

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Chelsea Solar LLC, pursuant to)
30 V.S.A. § 248, for a certificate of public)
good authorizing the installation and)
operation of the “Chelsea Solar Project,” a)
2.0 MW solar electric generation facility)
located off Willow Road in Bennington,)
Vermont)

Docket No. 17-5024-PET

**REBUTTAL TESTIMONY OF MILES WAITE
ON BEHALF OF PETITIONER**

August 10, 2018

EXHIBITS

Exhibit CS-MW-1

Resume of Miles Waite, PhD.

Exhibit CS-MW-2

PFOA Analysis Report

1 **Q1. Please state your name, occupation, and business address.**

2 A1. My name is Miles Waite. I am a Senior Hydrogeologist and owner of Waite-Heindel
3 Environmental Management (“WHEM”). My business address is 7 Kilburn Street, Suite 301,
4 Burlington, Vermont 05401.

5
6 **Q2. Please describe your educational background and work experience.**

7 A2. I have a BA in Environmental Studies with a minor in Geology from the University of
8 Vermont (1991), and a Ph.D. in Geology from the University of Colorado (1998). A copy of my
9 resume is included as *Exhibit CS-MW-1*. I have been working in the environmental consulting
10 industry for more than twenty years. A portion of my work load includes clean water
11 hydrogeology, where my areas of expertise include hydrogeologic investigations, water supply
12 siting and permitting, wastewater system design and permitting, stormwater flow and drainage
13 studies, and land development permitting. I am also frequently involved in contaminant projects,
14 including environmental site assessments, contaminated site redevelopment, contaminated soil and
15 groundwater management, remediation system design and installation, and soil vapor and air
16 quality evaluations.

17
18 **Q3. Have you previously testified before the Public Utility Commission or in other**
19 **judicial or administrative proceedings?**

20 A3. I have not previously testified before the Public Utility Commission. I have testified before
21 the Vermont Superior Court on several occasions, as well as before several Town Boards and

1 Commissions. A list of the legal cases I have been involved with between 2011 and 2017 is
2 provided in my resume in *Exhibit CS-MW-1*.

3
4 **Q4. What is the purpose of your testimony?**

5 A4. My testimony provides information in response to certain claims that have been made in
6 recent testimony filed by Lora Block (“Block”) in this docket. On Page 5 of her testimony, Block
7 claims that the construction of the proposed Chelsea Solar Project (the “Project”) may result in an
8 increase in perfluorooctanoic acid (“PFOA”) levels in the drinking water wells in the Apple Hill
9 residential neighborhood. My testimony introduces work performed by WHEM to evaluate the
10 potential (if any) for the construction and operation of the Project to mobilize perfluorooctanoic
11 acid (“PFOA”) and exacerbate the existing PFOA contamination of nearby drinking water wells.
12 A copy of the Report on Evaluation of Potential for PFOA Mobilization from Solar Array
13 Construction (“Report”) is included as *Exhibit CS-MW-2*.

14
15 **Q5. What work have you performed with respect to the Project?**

16 A5. WHEM reviewed the plans for the solar development provided by Krebs & Lansing, which
17 showed the topography of the project area, and provided project area calculations including area
18 of proposed clearing and area of proposed excavated soil. This was followed by a review of natural
19 resource mapping, soil mapping, soil boring logs, depth to bedrock data, PFOA soil testing data
20 from a nearby location, PFOA water testing data from several nearby homes, and PFOA chemical
21 characteristics. WHEM also performed onsite soil testing to determine exact PFOA levels in the

1 soil at the Project Site location. Sources of the data reviewed and results of the onsite soil testing
2 are included in the Report in *Exhibit CS-MW-2*.

3
4 **Q6. Please summarize the results of your evaluation.**

5 A6. We conclude that it is very unlikely that the Project will result in an adverse impact to
6 PFOA levels in the drinking water wells in the Apple Hill residential neighborhood. Our study
7 reviewed publicly available information regarding existing soil and groundwater conditions, as
8 well as site specific information on Project site topography, anticipated groundwater flow
9 direction, and total organic carbon (TOC) content of the site soils. Based on our review, it is very
10 unlikely the construction of the Project with proper erosion control measures or operation of the
11 Project will cause a material change in PFOA contamination or mobilization of PFOA that would
12 impact the soils at the site, or the underlying bedrock aquifer and the drinking water wells that
13 draw from it. Furthermore, analytical testing reveals that PFOA concentrations in the soil at the
14 Project Site fall well below the VT DEC Soil Screening Standard for Residential Soils, meaning
15 that the Project Site soil does not contain PFOA at levels that could cause an impact to human
16 health through exposure to the soil and/or dust during the construction process or operation of the
17 Project.

18
19 **Q7. Does that conclude your testimony?**

20 A7. Yes.