination in both the local soils and waters. According to DEC¹, the site is contaminated by the following chemicals of concern:

- + Light hydrocarbons: Benzene, Toluene, Ethylbenzene and Xylene (BTEX)
- + Semivolatile Organics: Polycyclic aromatic hydrocarbon (PAHs)
- + Polychlorinated biphenyl (PCBs) in Groundwater
- + Manufactured Gas Plant Waste in the form of Non-Aqueous Phase Liquid (NAPL) below the groundwater table

Prior to 2012, there have been 11 separate environmental investigations at the site, relating to potential underground plumes, groundwater contamination, and subsurface and surface soil contamination from previous operations and demolition of structures. The company suspended use of a baseball field following a 2010 investigation of the area and Interim Remedial Measures were overseen by DEC in 2005, 2006, and 2007.² As of 2023, New York State is still reviewing draft versions of a remedial investigation plan. The company is one of the original Potentially Responsible Parties to the EPA-led Superfund investigation of Newtown Creek, wherein data collected shows the sediments off the shore of the facility (the Turning Basin area of Newtown Creek) to be some of the most contaminated in the entire Superfund site for PAHs.³ Remnants of Coal Tar that were processed at this facility still bubble up to the surface waters of the Turning Basin during low tide events, presenting immediate health risks to humans and wildlife alike, and it is unclear how contamination may be currently migrating from the facility into the waterway.

In short, this facility is a major environmental burden for the community. There is no comprehensive cleanup plan in place yet for the facility itself, or the adjacent waterway that previous operations have poisoned. We strongly believe that the highest priority for this facility,

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https://newtowncreekcag.files.wordpress.com/2020/07/brief.hw_.241117.2020-07-15.uplands-for-the-cag.pdf

2

<http://newtowncreek.info/docs2/2%20Remedial%20Investigation/Remedial%20Investigation%20Support%20Documents/Data%20Applicability%20Report/Appendix%20C/National%20Grid%20Greenpoint%20Energy%20Center%2005-2012%20DRAFT.pdf>

³ https://newtowncreekcag.files.wordpress.com/2018/02/newtown-2_20_18_mtg_-presentation_draft_rev-6.pdf

specifically in regards to the responsibilities of the New York State, is to cleanup and mitigate current environmental hazards. Allowing this long-standing pollution to remain in place while considering proposals to sustain current fossil fuel based operations is an environmental injustice that we oppose.

If National Grid were proposing a transition of this 110 acre facility to one that is generating clean and renewable energy that would be a different discussion. If National Grid had a proven track record of successfully building and operating RNG operations that would also be a different conversation. But the fact of the matter is this: National Grid has poisoned Greenpoint, poisoned Newtown Creek, and continues to drive excessive CO2 emissions through a botched RNG project. Simply put, they do not have a track record that merits large scale investments of any kind, especially rate payer monies into fossil fuel based projects. As such the PSC should deny their request.

Thank you.



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