



PO Box 159, Sea Cliff, NY 11579 | 516.801.6792 | info@thecshh.org

February 27, 2024

President

Karen Pappasergiou

Vice President

Kay Bromberg

Treasurer

Elizabeth Weinstein

Secretary

Lynda Schroeder

Board Members

Courtney Citko

Shalini Desai

Skip LeBlang

Beth LeBlang

Sebastian Li

Nino Luciano

Serge Pappasergiou

Mark Sobel

Stephanie Sobel

Charles Weinstein

Supervisor Saladino and Councilmembers
Town of Oyster Bay
54 Audrey Avenue,
Oyster Bay, NY 11771

RE: Consideration by Town of Oyster Bay to institute a six-month moratorium on battery storage facilities

Dear Supervisor Saladino and Town Councilmembers:

The Coalition to Save Hempstead (CSHH) has worked for 38 years to improve conditions in the local environment. We have partnered with municipalities, agencies, and NGOs to attain significant improvements to water quality in Hempstead Harbor, thereby improving the quality of life for residents in harborside communities. We therefore appreciate this opportunity to share comments regarding the Town of Oyster Bay's consideration of a six-month moratorium on new facilities for battery energy storage systems (BESS), as these facilities may have a direct and potentially adverse impact on Hempstead Harbor and local communities. At this time, we know of at least two applications that have been submitted for battery storage facilities to be sited near the shoreline of Hempstead Harbor.

CSHH supports a moratorium on BESS facilities. We believe it is prudent to pause any proposed development of these facilities while more information is gathered about their potential risks. A moratorium would allow the town time to create the appropriate procedures, policies, and codes to safeguard our community and local environment. Further, it is necessary to ensure that procedures are in place to coordinate with adjacent municipalities to avoid siting these facilities within close proximity of one another as well as within unsafe distances to neighborhoods and schools of adjoining communities.

We hope that the town will be able to address the following issues during a moratorium.

Fire Safety

Governor Hochul convened a Fire Safety working group following a series of three fires at BESS facilities in New York State in 2023. The NY State Interdisciplinary Working

Visit www.coalitiontosavehempsteadharbor.org for information about our programs.

Group Fire Code. Recommendations have not been finalized. The draft concludes that both better adherence to current fire codes and some code adjustments will improve fire safety. (See attached NYS fire-code draft.)

The CSHH believes the community deserves assurances that proposed fire interventions are effective and pose minimal risk to residents and Hempstead Harbor. Questions have been posed about the toxicity of fire-fighting foams used to contain BESS fires. A moratorium could provide time for fire codes to be updated, reflect best practices and to mandate avoidance of known forever chemicals, such as aqueous-film-forming foam (AFFF) and perfluorooctane sulfonate (PFOS), as well as other pollutants.¹

Sea Level Rise/Coastal Flooding

The NYS Department of Environmental Conservation has adopted science-based sea-level rise projections that are startling, even at the conservative side of the projections for Long Island, i.e., a 2-inch rise in the 2020s and an 8-inch rise in the 2050s.² (The high projections increase to 10 inches in the 2020s and up to 30 inches in the 2050s.)

Coastal flooding has become a regular occurrence on Long Island. More frequent and severe storms combined with sea-level rise projections put all utilities located near coastal areas in jeopardy and should warn against siting new facilities, let alone BESS facilities, in these areas. Given that even lithium-ion batteries in electric vehicles are at high fire risk if exposed to salt water, the risk of coastal salt water exposure for BESS facilities must be fully assessed before permitting these facilities near our shorelines.

Coordinated Siting of Facilities

We urge the Town of Oyster Bay to work with adjacent municipalities, as well as with NY State and Nassau County, to ensure that the siting of potential battery storage facilities is coordinated. This would ensure that facilities sited within different municipal jurisdiction are not within blocks of one another, as would be the case for proposals in the Glenwood Landing area. Without the coordination of local municipalities, the siting of a facility in one jurisdiction could create risks for neighboring jurisdictions.

The CSHH is fully supportive of renewable energy sources and the transition to the new technologies needed to support them. The CSHH also recognizes that all efforts to supply needed energy to our communities will have an impact on local residents. For these reasons, we advocate for a measured and informed process that will minimize adverse impacts and potential risks. A moratorium will provide the time needed to ensure the safety of community residents and protection of our local waters.

Respectfully yours,

Lisa Cashman
Associate Director

¹<https://dec.ny.gov/regulatory/proposed-emergency-recently-adopted-regulations/bulk-storage-regulatory-revisions/adoption-of-final-rule-6-nycrr-part-597/storage-and-use-of-fire-fighting-foams-fact-sheet>; ²<https://dec.ny.gov/environmental-protection/climate-change/new-york-response/crra>

Visit www.coalitiontosavehempsteadharbor.org for information about our programs.