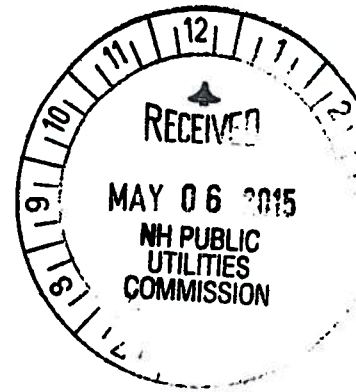


**NEW HAMPSHIRE SITE EVALUATION COMMITTEE
OF THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION
IN THE MATTER OF THE APPLICATION OF SEA-3, INC.**



SEC Docket No. 2015-01

**“PROPOSES INTERVENORS’ JOINT/CONSOLIDATED OBJECTION TO THE
MOTION FILED BY SEA-3 TO DENY INTERVENOR STATUS**

NOW COME Richard and Catherine DiPentima of 16 Dunlin Way, John and Jane Sutherland, 8 Dunlin Way, William and Kristina Campbell, 4 Dunlin Way and Matthew and Erica Nania, 18 Dunlin Way, Portsmouth, New Hampshire 03801 (“Proposed Intervenor”), and respectfully submit this Objection to the Motion by Sea-3 to deny the undersigned Motions to intervene in the above-captioned proceedings. For the reasons that follow, the Committee should reject the Sea-3 Motion, and allow the undersigned individuals to intervene as parties in this matter.

INTRODUCTION

The committee should deny the Sea-3 Motion to deny intervenor status to Richard and Catherine DiPentima, John and Jane Sutherland, William and Kristina Campbell and Matthew and Erica Nania because the proposed intervenors do not intend to interfere or impede railroad operations. The proposed intervenors have substantial interests that are directly related to the expansion of the Sea-3 Site in Newington, New Hampshire, totally outside of the railroad operations. We are well aware that the “railroad-related interests” are not before the Committee.

ARGUMENT

1. The Sea-3 expansion of their rail terminals for the purpose of unloading rail tank cars will expand from 3 to 8, a 166% increase. Sea-3 plans to unload almost 5,000 rail tank cars each carrying approximately 33,000 gallons of Liquefied Petroleum Gas (LPG) each year. For the most current years for which data are available, Sea-3 unloaded 42 tank cars in 2013, 0, in 2012, 20, in 2010, and 25 in 2009. The proposed increase in tank cars to be unloaded represents a dramatic increase, and represents a level never before experienced by Sea-3. As such the possibility of a serious accident resulting from either mechanical failure or human error, or both, increases proportionally. In the event of a serious event involving a propane tank car or other equipment at Sea-3, the Portsmouth Fire, Ambulance and Police would be called upon to assist the very small Newington emergency response capabilities. As Portsmouth taxpayers, we have a substantial interest in the safety and the financial burden placed on our emergency response personnel and equipment. Such direct financial costs and costs that might be incurred as a result of injury or death to a

Portsmouth emergency responder are of primary concern to us as individual taxpayers and residents of Portsmouth.

2. A catastrophic event at the Sea-3 facility, including a Boiling Liquid Expansion Vapor Explosion (BLEVE) could result in serious damage to the environment, including the Piscataqua River which flows into Portsmouth. It could also result in damage to common roadways shared by Newington and Portsmouth, such as Woodbury Avenue and the Spaulding turnpike. It is important to note that the Sea-3 site sits close to the Piscataqua River, and very close to other major sources of hazardous materials. The Sprague Oil facility is adjacent to Sea-3, and in the event of a BLEVE, or a tank car explosion, this facility could be damaged, causing a catastrophic event and severe pollution to enter the Piscataqua River. Such an event would have a severe negative impact our quality of life, our environment, and our rights and privileges to the use of these resources for recreational purposes, and will have a devastating impact on our City's economy, as well as our own property value.
3. The City of Portsmouth as well as the proposed interveners, have requested that comprehensive independent safety, security and environmental impact studies be conducted as part of the Sea-3 expansion proposal. These requests have been denied. The only way to determine the real potential effects of a catastrophic event at the Sea-3 facility is to conduct such studies. In the absence of such studies, the general public could be placed at undue risk in the event of such an accident at Sea-3. The evacuation zone, as instituted by the U.S. Department of Transportation, around a LPG facility where a tank rail car is on fire is 1 mile in all directions. In the case of the Sea-3 facility, this would include major industrial sites, shopping malls, 2 energy producing plants, highways and a number of small and large businesses. The requested plans would assess the local communities' emergency response capacity to effectively manage a catastrophic event at Sea-3, as well as review evacuation plans, and other related measures to protect the public. This significant gap in available information and planning is of substantial interest and concern to us as individuals as well as the general public and adjacent communities.
4. Although the Counsel for the Public will represent the interests of the general public, this does not prevent or prohibit other members of the public who may be affected by the proceedings to also intervene on their behalf.

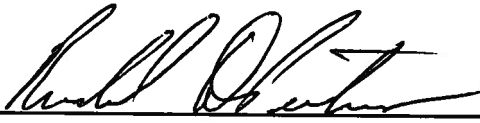
CONCLUSION


For all the reasons set forth herein, the committee should deny the Sea-3 Motion because we have demonstrated that our "rights, duties,, privileges, immunities or other substantial interests might be affected by the proceeding. These interests go beyond any federal preemption of railroad operations.

Respectfully submitted,

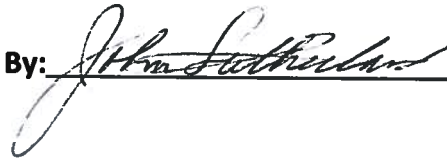
RICHARD AND CATHERINE DIPENTIMA

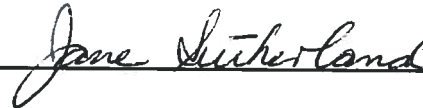
Date: May 3, 2015

By: 

By: 


JOHN AND JANE SUTHERLAND

By: 

By: 

WILLIAM AND KRISTINA CAMPBELL

By: 

By: 

MATTHEW AND ERICA NANIA

By: 

By: 

CERTIFICATION

I hereby certify that on this 4th day of May 2015, I served a copy of the foregoing via U.S. First Class mail on:

Hon. Martin P. Honigberg, Chairman

Site Evaluation Committee

c/o NH Public Utilities Commission

21 South Fruit Street, Suite 10

Concord, NH 03301-2429