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Battery Storage Fire & Toxic Water (*see* www.oswSouthFork.info/bess)

A consequential health hazard was created when the Town of East Hampton's primary water supply was poisoned by run-off water used to extinguish the fire at the East Hampton battery storage facility on May 31, 2023. Toxins that can lead to cancer and other illnesses were released into our sole source of freshwater. No public warning has been issued, nor has a cleanup effort been announced. The Montauk facility should be taken offline while an open and transparent investigation into the fire at the East Hampton facility is performed.

Please read the information as best as I can ascertain, as follows—

The fire at the storage facility produced "***heavy smoke***" from the "building containing lithium batteries," according to the East Hampton Town Police report (May 31, 2023).

The East Hampton Energy Storage Center is monitored remotely with internal and external video surveillance. When the facility went online in August 2018, it was "Long Island's first and largest utility-scale battery storage unit."[1] It contained 3½ tons of lithium salt within the 98,328 battery cells tightly stacked into racks.[2] Each battery cell was "continuously monitored by a 'Battery Management System' … [and] a site controller continuously monitor[ed] all critical parameters."[3] On May 31, 2023, at 8:30 a.m., the controller (based in Florida) knew that the lithium-ion batteries were on fire and notified the East Hampton Fire Department, who advised the police officers on-site responding to the fire alarm— "*Due to the **toxicity** of the smoke*," establish a "1 MILE EVAC FROM DIRECTION OF SMOKE." The smoke would have contained *hydrogen fluoride* (**HF**) gas from the lithium salt.[4] HF gas "is corrosive to the eyes, skin, and respiratory tract, and may be absorbed through the skin in toxic amounts ... Acute or chronic overexposure to hydrogen fluoride can injure the liver and kidneys."[5] Inhalation of HF over 170 parts per million can be fatal.[6] The police and fire departments are to be commended for acting swiftly and professionally.

Please read *Toxicology of the Lithium Ion Battery Fire* by Captain Timothy J Vamosi, MSN RN, EMTP (2023) (https://www.mass.gov/doc/toxicology-of-the-lithium-ion-battery-fire/download) (only 26 presentation slides).

We were misled into believing the East Hampton and Montauk battery facilities were '***clean***' and '***green***' and posed no threat to groundwater.[7] However, apart from the release of potentially fatal HF gas, the facility's owners failed to tell us that toxic PFAS[8] chemicals are essential components in lithium-ion batteries, including in the electrodes (cathode and anode), binder, electrolyte (main component and additives), and separator (porous membrane).[9] The industry acknowledges that commercial alternatives to such chemicals are ***13.5 years away***.[10] In the meantime, lithium-ion battery fires *will* release harmful '*forever chemicals*' (PFAS)[11] into the environment when extinguished with (uncontained) water from a fire sprinkler system.

The high PFAS content in lithium-ion polymer batteries raises questions about the viability of storing such batteries in facilities, considering the risks of chain reaction fires and the necessity to extinguish them with voluminous water. Water maintains low battery temperatures to stop the chain reaction and avoid fire reignition. The unavoidable consequence of using excessive water is that airborne particle matter (soot) and toxic substances from the decomposition of batteries and the incomplete combustion of the electrodes, binder, electrolyte, and separator all wash into systems designed to control stormwater flow and adversely impact groundwater resources. The East Hampton battery facility is an example of why the Montauk facility should be taken offline, at least while conducting a complete and transparent environmental investigation into the fire at the East Hampton facility.

The East Hampton battery fire was instructive. It demonstrated that there is no practical way of mitigating the risk that a lithium-ion battery fire would release toxic gases and PFAS chemicals into the environment without containing the fire-extinguishing water.

According to a report by Newsday's Mark Harrington, "an analysis" provided by the Department of Environmental Conservation "noted that the type of fire that occurred at the Cove Hollow Road facility has the potential 'to generate intense heat, which can make it easy for the fire to spread, as well as release fumes.' To quell the fire, which can be 'incredibly hard to extinguish due to the intense heat generated,' the facility maintained an emergency sprinkler system that kept running for approximately 30 hours after the blaze started, the report said. 'This resulted in water inside the building eventually exiting the building and migrating to the adjacent dirt road to the southwest of the compound.'" [12]

In 30 hours, a fire sprinkler system would deliver ~2.2 million gallons of fire-extinguishing water.[13] No containment vessel would be large enough to hold so much water. Consequently, the fire-extinguishing water flowed into our sole-source aquifer carrying high concentrations of toxic contaminants harmful to human health.

To give you an understanding of the potential adverse impact a chain reaction fire might have on our water supply, if all the battery cells ruptured, fire-extinguishing water (2.2 million gallons) would flow into the aquifer carrying ***PFOS 34,800 times*** the concentration level proposed in the EPA's National Primary Drinking Water Regulation (P-NPDWR), and ***PFOA 27,800 times***. The concentration level of PFOS contamination (278,400 ppt) would exceed the highest level detected in Wainscott (1,010 ppt) (from East Hampton Airport) by 276 times. Combined concentrations would exceed the EPA's Hazard Index by 6,590 times.[14] Although the East Hampton facility is offline (due to fire), ***the Montauk facility is a ticking time bomb***.

The problem is that no conventional methods can contain the millions of gallons of water required to lower the temperature of the batteries and extinguish a chain reaction lithium-ion battery fire. (Using a gas extinguishing agent would not reduce the temperature of the batteries.)

The East Hampton battery fire poisoned our only drinking water supply. Still, New York State ignores the high PFAS content in lithium-ion batteries and plans to continue installing such facilities throughout Long Island. According to Governor Kathy Hochul's announcement last month— "Based on available analyses of air quality, soil, *or water data* collected in the days following the incidents, her [Inter-Agency Fire Safety] Working Group concluded that there were *... no harmful levels of toxins detected*." However, the announcement then states that the "data assembled and analyzed by the Working Group" included "soil sampling results [*not groundwater*] from the East Hampton site ….." [15] To my knowledge, no one tested the groundwater for *any* chemical contaminants. The owners *waited four months* before testing a few shallow surface soil samples (for metals). *It would have been impossible for Governor Hochul to know whether the battery fire released harmful toxins when her Working Group neither performed nor considered any groundwater tests.*

The battery fire in East Hampton was the first of four facilities in New York State to catch fire *in two months*.[16] In 2023, half of the battery storage capacity New York State added to the grid caught fire.[17] Still, Governor Hochul maintains that "fires at energy storage facilities are exceedingly rare[.]" [18]

The East Hampton and Montauk facility owners have layers of corporate protection to insulate them from liability in cases of fire.[19] To my knowledge, the joint venture partners paid *no bond* and submitted *no proof of adequate assurance*. If a severe battery fire occurred during a busy summer afternoon, resulting in fatalities from HF gas emissions, it would be the equivalent of a hit-and-run where we would be left picking up the pieces after the carnage.[20]

The East Hampton battery facility is within the South Fork Special Groundwater Protection Area, a designated Critical Environmental Area (CEA). The Montauk facility is in the Peconic Bay and Environs CEA. Both CEAs aim to protect public health and our water supply. The East Hampton battery fire violated the designation's purpose by releasing harmful '*forever chemicals'* into our primary aquifer. The Montauk facility still represents a risk to the aquifer near Fort Pond and the surrounding wetlands. The battery facilities in East Hampton and Montauk are inconsistent with four of the eleven goals in the Town's Comprehensive Plan (2005).[21] There were ***no environmental reviews***. The Montauk facility conflicts with nine Town of East Hampton Local Waterfront Revitalization Program Policies.[22]

The Village of East Hampton (between Hook Pond and Georgica Pond) should be particularly concerned because one of the principal well fields from which Suffolk County Water Authority draws water to supply the Village is only 2,500 feet (down-gradient) from the East Hampton battery facility.[23] We have no idea of the extent of damage or the extent of the toxic groundwater plume from the fire. The residential neighborhood adjacent to the facility should be concerned about a battery fire releasing poisonous chemicals into the water supply and toxic HF gas emissions (as they found out when the police asked them to evacuate their homes last May).

The East Hampton Town Board may be unaware of the dangers of siting the East Hampton and Montauk battery storage facilities near residential communities and above or adjacent to our primary aquifers. *Please email the Town Board and request a transparent environmental investigation into the East Hampton and Montauk battery storage facilities, including groundwater testing for 'forever chemicals.'*

Town Supervisor Kathee Burke-Gonzalez	*KBurke-Gonzalez@EHamptonNY.Gov*
Deputy Supervisor Cate Rogers	*CRogers@EHamptonNY.Gov*
Councilman David Lys	*DLys@ehamptonny.gov*
Councilman Ian Calder-Piedmonte	*ICalder-Piedmonte@EHamptonNY.Gov*
Councilman Tom Flight	*TFlight@EHamptonNY.Gov*

Even if you disagree with some of this information, sufficient evidence still warrants a full, transparent investigation to ascertain the facts. We owe it to our families to assess the risks *before* recommissioning the East Hampton Energy Storage Center. Until an open investigation concludes that there is a method of mitigating the risk of a fire releasing toxic substances into groundwater resources, I respectfully request that the Town Board take the Montauk facility offline.

See tables of PFAS test results, extrapolations, and comprehensive notes referencing source documents (overleaf).

Sincerely yours,
Si Kinsella
January 16, 2024

The following documents are available online at www.oswSouthFork.info/bess —

- Table A- Toxicity of Lithium-ion Batteries (excerpt) (2020)
- Table A- Toxicity of Lithium-ion Batteries (full document) (2020)
- Exhibit 1, Toxicology, Lithium-ion Battery Fire, MA (2023)
- Exhibit 2, PFAS Lithium-ion Fire Water (2023)
- Exhibit 3, PFAS, Lithium-ion Fire Water, Support Info
- Exhibit 4, Newsday, '*Largest Battery Online in Hamptons*' by M. Harrington (2018)
- Exhibit 5, LG Chem Lithium-ion Battery (JH3), Safety Data Sheet
- Exhibit 6, Safe Handling of Fluoropolymer Resins (v5) (2018)
- Exhibit 7, Lithium-ion Battery Recycling- PFAS (2023)
- Exhibit 8, REACH, PFAS Derogation RECHARGE (2023)
- Exhibit 9, Newsday, '*No harmful toxin after battery fires*' by M. Harrington (2023)
- Exhibit 10, NY Governor Hochul Announces Findings (2023)
- Exhibit 11, NYSERDA, Statewide BESS Projects (2024)
- Exhibit 12, NY Governor Hochul Convenes Fire Safety Group (2023)

Tables

Battery Extinguishing Water Concentrations				
Analyte	Research Results		EHESC Cells Ruptured: 100%	
	50	kWh	40,000	kWh
PFBA	113	ng/L	90,400	ng/L
PFPA	101	ng/L	80,800	ng/L
PFBS	2,252	ng/L	1,801,600	ng/L
PFHxA	268	ng/L	214,400	ng/L
PFHpA	66	ng/L	52,800	ng/L
PFHxS	64	ng/L	51,200	ng/L
PFOS	348	ng/L	278,400	ng/L
PFOA	139	ng/L	111,200	ng/L
6:2 FTS	1,313	ng/L	1,050,400	ng/L
Total PFAS:	4,664	ng/L	3,731,200	ng/L

See Ecotoxicity Evaluation of Fire-Extinguishing Water from Large-Scale Battery and Battery Electric Vehicle Fire Tests, by Maria Quant, *et al.,* Mar 13, 2023.

Available at—
https://pubs.acs.org/doi/epdf/10.1021/acs.est.2c08581

Supporting Information is available at—
https://ndownloader.figstatic.com/files/39576123

(last accessed Jan 10, 2024).

Ecotoxicity Evaluation of Fire-Extinguishing Water from Large-Scale Battery (test based on water after extinguishing a 50 kWh vehicle battery fire) BESS = 40 MWh (40,000 kWh) is 800 times the vehicle battery (50 kWh)									
PFAS Test Results			US EPA			New York State DEC			
Analyte			Proposed HBWC*	Hazard Index	Exceeds EPA P-MCL by	MCL		Exceeds NY MCL by	
– PFOS	348	ppt		4	87x	10	ppt	338	
– PFOA	139	ppt		4	35x	10	ppt	129	
– PFOS/PFOA **	487	ppt		70	7x				
– PFHxS	64	ppt	9	7	8x	Caution: EPA Hazard Index results could be understated because PFNA and Gen X analytes were not included.			
– PFBS	2,252	ppt	2,000	1					
– PFNA	n/a	ppt	10	n/a					
– Gen X	n/a	ppt	10	n/a					
– Hazard Index:			**1.00**	**8**					

East Hampton Energy Storage Center (Battery Cell Ruptured: 100%)									
PFAS Test Results			US EPA			New York State DEC			
– PFOS	278,400	ppt		4	69,600x	10	ppt	278,390	
– PFOA	111,200	ppt		4	27,800x	10	ppt	111,190	
– PFOS/PFOA **	389,600	ppt		70	5,566x				
– PFHxS	51,200	ppt	9	5,689	6,590x	Caution: EPA Hazard Index results could be understated because PFNA and Gen X analytes were not included.			
– PFBS	1,801,600	ppt	2,000	901					
– PFNA	n/a	ppt	10	n/a					
– Gen X	n/a	ppt	10	n/a					
– Hazard Index:			**1.00**	**6,590**					

* HBWC: EPA's Health Based Water Concentration Levels to be used in Hazard Index Calculation.

** EPA 2016 Health Advisory Level (HAL) for combined PFOS/PFOA.

Notes:

1 *See Regions largest battery on line in the Hamptons* by M. Harrington in Newsday (August 21, 2018), Exhibit 4. Available at – www.newsday.com/long-island/battery-hamptons-pseg-p93619 (last accessed Jan 15, 2024).

2 The East Hampton Energy Storage Center (**EHESC**) could store forty megawatt-hours (40 MWh) of energy. Battery and equipment records provided by the Town of East Hampton in response to a Freedom of Information Law (FOIL) request specify 410 Wh battery cells. The largest module (9.8 kWh) contains 24 cells, and the largest energy rack (166.4 kWh) contains 17 modules. Based on the largest equipment (most economical), the battery storage facility would have had to have 241 racks, 4,097 modules, and 98,328 battery cells.

The LG Chem Safety Data Sheet for the batteries used in the EHESC, *LGCHEM JH3 Lithium Ion Battery Cell* (2016), specifies a "Lithium-equivalent Content: 18.56 g (233Wh)" (p. 2, text below table). Since each battery cell was 410 Wh, each cell would have had a Lithium-equivalent Content of 32.7 grams. Therefore, the total Lithium-equivalent Content for the EHESC was 3,211 Kg (7,079 lbs or 3½ tons) (32.7g x 98,328 battery cells).

3 *See* East Hampton Energy Storage Center LLC, Emergency Action & Safety Plan (Nov 17, 2017) (p. 10).

4 *See* *Toxicology of the Lithium Ion Battery Fire* by Captain Timothy J Vamosi, MSN RN, EMTP, October 2023, Exhibit 1. Available online at— https://www.mass.gov/doc/toxicology-of-the-lithium-ion-battery-fire/download (last accessed Jan 12, 2024).

5 *See Guide to the Safe Handling of Fluoropolymer Resins,* The Fluoropolymers Division, The Society of the Plastics Industry Inc., Fourth Edition (p. 16), Exhibit 6. Available online (last accessed Jan 9, 2024) at— https://intechservices.com/content/SPI_Guide_for_Safe_Handling_of_Fluoropolymer_Resins.pdf

6 Hydrogen Fluoride (HF) gas can be fatal if exposed for 10 minutes to a concentration over 170 ppm (AEGL-3). *See* Acute Exposure Guideline Levels for Selected Airborne Chemicals (Vol 4), Table 3-1 (PDF p. 35), at– https://www.epa.gov/sites/default/files/2014-11/documents/tsd53.pdf (last accessed Jan 8, 2024).

7 The project's (indirect) sponsors, National Grid and NextEra Energy, assured the East Hampton Town Planning Board that "the electrolyte within the battery is a non-aqueous organic solvent. Accordingly, there is no liquid within the battery cell that could spill … Therefore, the Project will not have a significant adverse impact on groundwater." *See* Letter from William J. Boer, TRC Environmental Corporation, on behalf of East Hampton Energy Storage Center, LLC (May 2, 2017), Attachment 2 - Assessment of Potential Environmental Impacts (2nd ¶). The Town Planning Board was rightly concerned— "Information and specifications on the proposed batteries themselves in terms [of] the model proposed, chemical composition, toxicity, flammability is not included." However, relying on the project sponsors' assurances, the town approved the East Hampton Energy Storage Center without environmental review, issuing a negative SEQRA declaration.

The project's sponsors did *not* disclose the fact that "significant decomposition occurs [] when fluoropolymers are heated above their recommended processing temperatures." In other words, they break down and release chemical toxins. *See* Guide to Safe Handling of Fluoropolymer Resins, Fifth Affition (2018) (p.10), Exhibit 6 (https://www.turi.org/content/download/12048/189380/file/Guide%20to%20the%20Safe%20Handling%20of%20Fluoropolymer%20Resins%20v5%2020190130-1.pdf). The batteries used in the East Hampton facility contain a significant amount of such fluoropolymers, which have a processing temperature of less than 715°F (380°C) (*id.*). However, a chain reaction lithium-ion battery fire may reach temperatures double that required for significant decomposition, around 1,472°F (800°C). *See Ecotoxicity Evaluation of Fire-Extinguishing Water from Large-Scale Battery and Battery Electric Vehicle Fire Tests, Supporting Information* (p. S9, Fig. S3(b)) (https://ndownloader.figstatic.com/files/39576123). In a chain reaction fire (a thermal runaway event), the fluoropolymers would suffer significant decomposition, rupturing the battery and releasing toxic chemicals, including HF *and* PFOS, PFOA, and other '*forever chemicals*' harmful to human health. A lithium-ion battery farm is neither 'clean' nor 'green.'

8 **PFAS** (per- and polyfluoroalkyl substances) is a large class of highly persistent organic substances, many of which bioaccumulate and toxic.

9 *See Lithium-ion battery recycling: a source of per- and polyfluoroalkyl substances (PFAS) to the environment?*, by Rensmo *et al.,* The Royal Society of Chemistry, published Apr 23, 2023 (p. 1017, PDF 3), Exhibit 7. At— https://pubs.rsc.org/en/content/articlehtml/2023/em/d2em00511e (last accessed Jan 11, 2024)

10 *See* Application for derogations from PFAS REACH restriction for specific uses in batteries, dated April 2023 (pp. 19-21, Table 2), Exhibit 8. At— https://rechargebatteries.org/wp-content/uploads/2023/06/RECHARGE-FIRST-submission_.pdf (last accessed Jan 8, 2024). REACH is the Registration, Evaluation, Authorisation and Restriction of Chemicals restriction proposals for the Netherlands, Germany, Sweden, Norway, and Denmark.

11 **PFAS** (per- and polyfluoroalkyl substances) is a class of chemicals that includes **PFOS** (perfluorooctane sulfonate) and **PFOA** (perfluorooctanoic acid). It is a large class of highly persistent organic substances, many of which bioaccumulate and are toxic.

12 *See State: No harmful toxin levels after battery storage fires*, by Mark Harrington, Newsday, Dec 22, 2023, Exhibit 9. Available at— https://www.newsday.com/long-island/suffolk/lithium-power-fire-toxins-twp6euy7 (last accessed Jan 11, 2024)

13 NYS fire regulations require that a sprinkler system deliver water at a rate of 0.3 gallons per minute (gpm) per square foot. The East Hampton Energy Storage Center (EHESC) is 4,154 square feet. By simple mathematics, the fire sprinkler system should have delivered water at a rate of 1,246 gpm, or 2,243,160 gallons, over 30 hours.

14 The extrapolated PFAS contamination concentrations are based on recent research into PFAS contamination detected in water after extinguishing a 50 kWh lithium-ion battery fire. *See Ecotoxicity Evaluation of Fire-Extinguishing Water from Large-Scale Battery and Battery Electric Vehicle Fire Tests*, by Maria Quant, *et al.,* March 13, 2023, Exhibit 2. Available at— https://pubs.acs.org/doi/epdf/10.1021/acs.est.2c08581. Supporting Information, Exhibit 3. At— https://ndownloader.figstatic.com/files/39576123 (last accessed Jan 10, 2024).

After extinguishing the (50 kWh) lithium-ion battery, the researchers found that the water contained— PFOS: 348 ppt, PFOA: 139 ppt, PFBS: 2,252 ppt, and PFHxS: 64 ppt, among other PFAS contaminants. The East Hampton Energy Storage Center (EHESC) of 40 MWh has an energy storage capacity 800 times that of the battery used in the study. It should also be noted that lithium-ion polymer battery such as those used in the EHESC typically contain more PFAS contamination due to the (non-aqueous) polymer and impurities from manufacturing processes. Therefore, the extrapolated concentrations levels may be understated. *See* tables (below).

15 *See Governor Hochul Announces Release of Initial Findings from Inter-Agency Fire Safety Working Group on Emergency Response* (December 21, 2023), Exhibit 10. https://www.governor.ny.gov/news/governor-hochul-announces-release-initial-findings-inter-agency-fire-safety-working-group (last accessed Dec 27, 2023).

16 The fire in East Hampton (NY) occurred on May 31, 2023 (energy capacity: 40 MWh/5 MW), two battery facilities in Warwick (NY) caught fire on Jun 26 (36 MWh/8 MW), and on Jun 27, 2023 (17.9 MWh/4 MW), and the battery farm in Chaumont (NY) burnt down on Jul 27, 2023 (15 MWh/5 MW). *See* BESS Failure Event Database. Available online at— https://storagewiki.epri.com/index.php/BESS_Failure_Event_Database (last accessed Dec 27, 2023).

17 In 2023, New York State added 41 megawatts of new capacity (in total). *See* New York State Energy Research and Development Authority (NYSERDA) Statewide Energy Storage Projects https://www.nyserda.ny.gov/All-Programs/Energy-Storage-Program/Storage-Data-Maps/Statewide-Energy-Storage-Projects (last accessed Dec 27, 2023). However, half that capacity (22 MW) caught fire (*see* endnote 16).

18 *See Governor Hochul Convenes Inter-Agency Fire Safety Working Group Following Fires in Jefferson, Orange, and Suffolk Counties*, Jul 28, 2023, Exhibit 12. At— https://www.governor.ny.gov/news/governor-hochul-convenes-inter-agency-fire-safety-working-group-following-fires-jefferson (last accessed Jan 9, 2024).

19 Joint and equal partners, National Grid subsidiary National Grid Generation Ventures and NextEra Energy subsidiary Long Island Energy Storage Holdings, under East Hampton Energy Storage Center LLC, owns and operates the East Hampton battery energy storage system (BESS) on land leased from National Grid. Source: https://www.energy-storage.news/national-grid-to-connect-40mwh-battery-to-wind-farm-in-long-island-new-york/ (last accessed Dec 29, 2023).

20 The battery facilities are in neighborhoods without ready access to trauma-rated hospitals. The closest Trauma Levels I and II hospitals are one to two hours away from East Hampton. For Montauk, add another 30 to 60 minutes. Stony Brook Southampton Hospital is rated Trauma Level III. It is 20 minutes away in ideal traffic, but a patient would be lucky to get there within an hour during the summer. Add another 30 to 60 minutes for Montauk. The only viable option would be to transport survivors via helicopter ambulance. Stony Brook

University Medical Center, Stony Brook, NY 11794 (trauma level I), Good Samaritan Hospital, West Islip, NY 11795 (level I). Southside Hospital, Bay Shore, NY 11706 (level II). Stony Brook Southampton Hospital, Southampton, N.Y. 11968 (level III). *See* www.health.ny.gov/professionals/ems/state_trauma/trauma2.htm

21 The East Hampton and Montauk battery storage facilities conflict with four of the eleven goals of the 2005 Town of East Hampton Comprehensive Plan as follows— **Goal Two**: Take forceful measures to protect and restore the environment, particularly groundwater. Reduce impacts of human habitation on groundwater, surface water, wetlands, dunes, biodiversity, ecosystems, scenic resources, air quality, the night sky, noise, and energy consumption. **Goal Three**: Reduce the total build-out of the Town to protect the natural and cultural features identified in goal[] … two. **Goal Nine**: Develop … power infrastructure, consistent with goals one through three, needed to reduce public health, safety, and environmental risks. **Goal Eleven**: Commit to implementing the Comprehensive Plan. *See* Town of East Hampton Comprehensive Plan (2005) (p. 8). Available online at— https://www.ehamptonny.gov/DocumentCenter/View/1319/2005-Town-Comprehensive-Plan-PDF (last accessed Jan 12, 2024).

22 The Montauk Energy Storage Center ("Montaulk Battery Facility") is in Local Waterfront Revitalization Program Reach 5, which "contains the largest freshwater storage area in the Montauk region and the second major storage area in the Town" *See* Town of East Hampton Local Waterfront Revitalization Program (LWRP) (p. XII-48, PDF 600 of 879). The Montauk Battery Facility is situated atop or immediately adjoining the Nassau-Suffolk Sole-Source Aquifer. The facility exists in conflict with the enforceable policies of the Town's LWRP as follows:

ENERGY FACILITIES POLICIES— **Policy 29**: Encourage the development of energy resources … ***and ensure the environmental safety of such***.

GROUNDWATER POLICIES— **Policy 30** Municipal, industrial, and commercial discharges of pollutants, including but not limited to toxic and hazardous substances, into coastal waters will confirm to state and national water quality standards. **Policy 33** Best management practices will be used to ensure the control of stormwater runoff … draining into coastal waters. **Policy 36** Activities related to shipment and storage of petroleum and other hazardous materials will be conducted in a manner that will prevent or at least minimize spills into coastal waters; all practical efforts will be undertaken to expedite the clean up of such discharges; and ***restitution for damages will be required when these spills occur***. **Policy 37A** Best management practices will be used to abate and eliminate stormwater runoff draining into coastal waters. **Policy 38** The quality and quantity of surface water and groundwater supplies, will be conserved and protected, particularly where such waters constitute the primary or sole source of water supply. **Policy 38A** Maintain water resources as near to their natural condition of purity as reasonably possible to safeguard public health.

AIR QUALITY POLICIES— **Policy 44** Preserve and protect tidal and freshwater wetlands and preserve the benefits derived from these areas. **Policy 41** Land use and development in the coastal area will not cause national or state air quality standards to be violated.

See Town of East Hampton Local Waterfront Revitalization Program (LWRP). Available for download at— https://docs.dos.ny.gov/opd-lwrp/LWRP/East%20Hampton_T/Original/LWRP/CompleteLWRP.pdf (last accessed Jan 12, 2024).

23 Suffolk County Water Authority (SCWA) draws water from numerous public supply wells at the corner of Buckskill Road and Cove Hollow Road. The well field is approximately 2,500 feet down-gradient from the East Hampton Energy Storage Center (at 3 Cove Hollow Road). Groundwater flows south-southeasterly from the battery storage facility towards the Atlantic Ocean between Georgica Pond and Hook Pond.