Save the Sound®
Action for our region's environment.

June 21, 2024

Commissioner Katie Dykes
Connecticut Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106

Dear Commissioner Dykes:

Save the Sound is a nonprofit organization representing over 4,480 member households and 19,000 activists throughout the Long Island Sound region. Our mission is to protect and improve the region's land, air, and water. We use legal and scientific expertise and bring communities together to achieve results that benefit our environment for current and future generations. On behalf of Save the Sound, I am writing to urge you to deny Iroquois' applications to expand the Brookfield Compressor Station, a component of its "Enhancement by Compression" or "ExC "Project."[1]

Background

On March 2, 2020, Iroquois submitted two permit applications to the Department of Energy & Environmental Protection ("DEEP") for the construction of two additional 12,000 hp compressor units at their Brookfield Station as part of its ExC Project.[2] As currently designed, this project would provide an additional 125 million cubic feet per day of natural gas to utilities in New York.[3] While not necessary to meet natural gas demand,[4] this project would drastically increase greenhouse gas emissions and pose profound risks to public health and safety in both Connecticut and New York. For these reasons, I respectfully urge DEEP to deny Iroquois' permit applications for the Brookfield Compressor Station.

The ExC Project Would Interfere with the Attainment of Connecticut's Emissions Limits.

[1] The Commissioner has statutory authority "to issue an order rejecting [plans for the establishment of a new air contaminant source] and prohibiting construction, installation, enlargement or establishment of a new air contaminant source." Conn. Gen. Stat. § 22a-174(c). Neither this statute nor the corresponding regulation prohibits the Commissioner from exercising this authority even if the plans are compliant with the Clean Air Act and other applicable laws and regulations. *See id*; Conn. Agencies Regs. § 22a-174-3a; *In the Matter of Quinnipiac Energy, LLC*, 2003 WL 25579598 (June 26, 2003) (Denying recommendation to grant permit (despite the proposed activity meeting the standards set by regulation), citing the Commissioner's "broad powers and duties . . . pursuant to Conn. Gen. Stat. §§ 22a-1, 22a-5, and 22a-6").
[2] Appl. Nos. 2020003147 and 2020003148.
[3] IROQUOIS, EXC PROJECT OVERVIEW, available at https://www.iroquois.com/operations/projects/exc-project/.
[4] Iroquois anticipates that the ExC Project will be completed in 2027—the year at which demand for natural gas in New York is projected to begin a "steady glide path downward."
CONSOLIDATED EDISON CO. OF N.Y., GAS SYSTEM LONG-TERM PLAN 43-44, 47 (Sept. 22, 2023). Moreover, demand is expected to continue declining until reliance on delivered services is eliminated altogether. *Id.*

The Global Warming Solutions Act ("GWSA") requires Connecticut to reduce the level of emissions of greenhouse gas . . . [n]ot later than January 1, 2030, to a level at least forty-five percent below the level emitted in 2001."[5] (hereinafter referred to as the "2030 Emissions Limit"). The latest inventory indicates that the 2001 baseline is 48.4 million metric tons (MMT) of CO2e.[6] This baseline puts the 2030 Emissions Limit at 26.3 MMTCO2e.

According to the latest inventory, Connecticut is nowhere near on track to meet this limit. In 2021, state-wide emissions were 34.7 MMTCOe.[7] Meeting the 2030 Emissions Limit from here requires the State to achieve an average reduction of 1.1 MMTCO2e *each year* between 2022 and 2030—a rate that Connecticut has never achieved.[8] If serious about meeting the 2030 Emission Limit, the State must not only actively seek opportunities to decrease emissions but also deny projects to increase them.

From the operation of the Brookfield Compressor Station alone, the ExC Project would result in *additional* CO2e emissions totaling over 80,000 metric tons per year.[9] These additional emissions would represent at least a 40% increase in the 2021 emissions from Connecticut's natural gas sector.[10] According to Iroquois' estimate, they would comprise 0.36 percent of the State's 2030 Emissions Limit.[11] In short, the ExC project would substantially increase emissions at a time when Connecticut must take unprecedented action to reduce them. This reason alone warrants a denial of the ExC Project.

The ExC Project Would Pose Risks to Public Health, Safety and the Environment.

The Iroquois Pipeline spans over 400 miles, running from upstate New York through Connecticut and across the Long Island Sound.[12] Six Connecticut municipalities lie in its path: New Milford, Brookfield, Newtown, Monroe, Shelton, and Milford.[13] Over half of these municipalities have areas identified by the State as "Environmental Justice Block Groups" near the pipeline.[14] Both compressor stations in Connecticut are within one mile of an Environmental Justice Block Group.[15] By increasing emissions and strain on the Iroquois pipeline, the ExC project would pose serious risks to these communities.

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[5] Conn. Gen. Stat. § 22a-200a(a).
[6] DEEP, CONNECTICUT GREENHOUSE GAS EMISSIONS INVENTORY 1990 – 2021 WITH PRELIMINARY LOOK AT 2022 6 (Apr. 2024).
[7] *Id.*
[8] *Id.*
[9] IROQUOIS, FINAL ENVIRONMENTAL IMPACT STATEMENT 26 (Nov. 2021).
[10] DEEP, CONNECTICUT GREENHOUSE GAS EMISSIONS INVENTORY 1990 – 2021 WITH PRELIMINARY LOOK AT 2022 6 (Apr. 2024). In 2021, this sector contributed 0.2 MMTCO2e (or 200,000 metric tons CO2e). *Id.* Increasing this to 280,000 would constitute a 40% increase.
[11] IROQUOIS, FINAL ENVIRONMENTAL IMPACT STATEMENT 26 (Nov. 2021).
[12] Iroquois, *Pipeline Map*, https://www.iroquois.com/pipeline-services/pipeline-map/; Iroquois, *Company*, https://www.iroquois.com/company/.
[13] Iroquois, *Pipeline Map*, https://www.iroquois.com/pipeline-services/pipeline-map/.
[14] IROQUOIS, FINAL ENVIRONMENTAL IMPACT STATEMENT 45 (Nov. 2021); DEEP, *Connecticut Environmental Justice Communities*, https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=d04ec429d0a4477b9526689dc7809ffe.
[15] *Id.*

Iroquois' compressor stations in Connecticut already emit significant air pollutants that endanger the surrounding communities. As expanded by the ExC Project, these compressor stations would have the potential to release a combined total of 112.72 tons of NOx, 51.03 tons of CO, 1.11 tons of SO2, 96.42 tons of PM, 18.08 tons of VOC, and 2.42 tons of HAPs per year, according to Iroquois' own admission.[16] Exposure to these air pollutants increases human mortality rates and aggravates respiratory conditions.[17] By increasing this pollution, the ExC Project would undoubtedly exacerbate these harmful health impacts.

However, the risks associated with the Iroquois pipeline are not limited to the compressor station sites. The entire length of the pipeline may be uniquely susceptible to leaks and ruptures, the impacts of which could be catastrophic. Since 2004, there have been 5,774 "significant pipeline incidents," or incidents resulting in death, injury, or extensive property damage, reported by the United States Department of Transportation.[18] Combined, these incidents have caused 254 fatalities, 1,046 injuries, and $12,991,736,467 in total costs to date.[19] In terms of climate impacts, pipeline leaks and ruptures from 2019 to 2023 alone have resulted in the unintentional release of 9.7 billion cubic feet of gas—the "climate equivalent of running four average-sized coal fired power plants for a year."[20]

Some of the leading factors of such leaks or ruptures are corrosion and damage from excavation and other forces.[21] Due to the age of the Iroquois Pipeline and the way it was built, the Iroquois pipeline is particularly susceptible to both factors. The Iroquois pipeline is now over thirty years old, entering the age at which corrosion barriers, such as coatings and cathodic protection, "start to fail with greater frequency."[22] Compounding the risk of pipeline corrosion and increasing the risk of damage is Iroquois' criminal disregard of public safety in building it.[23] In 1996, after years of emphasizing its safety, Iroquois pled guilty to felonies for violating environmental and safety standards.[24] These violations included failing to install trench breakers (safety devices that

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[16] IROQUOIS, FINAL ENVIRONMENTAL IMPACT STATEMENT 55-56 (Nov. 2021). This is based on emissions from both Brookfield and Milford compressor stations.
[17] Curtis D. Davis, et al., *Community Health Impacts from Natural Gas Pipeline Compressor Stations* (Oct. 31, 2023), available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10616731/.
[18] USDOT Pipeline and Hazardous Materials Safety Admin., Significant Incidents, available at https://portal.phmsa.dot.gov/analytics/saw.dll?Portalpages.
[19] *Id.*
[20] Nichola Groom, *US natural gas pipeline accidents pose big, unreported climate threat*, REUTERS (Mar. 8, 2024), https://www.reuters.com/sustainability/us-natural-gas-pipeline-accidents-pose-big-unreported-climate-threat-2024-03-08/.
[21] BAKER, PIPELINE CORROSION FINAL REPORT SUBMITTED TO USDOT PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMIN., 2 (Nov. 2008).
[22] Anya Litvak, *Does pipeline age really matter?*, PONOCO RECORD (Aug. 7, 2016), https://www.poconorecord.com/story/business/energy-resource/2016/08/07/does-pipeline-age-really-matter/27201331007/.
[23] DOJ, *Builder of Vast Northeastern Gas Pipeline Pleads Guilty, Will Pay $22 Million in Criminal and Civil Fines* (May 23, 1996), #233: 1996-05-23 - Builder of Vast Northeastern Gas Pipeline Pleads Guilty (justice.gov).
[24] *Id.*

control soil erosion and pipeline corrosion) and improperly placing large rocks on the pipeline, which can pose "a serious threat to its structural integrity."[25]

Iroquois was ordered to pay 22 million in criminal and civil fines (which was, at the time, the largest penalty in an environmental case since the 1989 Exxon oil spill) and to monitor, report, and correct instances of instability along the pipeline.[26] However, considering the magnitude of violations, there may well be instances of instability that have gone unidentified. As Joseph A. Pavone, Acting United States Attorney for the Northern District of New York, stated, "the widespread nature of the criminal violations is almost impossible to overstate."[27] The Assistant Attorney General, Lois Schiffer, commented that violations were found "almost everywhere the [enforcement agencies] dug."[28]

By increasing compression, the ExC Project would increase the strain on this pipeline—an aging structure that, from the beginning, was built in criminal disregard of public safety. The strain would make the pipeline even more vulnerable to accidents such as leaks and ruptures and increase the impact of such events on public health, safety, and the environment.[29] In considering the permit applications before DEEP for the ExC Project, these risks and impacts should be considered. Because the ExC Project would interfere with the State's ability to meet the 2030 Emissions Limit and pose profound public health and safety impacts, Save the Sound urges DEEP to deny the permit applications for the Brookfield Compressor Station.

Sincerely,

/s/ Jessica Roberts
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[25] *Id.*; William Glaberson, *Pipeline Concern Draws $22 Million Fine*, NY TIMES (May 24, 1996), https://www.nytimes.com/1996/05/24/nyregion/pipeline-concern-draws-22-million-fine.html.
[26] *Iroquois Gas Transmission System, L.P.*, 75 FERC P 61205 (May 23, 1996).
[27] DOJ, *Builder of Vast Northeastern Gas Pipeline Pleads Guilty, Will Pay $22 Million in Criminal and Civil Fines* (May 23, 1996).
[28] *Id.*
[29] *See* EPA, LESSONS LEARNED FROM NATURAL GAS STAR PARTNERS 1 ("compressor station operations place significant pressure, thermal, and mechanical stresses on blowdown valves" that wear down these components); Y-D, Jo & B.J. Ahn, *Analysis of Hazard Areas Associated with High-Pressure Natural-Gas Pipelines*, 15 J. OF LOSS PREVENTION IN THE PROCESS INDUSTRIES 3, 179-188 (May 2, 2002) ("Hazard area is directly proportional to the operating pressure").