

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-585

AN ACT CONCERNING AIR QUALITY MONITORING IN TOWNS NEAR THE

Title: CRICKET VALLEY ENERGY CENTER.

Vote Date: 3/25/2019

Vote Action: Joint Favorable

PH Date: 3/18/2019

File No.: 635

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SPONSORS OF BILL:

Sen. Julie Kushner, 24th Dist.

Sen. Craig Miner, 30th Dist.

Rep. Maria P. Horn, 64th Dist.

Rep. David Michel, 146th Dist.

REASONS FOR BILL:

Proposed in 2009 and approved in 2012 by the New York Department of Environmental Conservation, the Cricket Valley Energy Center began construction in Dover Plains, New York in 2017. Dover Plains, New York is located near the New York/Connecticut boarder. The plant is expected to come online in 2020. Concerns have been expressed by Connecticut residents that the plant will produce toxin that may be trapped in certain locations along the western part of Connecticut due to the state's unique topography in the area. Towns along the state boarder have purchased machines to measure, monitor, and record air quality levels before and after the project is completed. Through Western Connecticut Clean Air Action, the towns of New Milford, Canterbury, Sherman, Cornwall, Washington, and Kent are currently included in a large network of monitoring air quality. The bill seeks to assist municipalities included in the network by requiring that the Department of Energy and Environmental protection provide technical assistance and support to any municipality that purchase or leases air monitoring equipment for the purpose of establishing an air quality baseline as it relates to the Cricket Valley Energy Center.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Department of Energy and Environmental Protection

(DEEP): Opposes the bill. DEEP is concerned that the bill will be difficult to implement because ambient air quality monitoring cannot determine the impact from a single source within the entire air shed, yet it would require expenditure of considerable state and local resources. Additionally, vendors for the equipment used include technical support services such as information on siting, maintenance, and data retrieval. While DEEP regrets that limited notice was provided to Connecticut residents, the agency is now working with the New York Department of Environmental Conservation to post the New York agencies public notices through the DEEP notice webpage.

NATURE AND SOURCES OF SUPPORT:

Pamela Arifian, Director, United Church of Christ Northeast Environmental Justice

Center: The Cricket Valley Energy Center will bring poor air quality to Western Connecticut, and will have a detrimental effects on the children living in this area. The state needs to support towns along the New York / Connecticut border before the plant is operational. Western Connecticut municipalities should (1) receive the support of the Connecticut Department of Energy and Environmental Protection to review and report data, (2) receive support from health agencies to monitor possible health consequences, and (3) cooperate with the Attorney General Office “for positive and up to date policy spans state borders.”

Starling W. Childs, President ,The Berkshire-Litchfield Environmental Council:

The Cricket Valley Energy Center (CVEC), located near Sherman and Kent, goes online in 2020 and will negatively impact all of Litchfield County, portions of the Danbury region, and northern Fairfield County with toxic deposits. DEEP’s current air monitoring stations are far from the potential impact areas, and will not capture the necessary data prior to and after CVEC goes online; therefore, the area towns, schools, and environmental organizations formed the Western Connecticut Clean Air Action(WCCAA) with the specific purpose of gathering air quality data that DEEP cannot provide. WCCAA purchased air quality monitoring equipment recommended by DEEP; this bill will formalize the relationship between WCCAA and DEEP.

Western Connecticut Clean Air Action (WCCAA): WCCAA provides a project overview summary that includes: (1) objectives, (2) project protocols and cots, (3) participants, (4) fundraising, (5) WCCAA contact information.

The Environment Committee received approximately 10 testimonies in support of the bill sharing concern that toxins will be released by the Cricket Valley Energy Center and negatively impact the air quality of Western Connecticut.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

Reported by: Steve Smith / Ussawin R. Bumpen Date: 04/10/2019