

CP14-96-000

Alice E. Roker
Town Clerk

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Town of Yorktown
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, N.Y. 10598

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SECRETARY OF THE
COMMISSION
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FEDERAL ENERGY
REGULATORY COMMISSION

To:

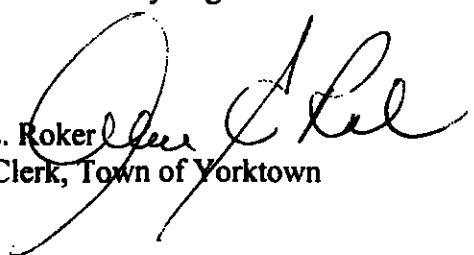
Algonquin Gas Transmission, LLC
Spectra Energy Partners
Federal Energy Regulatory Commission
NYS Department of Environmental Conservation

Governor Andrew Cuomo
NY State Senator Greg Ball
NY State Assemblyman Steve Katz

Chairman Michael Kaplowitz, Westchester County Board of Legislators
Westchester County Legislator John Testa

From:

Alice E. Roker
Town Clerk, Town of Yorktown



The attached resolution was adopted by the Town Board of the Town of Yorktown, Westchester County, NY at its meeting held on Tuesday, September 2, 2014.

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This is a resolution adopted by the Town Board of the Town of Yorktown at its meeting held on September 2, 2014;

WHEREAS, Algonquin Gas Transmission, LLC ("Algonquin"), a wholly-owned subsidiary of Spectra Energy Partners ("Spectra"), filed an Abbreviated Application for a Certificate of Public Convenience and Necessity and for Related Authorizations for the planned Algonquin Incremental Market Project ("AIM") with Federal Energy Regulatory Commission ("FERC" or the "Commission") on February 28, 2014, Docket # CP14-96-000, and has filed subsequent updates and additions (the "Submission"); and

WHEREAS, Spectra Energy's AIM project includes the replacement of 26-inch diameter existing pipeline with 42-inch diameter high-pressure natural gas pipeline within the Town of Yorktown; and

WHEREAS, the Submissions do not reflect aggregate (existing and proposed) and cumulative emissions from compressor stations, metering and regulating ("M&R") stations, pipelines and other infrastructure for the entire AIM project in the region and in areas within Yorktown; and

WHEREAS, the Submissions do not reflect aggregate (existing and proposed) and cumulative emissions from compressor stations, M&R stations, pipelines and other infrastructure including the entire proposed Atlantic Bridge project in the region and in areas within Yorktown; and

WHEREAS, Spectra Energy's AIM project includes temporary use of 15 acres of land for a contractors' ware yard or pipe yard in Granite Knolls Park West in the Town of Yorktown; and

WHEREAS, Spectra Energy's proposal includes permanent use of approximately one acre of land to be used as a "pigging" station, also known as a launcher/receiver site, in the Town of Yorktown; and

WHEREAS the Town of Yorktown is concerned that the AIM project should not impose additional financial burdens on the Town as a result of: infrastructure damage to roads, bridges, culverts, water mains, utilities, etc.; cost increases for necessary emergency response enhancements; loss of tax revenues associated with decreases in property values and/or usage ; and

WHEREAS, Spectra Energy Corporation has acknowledged that it may not have adequate resources or insurance coverage for such damages should they occur or to reimburse municipalities for costs borne by the municipality should an incident occur; and

WHEREAS, materials and contaminants in the pipeline may include Radium, Radon and its decay products, Lead 210 and Polonium 210, which are known carcinogens, and may include other substances that are carcinogens; and

WHEREAS, scientific studies have demonstrated that during pipeline maintenance and cleaning, known as the “pigging” process, the radioactive decay products, Lead 210 and Polonium 210 may be present; and

WHEREAS, there is presently no advanced notification currently in effect for all planned compressor station and other gas pipeline infrastructure and operations blowdowns, either full or partial, or immediately following any unplanned partial or full blowdowns in order for residents and public officials to take prompt emergency measures; and

WHEREAS, the location of the Spectra AIM pipeline expansion within close proximity to the Indian Point Nuclear Facility and 40 years of spent fuel rods, and in close proximity to the intersection of two geological fault lines including the Ramapo Fault and the Stamford-Peekskill fault, poses a risk of catastrophic damage with profound long-term impacts on the region; and

WHEREAS, municipalities may bear costs associated with additional emergency training, equipment (including up-to-date foam to extinguish fires), and first responses to a M&R station, pipeline, or other gas infrastructure incident; and

WHEREAS, the current Spectra AIM project area within Yorktown and the region has not been fully evaluated to establish a baseline for air quality; and

WHEREAS, peer-reviewed scientific studies allege that emissions from pipeline leaks, compressor stations and other shale gas infrastructures are associated with negative health impacts; and

WHEREAS, the region including Westchester County is already considered a non-attainment zone for air quality standards according to the U.S. Environmental Protection Agency (“EPA”) and exceeds the limits for air pollutants such as ground-level ozone; and

WHEREAS, the Spectra AIM project would significantly increase the volume of shale gas transmitted through pipelines and processed by a M&R station and mainline valve (“MLV”) sites located in Yorktown with the likelihood of correspondingly higher emissions of toxic materials; and

WHEREAS, the Town of Yorktown is obligated to protect the health and welfare of all of its residents;

NOW THEREFORE, BE IT

RESOLVED, that an independent air emissions baseline assessment, funded by Algonquin and Spectra, be conducted by an independent expert acceptable to industry, local government officials, advocates and the public, in the areas directly impacted by the existing and proposed compressor stations, venting and M&R stations and that continuous emissions monitoring be conducted and results of the continuous monitoring be made available to the public in a transparent manner; and be it

FURTHER RESOLVED, that the best available mitigation technologies and practices be required to be installed on every possible component of the existing and proposed expansion of Algonquin and Spectra's compressors, M&R stations, launcher/receiver sites and other gas infrastructure including electric compressor engines, zero emission dehydrators, blowdown prevention, vapor recovery units, and methane capturing equipment and practices outlined by the EPA; and be it

FURTHER RESOLVED, that the best available technologies, materials and practices be required to be utilized on every section of the existing and proposed Spectra AIM pipeline, including protective coatings to prevent corrosion, adequate cathodic protection, annual pipe-to-soil test readings, both automatic and remote shutoff valves and mechanisms to assure that the maximum pressure in the pipeline is not exceeded; and be it

FURTHER RESOLVED, that all technologies, materials and practices utilized shall have been fully tested and that none of the materials, processes and/or technology are new, untested or pilot versions and that operational checks are put into place to discover leaks and other problems in a timely manner; and be it

FURTHER RESOLVED, that Algonquin and Spectra shall not locate the receiver/launcher site within its jurisdiction; and be it

FURTHER RESOLVED, that there be a public hearing regarding the health effects of compressor stations, M&R stations, MLV sites and venting stations, and effective immediately, advanced notification of all planned blowdowns and releases of facilities within or near the Town of Yorktown, either full or partial, and notification within 30 minutes following any unplanned release of gas be given to the Town of Yorktown in order to alert all residents, police, fire departments and municipal officials; and be it

FURTHER RESOLVED, that a comprehensive and transparent Health Impact Assessment ("HIA"), as outlined by the Centers for Disease Control and the National Academy of Sciences, be conducted by an independent entity acceptable to industry, local government officials, advocates and the public, and funded by Algonquin and Spectra; and be it

FURTHER RESOLVED, that this comprehensive and transparent HIA cover cumulative short-term and long-term as well as direct and indirect impacts of all infrastructure components of the AIM project, including compressor stations emissions and blowdowns, M&R stations emissions, venting stations and pipeline leakage prior to construction, during construction, during normal operations and during blowdowns and accidental release events, with a thorough analysis of all materials and contaminants in the pipeline, including radium precipitate, radon and its decay products, lead and polonium; and be it

FURTHER RESOLVED, that an independent assessment of the potential impacts on air, water and soil of pipeline maintenance, known as "pigging," to be conducted at and all launcher/receiver staging areas and the handling, storage, cleaning and disposal of Pipeline Inspection Gauges ("PIG"), PIG wastewater, PIG launchers and all other associated equipment be conducted by an independent expert acceptable to industry, local government officials, advocates and the public, funded by Algonquin and Spectra and that results be made available to the public in a transparent manner; and be it

FURTHER RESOLVED, that Algonquin and Spectra shall comply with New York State Law since it has one of the highest standards of environmental protection by undergoing a full Environmental Impact Statement to comply with the requirements of the New York State Environmental Quality Review Act and minimize and mitigate any negative environmental impacts; and be it

FURTHER RESOLVED, that the Town of Yorktown is requesting full party status in the proceedings so that it may assist FERC in ensuring that the AIM project is constructed and operated in a safe manner and that the AIM project does not impose undue burdens on the Town, its residents and the general public; and be it

FURTHER RESOLVED, that a comprehensive, independent risk assessment of the potentially catastrophic explosion of a 42" diameter high-pressure pipeline in close proximity to Indian Point Nuclear Facility and a significant seismic zone be conducted and made publicly available, and that the assessment should be funded by Algonquin and Spectra and that the assessment and the AIM project should comply with all Nuclear Regulatory Commission requirements; and be it

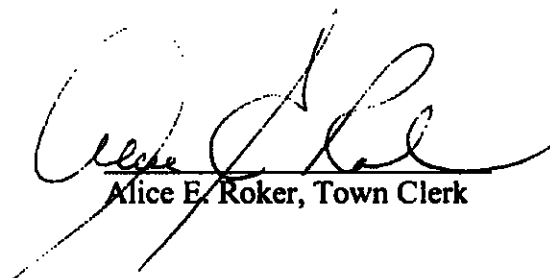
FURTHER RESOLVED, that Algonquin and Spectra provide a full, independent cost analysis of the procurement of emergency supplies, equipment and training for local first response teams to respond to events related to the AIM project, including potential fires, explosions, leaks, spills, blowdowns and evacuations due to these incidents; and be it

FURTHER RESOLVED, that Algonquin and Spectra provide proof of adequate insurance from an A-rated admitted carrier in New York State or self-insurance represented by adequate segregated cash reserves for all potential costs and expenses involved with maintenance and responding to emergencies and mitigating damages as a result of any ongoing negative effects or incident relating to or resulting from the AIM Project; and be it

FURTHER RESOLVED, that Algonquin and Spectra shall develop a comprehensive plan and adequate insurance from an A-rated admitted carrier in New York State or adequate segregated cash and other readily available assets for the restoration of any damage to public or private infrastructure, lands, streams or other property without the imposition of costs to government or private entities within or adjacent to the Town of Yorktown; and be it

FURTHER RESOLVED, that Algonquin and Spectra provide assurances from the Federal Housing Administration and the Federal Housing Finance Agency on behalf of all government organized or sponsored residential mortgage entities that residential mortgages with be and will remain federally insured in and near the path of the AIM project; and be it

FURTHER RESOLVED, that a copy of this Resolution be sent to the Federal Energy Regulatory Commission, the New York State Department of Environmental Conservation and all involved agencies with the request that no permits be issued or further action is taken until all concerns in this Resolution are addressed and mitigated.



Alice E. Roker, Town Clerk

Date: September 3, 2014

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Town Clerk

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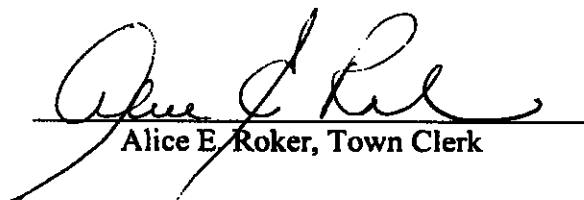
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STATE OF NEW YORK)
COUNTY OF WESTCHESTER)
Office of the Clerk of the) ss:
TOWN OF YORKTOWN)

This is to certify, that I, Alice E. Roker, Town Clerk of the Town of Yorktown in the said County of Westchester, have compared the foregoing copy of the Town Board Resolution passed at the TOWN BOARD MEETING HELD ON September 2, 2014 with the original now on file in this office, and that the same is a correct and true transcript of such Town Board Minutes.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 4th day of September, 2014.

(S E A L)



Alice E. Roker, Town Clerk

Document Content(s)

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