

RESOLUTION OF THE CITY COUNCIL

No. 447

Approved December 13, 2021

WHEREAS, On March 15, 2021, Sea 3 Providence, LLC filed a petition with the Energy Facility Sitting Board (EFSB) seeking a declaratory order to permit the expansion of the existing propane storage and distribution facility located in the Port of Providence; and

WHEREAS, The EFSB has oversight authority as the subject property is considered a major energy facility within the State of Rhode Island; and

WHEREAS, According to the petition, the proposed expansion would allow the facility to import Liquid Propane Gas (LPG) by rail resulting in an additional 450,000 gallons of liquid propane storage on site; and

WHEREAS, In its petition for declaratory order, Sea 3 Providence LLC claims that the proposed expansion allowing for the import of Liquid Propane Gas by rail does not constitute an "alteration to a major energy facility" and therefore would not need full review by the full EFSB; and

WHEREAS, In order to grant the petition for declaratory order, the EFSB would first need to determine that the proposed modifications will not result in a significant impact on the environment, public health, safety, and welfare of the community; and

WHEREAS, Permitting the facility to import LPG by rail would result in train cars filled with highly combustible gas to roll directly through the local communities of South Providence which, in the event of an accident with one of those train shipments, could result in devastating impacts to the surrounding residents; and



WHEREAS, The proposed expansion of the Sea 3 Providence, LLC LPG facility will create additional fire, health, and safety risks for the residents of South Providence who have historically been ignored and underrepresented in the decision-making process surrounding the most intensive industrial land use in the State; and

WHEREAS, In addition to the substantial risks to public health and safety posed by this proposal, the additional expansion of the fossil fuel industry within the City flies in the face of the City and State's climate goals, including the City's Climate Justice Plan.


NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Providence hereby requests the Energy Facility Sitting Board to deny Sea 3 Providence LLC's petition for a declaratory order as the proposal represents a significant threat to the environment and to the public health, safety, and welfare of the local community of South Providence.

BE IT FURTHER RESOLVED, That upon passage, copies of this resolution be sent to the Honorable Governor of the State of Rhode Island, the Mayor of Providence, the members of the Energy Facility Sitting Board, and Sea 3 Providence LLC.

IN CITY COUNCIL
DEC 02 2021
READ AND PASSED


JOHN J. IGLIZZ, PRESIDENT

Tina L. Martuscielli
ACTING CLERK

I HEREBY APPROVE.



Mayor
Date: 12/13/21



City Plan Commission
Jorge O. Elorza, Mayor

October 21, 2021

Councilman Nicholas Narducci
Chair, Committee on Ordinances
Providence City Hall
25 Dorrance Street
Providence, RI 02903

Attn: Shawn Selleck, City Clerk

Re: Referral 3501 – Prohibition of propane storage

Sponsor: Councilman Pedro Espinal

Dear Chairman Narducci,

The sponsor is proposing to amend the zoning ordinance, Section 1200—prohibited uses, and Section 1204—use definitions. The amendment would add bulk storage of liquid propane gas to the list of uses prohibited in all zones in section 1200.F.c. The definition of tank farm in Section 1204.Z would eliminate storage of propane products from the definition, effectively prohibiting it in all zones.

The only bulk storage of liquid propane is in the W-3 zone along the Providence River waterfront. The fuel is transported from a large storage tank. Unlike other prohibited uses, such as petroleum refining and acid manufacture, this use doesn't involve processing on site.

The comprehensive plan and zoning ordinance stress the importance of compatibility of uses with the immediate surroundings. The CPC found that rather than prohibited, this use could be subject to a Special Use Permit (SUP), with criteria to determine the appropriateness of their location. The SUP criteria would review a use for its effect on the value of surrounding property and the health and welfare of the community. Other criteria could be imposed, such as those related to fire safety or leak protection, air pollution, transportation pollution and the ability to adapt the infrastructure to other fuels.

DEPARTMENT OF PLANNING AND DEVELOPMENT
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RECOMMENDATION

On a motion by Commissioner Bilodeau, seconded by Commissioner Verdi, the CPC voted to recommend that the City Council should not prohibit the subject use, but have it be subject to Special Use Permit. In addition to the special use permit criteria, other criteria that could be imposed include those related to fire safety or leak protection, air pollution, transportation pollution and the ability to adapt the infrastructure to other fuels.

The CPC voted as follows:

Aye: H. Bilodeau, N. Verdi, M. Quezada, M. Cordero, M. Gazdacko, C. West

Sincerely,



Choyon Manjrekar
Administrative Officer

Douglas R. Victor, Chair
Elmwood and South Providence Crime Watch
103 Princeton Avenue, Providence RI 02907

November 2, 2021

Mr. Nicholas Narducci, Chair City Council Committee on Ordinances
444 Westminster Street, Suite 3A
Providence, RI 02903-3215

Dear Mr. Narducci and Ordinance Committee Members:

I am writing to express my total support to prohibit the bulk storage of liquid propane in Providence.

This applies to: An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence, Entitled: "The City of Providence Zoning Ordinance," Approved November 24, 2014, As Amended, to Change Certain Text in Article 12. (This amendment would prohibit bulk storage of liquid propane gas in all zones.)

I present to you the following reasons for my support:

Safety:

1) Although strict regulations exist set by OSHA and the Compressed Gas Association may apply, propane is an explosive listed as a 2.1 hazard class.

To that point, please read the following:

Hazard Class: 2.1 (Flammable gas) FLAMMABLE GAS Stop flow of gas and use water spray to disperse vapors. POISONOUS GASES ARE PRODUCED IN FIRE. CONTAINERS MAY EXPLODE IN FIRE. ...

Propane may form an ignitable vapor/air mixture in closed tanks or containers.

2) Flames, sparks and static discharge may occur related to mismanagement, oxidizing materials and decomposition .

3) Propane poisoning results in pain, numbness, convulsions, diarrhea and rapid loss of consciousness.

As we all now know too well, sitings of bulk propane storage would probably inevitably end up in the Port of Providence. This would not be acceptable by any measure. Nor, would it be acceptable for sitings to be realized in any other part of Providence.

Our residential neighborhoods, as well as our environment deserve the protection that this ordinance, if passed, would provide. A support vote for this ordinance is required.

Thank you.

Douglas R. Victor, Chair,
Elmwood and South Providence Crime Watch

