

AVON CLEAN ENERGY COMMISSION
AVON ROOM BLDG. #1 TOWN HALL
MINUTES
December 20, 2017

I. CALL MEETING TO ORDER

The meeting was called to order at 7:04 p.m. by Chairman Bernard Zahren in the Avon Room, Building 1, Town Hall. Members present: Chairman Bernard Zahren, Don Phelan, William Shea, Christine Winter, and Richard Kretz. Members absent: Joseph Gentile and Jeffrey Macel. Advisory member absent: Jonathan Craig. Staff member Grace Tiezzi, Assistant to the Town Manager was also in attendance.

II. APPROVAL OF THE PRECEDING MEETING MINUTES – October 18, 2017

Mr. Zahren made one change to the October 18, 2017 minutes.

Mr. Shea made a motion to approve the October 18, 2017 minutes as amended. Mr. Phelan seconded the motion, which was unanimously approved.

III. COMMUNICATIONS FROM THE AUDIENCE

There were no comments from the audience.

Mr. Zahren stated that a grave injustice was done when the Legislature took money from the Green Bank, which provides for things like long term financing for solar, etc., as well as from the Energy Efficiency Fund for programs such as energy audits. He stated that this is unfair because these funds are not state tax revenues; they are a systems benefit charge, which gets split between these two funds. The Governor and Legislature had no right to take this money; non state revenues should not be applied to the state budget.

The Committee members agreed to take the agenda out of order to hear the presentation on fracking waste.

Presentation – Fracking Waste

Jen Siskind, local coordinator and volunteer with Connecticut Food and Water Watch, made a presentation regarding protecting towns from state regulations as well as the risks of radioactive and chemical contamination and why Connecticut is at risk.

Ms. Siskind stated that Connecticut currently has a law that mandates that the DEEP regulate this waste as hazardous waste, which puts the state on a path for providing permits for it to be treated within the state. If this waste is treated in Connecticut, the state will also need tent farm storage and transfer locations; there could also be other types of permits needed as well. She explained the different types of waste and the process of drill cuttings and the injection of 4-5 million gallons of chemicals into the wells. Once the oil and gas, including the brine, are released, a flow back of waste comes to the surface. A single well can produce a million gallons of brine, which needs to be separated; wells continue to produce brine while they are in production. The brine is partially treated and reused at different well sites until it is too contaminated to use anymore. It is then sent for disposal.

Ms. Siskind stated that there are naturally occurring toxins buried a mile or two deep in the shale deposits, which include radioactive material, all of which have impacts to the human body. People that are being exposed to waste or are living close to heavy drilling are having medical issues that have been linked to these toxins. Ms. Siskind discussed spills that have occurred in other states. Half of these spills are due to the transferring of the waste. She stated that the regulations that the Connecticut DEEP writes on paper will not be able to control these spills because they are accidents; spill and leaks that are

caused by worker error or equipment failure. She stated that there is a current moratorium that defines fracking waste as the hydraulic fracturing process. It is not clearly defined as to whether the brine is a part of this definition.

Ms. Siskind stated that 33 Connecticut towns have passed this ban, Washington, CT being the first town in the state. Most towns that have passed this ordinance have used language that was developed by the River Keeper Organization. The language is very specific for only waste that comes out of wells, both gas and oil. She stated that there are approximately 12 towns in Connecticut that are currently discussing this topic and have this ban issue in committee.

Ms. Siskind reiterated that there is a lot of misunderstanding and misconceptions of current state law and waste bans. She distributed a handout to the Commission members regarding some of these myths/misunderstandings. She stated that many people in Connecticut believe that the state already has a ban on this, which it does not. It does, however, have a moratorium with many loopholes in it.

Ms. Siskind closed by saying that she hopes she has educated the many people here tonight about why this ban needs to be passed. She believes that if this cannot be passed at the state level, then they need to protect the state through local bans.

Mr. Zahren asked if she is proposing that every town adopt the same language. Ms. Siskind stated that, essentially, 33 of the 34 towns have adopted the same language. She stated that it is the most comprehensive language, which was written by River Keeper. It has a clear definition of what drilling and extraction waste is and it is specific to all drilling and extraction activity. She stated that this is also the same language they are recommending to Legislators.

Mr. Phelan asked who sponsors River Keeper. Ms. Siskind stated that it was originally founded by Robert F. Kennedy, Jr. He may still remain on the Board, although he has resigned his daily oversight. This organization has been in existence for several decades.

Ms. Winter stated that she did talk with Brandon Robertson, Town Manager. He stated that anything this Commission might support and might ask the Town Council to support would need to go to an Ordinance Committee to be reviewed. She stated that he brought up the notion of being cautious of unintended consequences. He also mentioned that the town purchases products, such as salt for the roadways through a consortium of other towns and he is not sure what, if any, potential impacts this ban could have. Ms. Winter questioned if other towns have had this same concern. Ms. Siskind stated that if the Town Manager's concern is that if Avon passes the ban but purchases through the consortium, that it might include fracking waste salt, this would not be an issue because currently fracking waste salts are banned from being put on any roads in Connecticut.

Ms. Tiezzi stated that Town staff is having the Town Attorney look at proposed language for this ban. Town staff will also be looking into items that the town purchases regionally as well as other purchases off the state bid list and how the town could regulate things they are not bidding out themselves. She stated that they are also looking into potential enforcement of a ban.

Mr. Zahren questioned if there were any facilities in Connecticut that are currently processing waste from other states. Ms. Siskind stated that there are three hazardous waste treatment facilities that could apply for permits; however, two of the three towns where these private facilities are located have already passed bans.

Mr. Zahren asked if there were any questions or comments from the audience.

Alex Lichtler, 88 Harris Road, emphasized the idea that because no one knows what many of the chemicals are that companies are using, and even if they test for them, they will only test for what is known. He stated that he does not want to find out that a chemical that was recycled and used in Avon is now known to be toxic. Many things are not found to be toxic until they have been in use for many years. Ms. Siskind added that some testing procedures are inadequate.

Carrie Firestone, 36 Cambridge Crossing, stated that she has dealt with the effects of industrial waste in her home state of New York. She has also dealt with the Department of Health, DEC and EPA in terms of the effects of widespread miscarriages, neurological issues and cancers. Her concerns are that this now could become an issue in Avon. She is passionate about ensuring that Avon stays a place where parents can feel that they are doing everything they can to make sure these shady practices stay out of the community so residents can stay safe and healthy. Ms. Winter said that while we want to think Avon is a clean town, there were 8 children in Avon with cancer just two years ago. This is a stunning number in a small town. She stated that introducing something like this would not improve these numbers. Ms. Firestone stated that in her hometown in New York, there were dogs and squirrels with cancers as well. This is not something that just affects people.

Eleni Degraw, 112 Westland Road, stated that her college professor was part of the state hazmat team in terms of accidents and spills. She stated that Route 44 is a major corridor. A spill on this corridor would be significant and not just impact Avon but the surrounding towns as well.

Mr. Zahren stated that it may be too early for the Clean Energy Commission to say that they want the Town Council to look at this issue at their January meeting, although they could recommend that the town take the additional steps that Ms. Tiezzi outlined earlier, as well as speak with the other towns that have already passed this ban. He suggested that this Committee recommend a serious continued consideration be taken up more formally after January. Ms. Tiezzi agreed and stated that town staff is willing to look at the logistics and how this ban might be rolled out and enforced and come back to this Committee with a report. The Committee members agreed.

Robin Schwartz, 88 Harris Road, stated that she is in favor of this ban. In the past, she worked at Columbia University and her colleague was an expert in testing many chemicals known as mutagenic and carcinogenic. She stated her concerns regarding the daily exposure of chemicals for the residents and employees of Avon.

Mr. Zahren questioned if this would need to go to a referendum if the Town Council was in favor of this ban. Ms. Tiezzi stated that the typical ordinance review process includes having a public hearing as well as a Town Council vote.

A resident at 25 Chestnut Drive stated that in addition to the chemicals, there have been recent reports that fracking brings a lot of microbial populations as well, which also creates problems.

Mr. Shea made a motion to refer this issue to the Town Council for their consideration and for further study, research and legal validation on how the town should proceed. The motion was seconded and unanimously approved.

IV. OLD BUSINESS

Microgrid RFP

Mr. Zahren stated that the town was planning to apply for a state grant to build a microgrid that would generate power, including solar panels, generator, fuel cells, battery storage, etc. Unfortunately, the town was not able to get an attractive bid because an additional facility was needed to accept the waste heat that could not be used to heat the Town Hall buildings. He stated that although the town was not able to pull together a grant application in time, he is hopeful that the town will have another chance to apply in the next round, if there is a next round. Mr. Zahren stated that the money for this grant was bonded by the Bond Commission separately; the Legislature cannot use this money for anything else than what it was intended to be used for. He stated that there is quite a bit of money still left to be given out.

V. NEW BUSINESS

Plastic Film Recycling – Girl Scout Troop 60449

Mr. Zahren stated that the Commission received a letter from Girl Scout Troop 60449. Karen Morris, 88 Cold Spring Road and leader of the troop, stated that the girls decided to do a "Take Action" project, which is a prerequisite for other badges that is equivalent to an Eagle Scout badge. She stated that this project is not a one-time service project; it is much longer lasting. The girls have studied the plasticfilmrecycling.org that is already in Avon and other nearby towns. There are several businesses that now accept plastic film recycling materials including the plastic wrap from around paper towels and water bottles. It is clean plastic from many different sources; it is much more than just recycled grocery bags. Ms. Morris stated that the scouts are 9th graders, who are doing all of the work themselves. They are looking to put more information together to help educate people and get the word out. They are also hoping that the schools in town can collect these plastics and help spread awareness.

Ms. Tiezzi stated that an article regarding this initiative will be in the town's January newsletter. Also, the Town Manager is willing to put information that the girls would like to send, on the town website's Clean Energy Commission page.

Ms. Morris stated that if this Commission has a wish list of items/projects that the girls could help with for future badges, she would be happy to receive that. Projects for other badges include 30, 50 and 80 volunteer hours that the girls would be happy to get involved in. She stated that the Eagle Scouts are always looking for projects as well.

Bright Ideas Grant Update

Mr. Zahren stated that this grant was funded through the Energy Efficiency Fund. When the town got a certain number of points, they would receive \$10,000 to spend on energy upgrades throughout the town. Unfortunately, this fund is no longer available and he is unsure if it will come back. Ms. Tiezzi stated that the state will honor any points until December 31, 2017, although Avon will not have enough points in terms of receiving more money prior to that date.

Kim Stevenson, 70 Harris Road, stated that she works for the Green Bank. She stated that although funds like the Energy Efficiency Fund have been cut, the programs are still in place, including the energy audits.

Mr. Zahren stated that he heard that an RFP would be coming out for more private funding for the Green Bank. Ms. Stevenson stated that there are many initiatives coming out. She came to this meeting tonight to make this Commission aware that the Green Bank has just received \$1.5 million for solar plus storage projects. This money needs to be lent out; up to 10% of it can be used as a grant. There are only a few towns, including Avon, that are eligible for these funds because they already have advanced projects in the works.

Mr. Zahren stated that he would like to get formal subcommittees together within this Commission to deal with some of the issues that come before them.

VI. ADJOURN

Mr. Shea made a motion to adjourn the meeting at 8:40 p.m. Mr. Kretz seconded the motion, which was unanimously approved.

Respectfully submitted:
Chairman Bernard Zahren

Attest: Alison Sturgeon, Clerk