

April 22, 2015

Martin Honigberg, Chairman
NH Site Evaluation Committee
NH Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: SEA-3, Inc. ("SEA-3") Request for Exemption NHSEC No. 2015-01

Dear Chairman Honigberg:

The SEA 3 project request for exemption before the Site Evaluation Committee should be rejected. A full application and review is warranted. The planned expansion is dependent on the exponential increase of rail traffic to the facility in Newington, NH passing through the towns of Newfields, Stratham, Greenland, and Portsmouth. The 13 mile freight rail line carrying the propane is solely owned by Pan Am Railroads. Unless SEA 3 plans have changed, part of the expansion in Newington will be on property leased from Pan Am.

Pan Am has defended the integrity of the rail line since the approval process began in 2013. Thousands of new ties have been installed in an effort to upgrade the rail classification that will allow for higher speeds through residential sections. Of questionable integrity are the very significant water crossings over Great Bay—an estuary of national significance—and another bridge in Portsmouth. The wooden trestles measure hundreds of feet and were built in the 1950's.

Requests for the annual bridge inspections, which are conducted in-house by the owner, Pan Am, have not been made available for review. Federal and state rail inspectors do not inspect the structural components of bridges—they only inspect the visible rail line.

The bridges straddle tidal waters and are prone to sub-surface scouring from tides and ice. The inspection reports are only made available upon request to the Federal Railroad Administration. Efforts by some of the NH congressional delegation to access the structural bridge inspections were unsuccessful. A FOIA request to the FRA was submitted in September of 2014. Repeated follow-up has not produced any results or progress updates. At this juncture, there are no assurances that the bridges are structurally competent.

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Of concern as well, is the inability of the NH DES Oil Spill Recovery team to easily access the upper portion of Great Bay in a derailment scenario. The Great Bay rail crossing is a combination of two trestles measuring 500 feet with another 1000 feet of elevated access. The propane tanks cars are often in mixed loads with other materials which will not evaporate and may enter the estuary in a derailment. Strong tides will carry the spill up the Squamscott River towards Exeter in a matter of hours, or out into Great Bay. The best estimate for a spill response team is two hours depending on tide and depth of water. If the bay is frozen in the winter, no response is possible.

Were it not for the planned expansion of SEA 3 at the end of the Pan Am rail line in Newington, these concerns would not be an issue. A full application should address them even though they are not specific to the site.

Sincerely,



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