

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

Docket No. DG 21-XXX

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty
Winter 2021/2022 Cost of Gas
Summer 2022 Cost of Gas

DIRECT TESTIMONY

OF

MARY E. CASEY

September 1, 2021



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1 **I. INTRODUCTION**

2 **Q. Please state your name, job title, and job description.**

3 A. My name is Mary E. Casey. I am the Senior Manager, Environment, for Liberty Utilities
4 Service Corp. (“LUSC”). I am responsible for overseeing the management, investigation,
5 and remediation of manufactured gas plant (MGP) sites for Liberty Utilities
6 (EnergyNorth Natural Gas) Corp. d/b/a Liberty (“Liberty” or “the “Company”), as well
7 as operational environmental compliance, including air and waste permitting, wetlands
8 permitting, and protection and spill response.

9 **Q. Please describe your educational and professional background.**

10 A. I hold a Bachelor of Science in Chemical Engineering from Polytechnic Institute of New
11 York, and a Master of Science in Civil/Environmental Engineering from Polytechnic
12 University. I have been employed by LUSC since July 3, 2012, managing the
13 investigation and remediation of Liberty’s MGP sites. Prior to my employment by
14 LUSC, I held the position of Principal Environmental Engineer for National Grid and
15 KeySpan Energy, with responsibility for operational environmental compliance.

16 **Q. What is the purpose of your testimony?**

17 A. The purpose of my testimony is to discuss the status of Liberty’s site investigation and
18 remediation efforts at various MGP sites in New Hampshire, to briefly describe the
19 MGP-related activities performed by the various contractors and consultants, to discuss
20 the costs for which the Company is seeking rate recovery, and to describe the status of
21 the Company’s efforts to seek reimbursement for MGP-related liabilities from third

1 parties. My testimony is intended to update the information provided by the Company in
2 prior cost of gas proceedings. The costs associated with these investigations and
3 remediation efforts and certain of the amounts recovered from third parties are included
4 in the schedules and other data prepared by Mr. Simek and Ms. McNamara as part of the
5 Local Distribution Adjustment Charge (“LDAC”) portion of the Company’s cost of gas
6 filing.

7 **II. STATUS OF INVESTIGATION AND REMEDIATION ACTIVITIES**

8 **Q. Please briefly describe the status of each of the Company’s MGP sites.**

9 A. Consistent with past practice, the description of the status of investigation and
10 remediation efforts at each site, as well as the various efforts to recover the site
11 investigation and remediation costs from third parties, are summarized in materials
12 included in the Company’s filing at Schedule 20.

13 **Q. Please briefly describe the current status of the Company's remediation efforts at
14 the Lower Liberty Hill site in Gilford and any significant events over the course of
15 the past year at that site.**

16 A. The project has been completed since December 2015. The site is stable, and the grass is
17 mowed twice a year. The Notice of Activity and Use Restriction (AUR) was approved
18 by New Hampshire Department of Environmental Services (“NHDES”) and recorded at
19 the Belknap Registry of Deeds in February 2017. The groundwater wells are monitored
20 and sampled once a year per the Groundwater Management Permit that was obtained
21 from NHDES in May 2017.

1 **Q. Please briefly describe the current status of the Company's remediation work at the**
2 **Manchester MGP.**

3 A. On-site activities in the past year were minimal due to COVID-19 access limitations.
4 Some costs were incurred relative to handling MGP-impacted media that resulted from
5 the repair of a sink hole in within the LNG tank area. Groundwater monitoring is
6 ongoing twice a year pursuant to the Groundwater Management Permit for this site.

7 **Q. Please briefly describe the current status of the Company's remediation work at the**
8 **Concord MGP.**

9 A. The Company continues to move toward a remedy for the MGP-impacted “Concord
10 Pond” site on the parcel known as Healy Park. In 2020, the City and the Company
11 finalized an access agreement that gives Liberty access for the pre-design investigation
12 field work, the construction of the remedy, and subsequent maintenance of the capped
13 area after its completion. Pre-design field investigations commenced in 2021 to develop
14 the final design of a wetland and subaqueous cap, per the Remedial Action Plan approved
15 by NHDES. The construction of the remedy is planned to take place in late summer
16 2022.

17 In 2017, the Company received approval from NHDES on a near-bank sediment
18 sampling program in the Merrimack River, or Monitored Natural Recovery (MNR). This
19 program involves annual sediment sampling for contaminants and river bathymetry
20 studies to monitor both the chemical and physical behavior of sediments that may have

1 been impacted by coal tar wastes. There will be five annual samplings, the fourth of
2 which was conducted in October 2020.

3 As for the Gas Holder site, the City and the Company jointly prepared a report in 2019
4 that details various use options for the Gas Holder site on the east side of the highway,
5 including costs for various scenarios ranging from cleaning and fortifying the holder
6 structure for public entry to demolition of the structure. In response to Liberty's
7 communication that the gas holder needed to be demolished, as the condition of the
8 structure raises significant safety concerns, the Concord City Council established a
9 working group in 2020, comprised of representatives of the City Council, City Staff,
10 Liberty, and the New Hampshire Preservation Alliance ("NHPA"), and charged with
11 developing a plan and assigning responsibilities for stabilization and preservation of the
12 holder house structure.

13 The working group discussions resulted in a plan for the NHPA to raise funds to stabilize
14 the holder house and to manage the relevant construction, and for Liberty to seek
15 Commission approval to contribute up to the estimated costs of demolition and
16 remediation beneath the holder house, as the least cost option for customers. The City,
17 the NHPA, and Liberty met with Commission Staff in February 2021 and obtained
18 Staff's support for the plan, provided Liberty can demonstrate that the Company's
19 contribution toward the stabilization of the holder house is less than the estimated costs of
20 demolition and remediation that would otherwise have been incurred.

1 In April 2021, the City, the NHPA, and Liberty signed an MOU documenting the above
2 understanding as the parties worked toward a formal agreement. As of the date of this
3 testimony, the parties are near completion of a formal Emergency Stabilization License
4 Agreement to govern the repairs to the holder house. The NHPA has substantially
5 completed the engineering for the stabilization work and has obtained a contractor to
6 complete the work before the end of 2021. Liberty has substantially completed the
7 estimate to demolish the holder house and remedy any contamination, which estimate
8 will serve as the cap of Liberty's contribution toward stabilization. Liberty is not
9 prepared to seek recovery of the costs contributed to the stabilization of the holder house
10 at this time because the work has not yet been performed and will likely not be complete
11 by the time of a hearing in this docket. Liberty expects that it will seek recovery of those
12 costs in next year's cost of gas/LDAC filing. Liberty will provide an update of this
13 project at hearing.

14 **Q. Please briefly describe the current status of the Company's remediation work at the**
15 **Nashua MGP site.**

16 A. In May 2019, the NHDES accepted details of a cap design for the central portion of the
17 property, and construction was planned for 2020, in conjunction with a capital paving
18 project for this property. However, this cap and pave project has been moved to the 2021
19 construction season due to the COVID-19 pandemic. The Company is presently working
20 on obtaining State and Local permitting for this project, and construction is targeted for
21 late summer 2021.

1 **Q. What other MGP investigation and remediation activity has the Company**
2 **undertaken in the last year?**

3 A. No other MGP investigation and remediation activity has occurred in the last year.

4 **III. STATUS OF INSURANCE COVERAGE LITIGATION**

5 **Q. Have there been any recent significant developments in the Company's efforts to**
6 **seek contribution from its insurance carriers in the past year?**

7 A. No. Insurance recovery efforts are complete with respect to all the Company's former
8 MGP sites.

9 **Q. What environmental remediation efforts do you anticipate for the remainder of**
10 **2021 and in 2022?**

11 A. At the Manchester MGP site, the Company will continue remediation of localized areas
12 of contamination on-site as well as working on the storm drain improvement for a
13 deteriorated drainage pipe along the western boundary of the property. At the Concord
14 MGP site, as described above, Liberty is working with other parties to stabilize the gas
15 holder house to preserve its function as a cap over its footprint; Liberty will continue
16 environmental site monitoring. For the Concord Pond site, the Company will continue to
17 develop the final design of a wetland and subaqueous cap, with the construction of the
18 remedy expected to occur in late summer 2022. The monitoring of near bank sediments
19 will continue in October 2021 per the NHDES-approved Monitored Natural Recovery
20 plan. At the Nashua MGP site, the Company is targeting later in 2021 for capping and
21 paving to commence, now that approval of the cap design has been received. All sites are

1 also now in the monitoring phase, so groundwater monitoring will occur at all of them
2 under their respective Groundwater Management Permits.

3 **Q. Does this conclude your direct testimony?**

4 **A. Yes, it does.**

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