**NOTICE OF PUBLIC HEARING**

**Battery Energy Storage System Regulations, Proposed Ordinance 2023-0263**

To submit comments: E-mail: [clerk.council@kingcounty.gov](mailto:clerk.council@kingcounty.gov) by 10:00am September 24, 2024.

**Letter Template:**

Subject: Proposed Ordinance #2023-0263 Battery Energy Storage Systems (BESS)

I am writing as a concerned citizen of King County to provide comment on the Proposed Ordinance #2023-0263 Battery Energy Storage Systems (BESS). While most of us agree that we need to transform how we store and generate energy due to the ever-increasing demands on our power grid infrastructure, we feel that it can be done in a way that is safe and does not put public health at risk.

The amendments to King County Code (K.C.C.) 21A, do not go far enough to protect the environment, or ensure the safety and protection of citizens, residing or working near these large industrial energy facilities.

The specific amendment requiring “Financial responsibility for Public Liability and Environmental Risks,” restricts liability to one million dollars to cover damages from a thermal runaway event. This is wholly insufficient! For example, in the case of the proposed Kingfisher BESS in unincorporated King County, $1,000,000 will not cover clean-up of Soos Creek, the aquifer many depend on, the adjacent middle school, or provide medical reimbursement for individuals who may develop respiratory illness from the toxicity of the combustion. If evacuation is required, this level of liability would not cover the relocation of families living immediately adjacent to the facility, as the fire slowly burns out over many days; nor will it cover reparations to their homes and assets.

Given the high likelihood of evacuations and shelter-in-place orders arising from fires and explosions associated with lithium-ion BESS, there's a dire need to include additional liability and safety provisions to the amendments to this Ordinance. Specifically, the current proposal does not adequately address safety setbacks from critical structures and facilities. **It is imperative that we enforce a minimum distance of 1/4 mile from schools and hospitals for BESS installations larger than 2MW**. This should be applicable in *all* residential zones.

The county needs to consider the wider picture and the cumulative effects of these Lithium storage facilities. Lithium is not a renewable resource, and current extraction of this mineral is decimating sacred Native American sites. Lithium mining can contaminate the air, soil, and aquifers. It produces large amounts of carbon dioxide, and can result in local aquifer depletion as it is highly water intensive.

There are several energy storage alternatives to lithium-ion, including sodium-ion, and finding safe and appropriate energy solutions is imperative, but not by compromising or threatening residents, wildlife, clean air and water, and firefighter safety. The safety of our communities and the well-being of our environment hinge on these necessary revisions. We urge you to increase the public liability requirement, limit the siting of these facilities to include setbacks from schools and hospitals located in rural and residential areas.

I hope you will give this matter the urgent attention it deserves. Please **do not** approve this proposal until sufficient safe guards are in place to protect the safety of the county’s residents and its fragile environment.

Sincerely,

Name

City, County, State