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

Docket No. DG 22-XXX

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty
Winter 2022/2023 Cost of Gas
Summer 2023 Cost of Gas

DIRECT TESTIMONY

OF

MARY E. CASEY

August 2, 2022



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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 the Polytechnic Institute of
11 New York, and a Master of Science in Civil/Environmental Engineering from
12 Polytechnic University. I have been employed by LUSC since July 3, 2012, managing
13 the investigation and remediation of Liberty’s MGP sites. Prior to my employment at
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 Ms. McNamara as part of the Local
5 Distribution Adjustment Charge (“LDAC”) portion of the Company’s cost of gas filing.

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

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

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

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

15 A. The project has been completed since December 2015. The site is stable, and the grass is
16 mowed twice a year. The Notice of Activity and Use Restriction (“AUR”) was approved
17 by the New Hampshire Department of Environmental Services (“NHDES”) and recorded
18 at the Belknap Registry of Deeds in February 2017. The groundwater wells are
19 monitored and sampled once a year per the Groundwater Management Permit that was
20 obtained from NHDES in May 2017 and renewed in 2022.

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 within the LNG tank area, and utility pole and corrosion
6 protection groundbed replacements on site. Groundwater monitoring is ongoing twice a
7 year pursuant to the Groundwater Management Permit for this site.

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

10 A. The Company continues to move toward a remedy for the MGP-impacted “Concord
11 Pond” site on the parcel known as Healy Park. In 2020, the City and the Company
12 finalized an access agreement that gives Liberty access to the pre-design investigation
13 fieldwork, the construction of the remedy, and subsequent maintenance of the capped
14 area after its completion. Pre-design field investigations commenced in 2021 to develop
15 the final design of a wetland and subaqueous cap, per the Remedial Action Plan approved
16 by NHDES. The construction of the remedy is now planned to take place in late summer
17 2023.

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

1 been impacted by coal tar wastes. The plan involved five annual samplings, the last of
2 which was conducted in October 2021. NHDES accepted the results of the MNR
3 program, along with the recommendation to undergo a confirmatory sampling in October
4 2023 to determine if any additional future sample events in the river are needed.

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

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

1 In October 2021, the NHPA and Liberty signed a formal Emergency Stabilization
2 License Agreement to provide for the repairs to the holder house (the “Agreement”).
3 Under the Agreement, NHPA is responsible for the engineering and construction of the
4 stabilization work. Under the Agreement, Liberty agreed to allow NHPA access to the
5 site to perform the work and to contribute one-half of the stabilization costs, capped by
6 the amount Liberty would otherwise have spent to demolish the gasholder, investigate
7 beneath the gasholder for further contamination, and remedy any contamination found.
8 That is, absent the stabilization work that NHPA completed in the summer of 2022,
9 Liberty would have incurred those demolition-related costs. The NHPA completed the
10 stabilization work in July 2022. Liberty has substantially completed the estimate to
11 demolish the holder house and investigate and remedy any contamination beneath the
12 holder footprint, which estimate will serve as the cap of Liberty’s contribution toward
13 stabilization.

14 In this docket, Liberty is seeking recovery of the costs Liberty contributed toward the
15 stabilization work that was performed in 2022 and is seeking approval to contribute
16 toward the further stabilization costs up to the amount of the demolition estimate.

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

19 A. In May 2019, the NHDES accepted details of a cap design for the central portion of the
20 property, and construction was planned for 2020, in conjunction with a capital paving
21 project for this property. However, this cap and pave project had been moved to the 2021

1 construction season due to the COVID-19 pandemic. Since August 2021, the Facilities
2 Management team has been leading the project at the site to remove defunct subsurface
3 and aboveground infrastructure in preparation to pave the entire property. The plan is to
4 install an engineered cap approved by the NH Department of Environmental Services
5 (NHDES) Waste Site Bureau over approximately one-third of the site beneath the newly
6 paved surface where old Holder #2 is situated, as a remedy for the MGP site. (It has been
7 determined that it is technically infeasible to remove the contents of the holder as a
8 critical high-pressure gas main passes through it.) Soil management at this site is
9 challenging as MGP waste and asbestos-containing soil exist on site, further complicated
10 by an NHDES-permitted stormwater handling system installation and the installation of a
11 new impoundment for the propane day tank. The infrastructure improvements and
12 engineered cap are nearly complete in the MGP remedy area, and the installation of the
13 stormwater leaching system is underway.

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

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

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

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

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

1 **Q. What environmental remediation efforts do you anticipate for the remainder of**
2 **2022 and 2023?**

3 A. At the Manchester MGP site, the Company will continue remediation of localized areas
4 of contamination on-site as well as work on the storm drain improvement for a
5 deteriorated drainage pipe along the western boundary of the property. The Company
6 anticipates hearing more details of a plan to build a flyover bridge creating another
7 accessway from the riverside condominium communities to the Elm Street commercial
8 district before the Company's design for the storm drainage design is finalized. At the
9 Concord MGP site, as described above, Liberty is working with other parties to stabilize
10 the gasholder house to preserve its function as a cap over its footprint; Liberty will
11 continue environmental site monitoring. For the Concord Pond site, the Company will
12 continue to develop the final design of a wetland and subaqueous cap, with the
13 construction of the remedy expected to occur in the late summer of 2023. The
14 monitoring of near-bank sediments will resume in October 2023 per the NHDES-
15 approved Monitored Natural Recovery plan. At the Nashua MGP site, the Company will
16 continue construction of the engineered cap remedy in conjunction with the facility
17 improvements and final paving. All sites are also now in the monitoring phase, so
18 groundwater monitoring will occur at all of them under their respective Groundwater
19 Management Permits.

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

21 A. Yes, it does.