

# TOWN OF BURRILLVILLE



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## ***Town of Burrillville Calls for Revision of Energy Facility Siting Act***

### ***Process Flawed, Act Outdated, Works Against Best Interest of State and Host Community***

The Town of Burrillville is calling for an overhaul of the 30 year old outdated Rhode Island Energy Facility Siting Act. The town is continuing to battle against the siting of a new Invenergy power plant. The Energy Facility Siting Act circumvents municipal regulations and puts the decision making power in the hands of the EFSB. The Town notes, municipalities of today are far more capable of addressing the relevant issues than they were when the act was originally created. In fact, the Town of Burrillville, its experts and its residents have conducted extensive research showing the Invenergy power plant would have a detrimental impact to the safety, environment, and air quality for the town and state.

There are too many loopholes built into the Act (process and decision-making) that work against the best interests of a host community and, it could be argued, the state as a whole.

At the hearing held on February 6th, a majority of the members of the Energy Facility Siting Board (EFSB) appeared to be ready to vote on the various motions before them without hearing (or taking testimony) from the Town of Burrillville and Conservation Law Foundation (CLF).

Invenergy had over 6 months to provide information on its water supply when their application was originally filed. It was granted another 90 days on top of that and only came in with a water plan that was cobbled together in the last week of the January 11, 2017 EFSB-imposed deadline.

- The new plan purports to change the processing methods of the power plant. Processes that were not known to the Town, the EFSB, or the other agencies that provided advisory opinions to the EFSB back in September of 2016.
- The EFSB actually voted to deny the town's motion for a 45-day evaluation period without taking any testimony at all.
- On February 6<sup>th</sup>, without taking any testimony, the EFSB denied the Town of Burrillville's request for a 45-day evaluation period to perform its due diligence to verify the validity of Invenergy's new water plan and its impact on Invenergy's overall application.

## **February 16<sup>th</sup> – Motion to Dismiss Scheduled BUT Necessary Information Still Missing**

- The Town recently posed over 50 technical questions to Invenergy primarily in response to the new water plan filed by Invenergy on January 11, 2017 that have not yet been answered.
- Because the EFSB blocked a 45-day review period of Invenergy's plan that the Town requested, it appears that the only remedy is to have the application dismissed outright.

### **Time Consuming, Expensive, Complicated Process**

The EFSB final hearing process is time consuming, very expensive and complicated. It is impractical to move to a full hearing on Invenergy's proposal without a determination on the validity of the water plan and its impact on the original application.

### **Majority of the Municipalities Oppose Power Plant**

The EFSB was initially designed to consider the greater statewide implications for the siting of new energy facilities and to prevent a singular 'host' community from blocking important energy initiatives.

Already 25 communities have voted to join with Burrillville in opposing the proposed Invenergy power plant- sending a clear directive to the EFSB.

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