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City of Dover, New Hampshire
OFFICE OF GENERAL LEGAL COUNSEL

April 22, 2015

VIA EMAIL & FIRST CLASS MAIL

Jane Murray, Secretary
NH Site Evaluation Committee
New Hampshire Department of Environmental Services
29 Hazen Drive
Concord, NH 03301
jane.murray@des.nh.gov

Re: Request of SEA-3, Inc. for Exemption from the
Approval and Certificate Provisions of RSA Chapter 162-H

Dear Ms. Murray:

Please find enclosed the City of Dover's Motion to Intervene regarding the above captioned matter that I wish to place on file at this time, with the New Hampshire Site Evaluation Committee.

Sincerely,

Anthony I. Blenkinsop
City Attorney
Enc.

First in New Hampshire,
First with You!

Cc: Alec McEachern, Esq.
Jane M. Ferrini, Esq.
Peter C. L. Roth, Esq.

STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE
DOCKET NO. 2015-01

MOTION TO INTERVENE

**Request of SEA-3, Inc. for Exemption from the Approval and Certificate Provisions of
RSA Chapter 162-H**

NOW COMES, the City of Dover, New Hampshire, by and through its attorney, the Office of General Legal Counsel, and submits this Motion to Intervene in the above referenced matter, and in support thereof states as follows:

1. On or about January 7, 2015, SEA-3, Inc. (SEA-3), filed a Request for Exemption from the Approval and Certificate Provisions of RSA Chapter 162-H with the New Hampshire Site Evaluation Committee (SEC), regarding expansion of its propane storage and distribution facility located at 190 Shattuck Way, Newington, New Hampshire (the Site).¹
2. Pursuant to RSA 541-A:32 and Site 202.11, the City of Dover moves to intervene in this matter.
3. Given the location of the existing SEA-3 facility and the proposed expansion thereof in the Town of Newington, the rights, duties, privileges, immunities and other substantial interests of the City of Dover and its residents may be affected by the present proceeding.
4. Without limiting the generality of the foregoing, the City has concerns about the potential impacts to it as a neighboring community, including but not limited to impacts on its first responders (Fire, Police, EMS) who would no doubt be called upon in the case of an emergency at the Site, as well as environmental and public safety issues that could impact Dover residents should there be a spill and/or release at the Site. Additionally, the City of Dover has concerns regarding the proximity of the Site to the Spaulding Turnpike and General Sullivan Bridge given the potential catastrophic effect on the City and its residents of the closure of that roadway for any extended period of time in the case of a disaster at the Site.

¹ At the request of the Chairman of the SEC, SEA-3 supplemented its filing on or about February 27, 2015.

5. In light of the foregoing, the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing intervention.

WHEREFORE, the City of Dover respectfully requests that the Site Evaluation Committee:

- A. Allow it to intervene in the above captioned matter; and
B. Grant such other relief as the Site Evaluation Committee deems just and necessary.

Respectfully submitted,
The City of Dover, New Hampshire
By its Attorney,

Date: April 22, 2015


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Certificate of Service

I hereby certify that a copy of the foregoing has been sent via first class mail, postage prepaid, to Alec McEachern, Esq., Jane M. Ferrini, Esq., and Peter C.L. Roth, Esq.

Date: April 22, 2015


Anthony I. Blenkinsop