

Hon. Kathleen Burgess, Secretary
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Comment to Public Service Commission Re: Competitive Power Ventures application -
Case 10-E-0501

February 25, 2014

My name is Susan Van Dolsen and I am a resident of Harrison, New York in Westchester County and I am here to comment on my opposition to the New York Public Service Commission's granting a certificate of public necessity and convenience for the Competitive Powers Ventures 630 megawatt combined cycle natural gas powered electrical generating facility. Orange County is a microcosm of the burgeoning agricultural economy that is reviving New York State. The local agricultural history is steeped in Native American traditions; farming continues today in this uniquely fertile Black Dirt Region. During the past 5-10 years, Orange County, the closest agricultural region to New York City, has increasingly been the source of dairy and produce to New York City's greenmarkets. Locally supported agriculture is an economic driver that would be endangered by this power plant's toxic emissions. The 2.2 million tons of CO₂ and the 500 tons of known carcinogens and neurotoxins would irreparably harm the dairy and food cultivated in this region and would put the residents for miles around at risk for increased health impacts.

Orange County is also a microcosm of the misguided policies that are pushing the perpetuation of a reliance on a fossil fuel, methane, just at the time when New York State should be expediting permitting of wind, water and solar projects, such as the NY Sun Initiative and the wind farm proposed off the coast of Long Beach, LI. Permitting of the CPV Valley plant, the Millennium pipeline and the Minisink compressor station are based on a false premise that methane is a clean fuel. The Intergovernmental Panel on Climate Change report stated that methane is a far more potent greenhouse gas than CO₂. They found that it is 34 times more potent over 100 years and 82 times more potent than CO₂ over 20 years.

<http://thinkprogress.org/climate/2013/10/02/2708911/fracking-ipcc-methane/>

Moreover, the National Oceanic and Aeronautics Administration (NOAA) reported that methane leakage from the full lifecycle of shale gas development ranged from 6-12% in one of the largest gas fields in the Uintah Basin in Utah.

<http://thinkprogress.org/climate/2013/08/07/2426441/methane-leakage-gas-fields/>. The study states, "it is likely that leakage at individual natural gas well sites is high enough, when combined with leakage from downstream operations, to make the total leakage exceed the 3.2% threshold beyond which gas becomes worse for the climate than coal for at least some period of time."

<http://thinkprogress.org/romm/2011/09/09/315845/natural-gas-switching-from-coal-to-gas-increases-warming-for-decades/>

The CPV Valley plant would be powered by gas derived from the Marcellus Shale region using high volume hydraulic fracturing. The Marcellus Shale formation is highly radioactive and this radioactivity is transported through the pipeline with the gas along with heavy metals and toxic chemicals. Comments submitted during prior hearings throughout this permitting process raised questions about the constituents in the fracked gas and these comments were not adequately addressed. The gas transported from the Marcellus Shale is not of the same composition as the gas that comes from traditional, non-fracked wells. Permitting has been based on standards that don't measure many of the chemicals used in the fracking process.

Though there are many constituents of the gas that are not known, a lot is known. Clean Air Council of Philadelphia, Pennsylvania states, "Natural gas fired power plants are large industrial facilities that are permitted to emit many tons of harmful air pollutants that are known to cause cancer, neurological damage and respiratory disease." These are the major emissions from gas fired plants:

- Volatile Organic Compounds (VOC's) which have been linked to elevated levels of cancer and neurological health issues;
- Nitrous Oxides (NOx): at low levels NOx can cause eye, ear, nose and throat irritation, coughing and shortness of breath. NOx also forms ground level ozone which has been linked to asthma, other respiratory conditions and several types of cancer; and
- Particulate matter (PM): according to the US EPA, PM has been linked with airway irritation, difficulty breathing, decreased lung function, nonfatal heart attacks and premature death."

The air pollution generated from this plant will affect Orange County and surrounding areas for miles. Both Orange County and Westchester County are already non-attainment zones for ozone and particulate matter. There is no cumulative impact analysis of the CPV Valley Plant, the Minisink compressor station, the Millennium pipeline in addition to the air contaminants that already exist.

In addition to a cumulative analysis of air emissions from all of these projects, an independent Health Impact Assessment (HIA) should also be required for all gas infrastructure projects. New York State should instate an immediate moratorium on permitting of these projects until the completion of a HIA. Dr. Shah, New York State's Commissioner of Health, is currently reviewing health studies from states where fracking is taking place while there is currently a de facto moratorium on fracking in New York. This confirms the Cuomo administration's recognition of risks to health of New Yorkers from fracking. Yet, the Cuomo administration has not expressed concern about the massive buildout of gas infrastructure that is criss-crossing our state. Before the PSC issues a permit, a HIA must be conducted.

A study by the National Institute of Environmental Health Sciences (NIH) and Environmental Health Perspectives' (EHP) released last week stated, "Studies in

Colorado, Texas, Wyoming and Oklahoma have demonstrated that natural gas development (NGD) results in emission of volatile organic compounds, nitrogen dioxide, sulfur dioxide, particulate matter and polycyclic aromatic hydrocarbons from either the well itself or from associated drilling processes or related infrastructure, i.e., drilling muds, hydraulic fracturing fluids, tanks containing waste water and liquid hydrocarbons, diesel engines, compressor stations, dehydrators and pipelines.”

“Some of these pollutants [e.g., toluene, xylenes, and benzene] are suspected teratogens or mutagens and are known to cross the placenta, raising the possibility of fetal exposure to these and other pollutants resulting from NGD. Currently, there are few studies on the effects of air pollution or NGD on birth outcomes.”

<http://ehp.niehs.nih.gov/1306722/>.

The CPV power plant is one piece of a larger plan, including the Millennium pipeline, the Minisink compressor station and metering stations to move the glut of fracked Marcellus Shale gas to New England and then for export where the gas will command a higher price. Orange County residents, farmland, animals and wetlands should not be sacrificed just to enable the gas and oil industry to increase its profits.

The New York State Draft Energy plan and Governor Cuomo have advocated **not** to permit re-licensing of the Indian Point nuclear facility. The New York State Draft Energy Plan proposed that some of the power generated by Indian Point should be replaced by “natural” gas. The CPV Valley plant is one of two new gas fired plants that are included in the plan. The power from Indian Point should not be replaced by construction of two new polluting, toxic power plants that promote fracking and our reliance on a fossil fuel.

A study conducted by Synapse for the National Resources Defense Council (NRDC) outlines out a way in which Indian Point’s power could be replaced completely by efficiency, grid upgrades, conservation and renewable energy. A press release on Riverkeeper’s website states, “Riverkeeper fully supports the Energy Highway’s focus on improving the state’s transmission grid and expanding renewable energy generation, particularly upstate and offshore wind projects and expanded solar initiatives in New York City and across the state. While the Energy Highway blueprint also discusses new natural gas plants being proposed in the Hudson Valley, they are not needed to replace Indian Point’s power. **The alternatives Riverkeeper endorses would replace all of the power provided by Indian Point without using one additional cubic foot of natural gas.** Transitioning to a clean, sustainable energy future will keep energy costs down, protect the environment and stimulate local economies.” - See more at: <http://www.riverkeeper.org/news-events/news/stop-polluters/power-plant-cases/indian-point/new-york-energy-highway-task-force-future-without-indian-point/#sthash.DX6bJoCl.dpuf>

The New York Public Service Commission should reject the application of Competitive Power Ventures, an investment firm, that is seeking to create a market for fracked gas.

Orange County and the surrounding region do not want this gas and we do not need this gas.

It is time for New York State to become a leader in renewable energy in this country and this is a chance for the New York Public Service Commission to evaluate the plant in light of energy policies that will last for generations. If this plant is rejected and the draft New York State Energy Plan is revised to eliminate commitment to more and more gas infrastructure, perhaps our children will have a chance.

**Wilma Subra of Subra Company
Data from CPV's permit application:**

Emission Limits from CPV Energy Center (tons per year)

- ▶ Carbon Monoxide 344
- ▶ Nitrogen Oxide 186.8
- ▶ PM 2.5 95
- ▶ Volatile Organic Compounds 65
- ▶ Sulfur Dioxide 42
- ▶ Sulfuric Acid 13
- ▶ Carbon Dioxide 2,164,438

Emission Reduction Credits

- ▶ Volatile Organic Compounds 75 tons per year
- ▶ Purchased Emission Reduction Credits from:
 - Arbill Industries, Inc. PA 17 tons/year
 - S. Walter Packaging Corp. PA 58 tons/year
- ▶ Total VOC 65 ton/year +75 ton/year = 140 tons/year

- ▶ Nitrogen Oxide 216 tons per year
- ▶ Purchased Emission Reduction Credits from:
 - American Video Glass LLC (Sony) PA 216 tons/year
- ▶ Total NOX Emissions

186.8 tons/year + 216 tons/year = 402.8 tons/year

Respectfully submitted,
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