

RESOLUTION E-2024

A Resolution Opposing Encina Fort Union, LLC's Proposed Pyrolysis Petrochemical Facility in Point Township, Northumberland County, Pennsylvania

WHEREAS, the Constitution of Pennsylvania's Environmental Rights Amendment, Article I §27, declares the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come; and

WHEREAS, recognizing Article 1 §27 was ratified in order to instill a sense of environmental stewardship in the government, at all levels, and to provide each branch with a sound, firm basis upon which government can act to make Pennsylvania's environment not only fit for human habitation biologically, but also a wholesome environment suited for the achievement of our highest aspirations as a society; and

WHEREAS, as political subdivisions, local governments are arms of the Commonwealth and have duties under the Environmental Rights Amendment and the necessary and reasonable authority to carry out these constitutional duties; and

WHEREAS, the **Borough Council of the Borough of Northumberland, Pennsylvania** is responsible for ensuring the health, safety, and welfare of this community. We acknowledge that breathing clean air supports the health, safety, and welfare of this community, and oppose any commercial activity that threatens to pollute the air we all must breathe; and

WHEREAS, the **Borough Council of the Borough of Northumberland, Pennsylvania** is responsible for promoting, protecting, enhancing, perpetuating, and preserving our National Historic Landmarks and our National Historic District for the educational, cultural, economic and general welfare of the public. We acknowledge that protecting National Landmarks and areas of historic interest or importance within the **Borough of Northumberland, Pennsylvania** and safeguarding the heritage of the **Borough of Northumberland, Pennsylvania** preserves its cultural, social, economic, political, and architectural history and significance, and oppose any commercial activity that threatens to harm our cultural, historical and architectural assets; and

WHEREAS, the Susquehanna River is the 16th largest river in North America, and is known as "Pennsylvania's River" as it is a source of drinking water for six million people. The Susquehanna River North Branch, named River of the Year in 2023 by Pennsylvania's Department of Conservation and Natural Resources, flows through seven Pennsylvania Counties before it reaches Northumberland County where it merges at the City of Sunbury with its West Branch. The abundant recreational opportunities along the Susquehanna River have made it a widely popular water trail, earning the River three "National Recreation Trail" designations by the National Park Service. The **Borough of Northumberland, Pennsylvania** is the future site of the Central Susquehanna Paddlewheel Riverboat generating community engagement, tourism, economic development, and educational opportunities for residents in the

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Borough and the surrounding areas. The Susquehanna River is the lifeblood of our community, and the environmental and economic value it brings to the region cannot be overstated; and

WHEREAS, Encina Fort Union, LLC (Encina) seeks to build a plastics pyrolysis facility in Point Township, Northumberland County along the bank of the Susquehanna River. Encina seeks to implement this project in two Phases. Phase 1 is proposed to be a mechanical sorting facility of plastic waste, and Phase 2 is proposed to be a pyrolysis facility that converts plastic waste into hazardous liquid materials through intense heat; and

WHEREAS, the Encina Phase 1 operation would involve 41,793 tractor trailer loads of baled, malodorous, plastic waste being delivered to the site every year—over 110 trucks each day. Encina Phase 2 operation would produce additional truck traffic. The higher truck volume that Encina’s proposed facility would add to the region would bring an increased risk of traffic accidents, create traffic jams, and cause residents and local businesses in our community to endure frequent delays and inconvenience from congestion. It would also cause excessive wear and tear on local and state roads and highways, the maintenance of which will be at taxpayers’ expense; and

WHEREAS, the trucking of 450,000 tons of flammable plastic trash into our community and the transportation of these dangerous materials through the heart of the community is not contributing to our goal of promoting a thriving community and a healthy and clean environment; and

WHEREAS, the plastics industry successfully lobbied state lawmakers to carve out an exception under the Solid Waste Management Act for pyrolysis facilities, and therefore the Encina Phase 1 operation would not be subject to state solid waste management laws and regulations designed to protect the environment and neighboring communities; and

WHEREAS, the Encina Phase 2 operation would use a Plastic Catalytic Cracking Reactor to turn plastic waste into petrochemicals using intense heat and then put the petrochemicals through refinery processes to separate out highly toxic benzene, toluene, and xylene as well as other petrochemicals. Encina would then burn some of these materials on-site, store the rest of the hazardous materials on site, and regularly send trains with explosive products off to market on railroad tracks that are near the Susquehanna River; and

WHEREAS, Encina has no demonstrated track record of safety and reliability in using any pyrolysis technology on a commercial scale. While Encina claims components of its technology have been widely used for many years, it also asserts the pyrolysis process it plans to deploy is proprietary, confidential, and a trade-secret which it cannot disclose. Furthermore, Encina has failed to point to sufficient data to prove, to any degree, that its process is safe and will not pose substantial risk of toxic emissions into the air, discharge of per- and polyfluoroalkyl substances (PFAS) and/or microplastics into the Susquehanna River, dangerous spills of hazardous materials into the Susquehanna River, fire and chemical fire, and the risk of explosion; and

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WHEREAS, the Encina pyrolysis plant would pose unacceptable risks of toxic emissions into the air that may cause cancer, including lung, kidney, bone, and stomach cancer, cause harm to the nervous system and brain, cause birth defects, cause irritation to the eyes, nose, and throat, cause impaired lung function, coughing, and wheezing, and cause harm to the cardiovascular system; and

WHEREAS, the Encina pyrolysis plant would use 2.9 million gallons per day from the Susquehanna River and discharge much of this water back into the River. This will pose an unacceptable risk of polluting the majestic Susquehanna and interconnected waterways, including the Chesapeake Bay Watershed, with chemicals and contaminants that are toxic to aquatic life and human health, that may not be filtered out through treatment, and that would severely interfere with the community's recreation in, on, and around this treasured waterway. Notably, Encina plans to store tens of thousands of gallons of toxic chemicals adjacent to the Susquehanna River's floodplain; and

WHEREAS, the Encina pyrolysis plant would pose unacceptable risks to first responders throughout our region who are neither trained nor equipped to respond to a chemical fire of the magnitude that is possible at this proposed plant. Containment of a disaster is impossible given the plant's location. The nearby neighborhoods, towns, medical centers, schools, and churches will all be at risk of toxic air and water pollution when something goes wrong with the pyrolysis process. Put simply, the Encina pyrolysis plant would risk the lives of its workers, of our firefighters and other emergency responders, and in the neighboring residential community, and this risk of human life cannot be ignored; and

WHEREAS, the current expectation is that Encina will self-monitor its safety and emissions in accordance with the Pennsylvania Department of Environmental Protection permit requirements. History has shown that self-monitoring of industries using chemicals and chemical byproducts is an unacceptable and dangerous approach to a community's safety; and

WHEREAS, Encina's proposed plan to stockpile and regularly transport raw, highly flammable, hazardous materials by rail may create a perilous situation because of Point Township's proximity to this community and other neighborhoods, the Geisinger Medical Center, and the Northumberland Sewage Plant. The Encina pyrolysis plant would result in a significant increase in the volume of train cars carrying hazardous materials through communities throughout Pennsylvania. It is well known that railroad companies have historically and consistently failed to perform even the most basic maintenance of rail lines and on their bridges in particular, resulting in the steady deterioration and corresponding increased risk of derailment throughout the rail system. Encina's proposal brings with it the threat of a fiery derailment within our community; and

WHEREAS, the number of recycling plant fires in the U.S. and Canada has increased from over 260 per year in 2016 to nearly 400 in 2022, and we are not willing to risk exposing our community to a similar catastrophe; and

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WHEREAS, Encina may merely be the first proposed facility in a larger wave of petrochemical facilities. Focus Central PA in Danville is currently trying to recruit other toxic petrochemical facilities to make the region home to a "plastics industry cluster." Focus Central PA is responsible for bringing Encina to the region and has attempted to recruit additional petrochemical facilities to Sunbury, Coal Township, Mount Carmel, and to a second site in Point Township.

NOW THEREFORE, BE IT RESOLVED BY Northumberland, PENNSYLVANIA that it hereby strenuously and unequivocally objects to the placement of a pyrolysis plant in Point Township, Northumberland County.