



State of Connecticut

HOUSE OF REPRESENTATIVES

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Energy and Technology Committee Public Hearing State Representative Tony Hwang March 18, 2009

Chairman Fonfara, Nardello, Ranking Member Witkos, Williams and esteemed members of the Energy & Technology Committee:

I would like to thank the committee for raising Senate Bill 461, An Act Concerning Siting Council Proceedings and Decisions. This bill is very important to the district I represent, but equally important to the many other residential communities throughout Connecticut, as we weigh the balance between energy production facilities and residential quality of life/public safety.

The historical and densely residential Nichols neighborhood in Trumbull was selected as one of 7 locations in Connecticut to host an innovative/NEW hybrid fuel cell power plant. Though this proposal certainly has merit, the current location is anything but ideal. Smack in the middle of a residential neighborhood, adjacent to multiple schools, parks and playgrounds, densely populated at all times with children at play and learning, a fuel cell power plant producing close to 3.4 megawatts of energy does NOT fit in this neighborhood. Fuel Cell technology and safety remains unproven and we have not even fully understood the danger/risk implication of such an energy generating source, particularly in the aftermath of the Kleen Energy power plant explosion in Middletown, CT. We, as legislators have pledged to work with all parties to find an appropriate solution to this issue.

Under Senate Bill 461, particularly lines 206-208, ***"PRIOR TO ISSUING A CERTIFICATE FOR A FACILITY DESCRIBED IN SUBDIVISION (3) OF SUBSECTION (A) OF 16-50I, THE COUNCIL SHALL CONSIDER PUBLIC SAFETY ISSUES."*** The Siting Council would be empowered to consider relevant factors and additional information, particularly concerning the public safety of the townspeople, when approving a fuel cell development project. Currently, fuel cell technology projects are entitled to a special exemption from normal Siting Council scrutiny and can only be rejected on the basis of environmental concerns. I truly believe this language overlooks several critical aspects of any development project; such as density of a residential neighborhood (established homes/families), historic character

of the community (historical district), safety of children (schools) and above all, local input. It is my hope that this legislation will be drafted so as to include these crucial elements. I am deeply troubled by the lack of due process afforded to the Nichols neighborhood throughout these Siting Council and Fuel Cell business proceedings: delayed notification, non-descript letters and an overall disregard for the due process of people who are most impacted by these decisions. Residents should be positioned to offer input on projects in their communities and as such, their opinions should be heard in earnest.

Thank you for your time and consideration and I am available to answer any questions.