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Residents hope courts can stop energy plans

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A rendering of the proposed facility, which would be located east of Highway 14, south of the Vincent Hill Station restaurant. Courtesy.

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Frustrated by an unsuccessful appeal last year, a group of Acton residents is seeking legal remedies to stop the Hecate Grid from expanding with a battery energy storage facility, or BESS, in its town.

A lawsuit against L.A. County and Hecate Grid is set for a scheduling conference next week, in an issue that could set precedents for energy-storage plans for the area.

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Hecate Grid touts itself as a “California leader in utility scale energy storage,” on its website, with more than 40 gigawatts stored in its batteries, which are intended to provide “grid reliability during extreme events, keeping the lights on and ACs running,” according to the company’s website.

The company is planning to build battery-energy storage facilities in a community that was rocked by the controversial Public Safety Power Shutoffs by Southern California Edison.

Also called a PSPS, it means a utility “may temporarily turn off power to specific areas to reduce the risk of fires caused by electric infrastructure,” according to the California Public Utility Commission.

During one span in 2019, the shutoffs happened in the Acton area more than a dozen times in a few months, which led to an angry town hall meet (<https://www.youtube.com/watch?v=Qg9cJJZ61Mk>)ing and, ultimately, an apology from Edison.

But the fire danger is part of the reason why the battery facilities shouldn’t be focused in Acton, according to a lawsuit brought by residents, which is also an effort supported by the town’s advisory council. Acton is an unincorporated part of the 5th Supervisorial District represented by Supervisor Kathryn Barger, who’s also been involved in the issue.

Local perspective



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Jeremiah Owen, president of the Acton Town Council, an advisory body for the county, said he began doing research more than a year ago when he first started to hear about several projects for the rural community.

“Our official position is: ‘Don’t put BESS in Acton — it’s not the right place for it,’” Owen said in a phone interview back in June, prior to an unsuccessful appeal of a 400-megawatt project the county’s Board of Supervisors approved for Acton.

The Acton BESS was approved by L.A. County through a ministerial review in December for a 400-megawatt facility, which could power 300,000 homes.

The plans call for Hecate Grid to develop 15 acres of a 26-acre plot next to West Carson Mesa Road to the west and Angeles Forest Highway N-3 to the east.

A representative for Hecate Grid said in June that beyond helping the state meet its energy-storage mandates, the project safely provides energy reliability and resiliency, which is vital for a state where extreme weather can create emergencies that cause power outages.

In a March 8 letter, the company stated it will produce 300MW of clean energy, adding the company has sought approvals to construct a 400MW project and “that remains our long-term goal,” according to an email May 10 from Bobby Howard, senior manager for development and origination for Hecate Grid. “However right now the project has electrical interconnection rights for only 300MW and that is what we will build in the near term.”

After the appeal was denied, a group calling itself Save Our Rural Town, or SORT, filed a lawsuit seeking an injunction to stop the project.



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Ruthie Brock, a leader of the citizen coalition, said the residents are looking forward to a chance to have their day in court.

In addition to not wanting to break up the quiet rural community's aesthetic with a series of battery facilities, the group also points to an issue the committee was seeking to address: If a fire does happen at one of these facilities, it can create significant danger for first responders.



Congressman Mike Garcia, R-Santa Clarita, at a congressional hearing in February. Screenshot

Congressional questions

Rep. Mike Garcia, R-Santa Clarita, asked about the logic behind the local approval process for BESS facilities during a February hearing of the Space, Science and Technology Subcommittee on Investigations and Oversight, as well as their safety.

The topic of the hearing was, "Examining the Risk: The Dangers of EV Fires for First Responders."

After listening to testimony from San Bernardino County Fire Chief Dan Munsey and Judy Jeevarajan, executive director of the Electrochemical Safety Research Institute at UL Research Institutes in Houston, Garcia brought the concern back home.

If EV-battery fires represent a danger for first responders, a fire at a facility full of such batteries must represent a potential danger on a much greater scale in Acton, Garcia said, which was the local nexus for his questioning of Munsey.

Munsey, who said he presides over a county territory larger than the four smallest states in the union, is also a member of the International Association of Fire Chiefs Tech Council.

The organization has spent a lot of time studying lithium ion and the costs to firefighters, he said. That includes everything from the time and efforts it takes to extinguish a fire to expensive maintenance in cleaning gear exposed to burning battery chemicals to potential cancer risks, he said.

He also has received and reviewed requests for such facilities in San Bernardino, he said.

Garcia said he wanted to play a game of "Good Idea, Bad Idea" with Munsey during the Feb. 29 livestream of the hearing.

The battery-storage technology is relatively safe, the potential for a chemical disaster exists, and if anything happens, it could spell big trouble for first responders, Munsey said.



Siting and worst-case scenarios

Garcia started by saying he thought it was a "good idea" to have large battery-storage facilities for the purpose of making sure the state's energy grid is stable.

"You mean a battery-storage facility that's properly engineered," Munsey said.

Garcia said that would have to be a concession for the line of questioning.

"Would you consider it a good idea or a bad idea to put a facility like that next to, either (Interstate 15) in your case, or in my case, the 14 Freeway, which is a major chokepoint ... is that a good idea or a bad idea, literally 200 yards off the freeway?" Garcia asked.

"That's a local policy decision," Munsey said. "As the fire chief, I would say if that is a well-engineered, well-maintained, well-monitored system, then there's going to be a low risk and a low frequency."

"If there was an ignition, though, that is going to be an extremely hard fire to suppress in a short amount of time, and that could cause some economic damage to the city," Munsey added.

Garcia added another wrinkle to the hypothetical: What if there was also a railway in between the highway and the facility?

"We get these questions, too, from our cities," Munsey said, regarding the siting of the facilities near critical infrastructure, schools and residential neighborhoods. "And as we look at population and population density in our communities, it's going to be necessary to put these systems somewhere in the near future."

"Again, I'll go back to, these must be well-maintained, and well-engineered," he said.

Garcia thanked Munsey for his service and thanked the experts for their research and comments at the end of his time during the hearing, reiterating his concern about the project in north L.A. County.

"I guess my message today is I appreciate what you guys have highlighted today, the risks, the concerns of an electric vehicle," Garcia said, "and to my colleagues in L.A. County, this BESS facility being discussed in Acton is, in my opinion, setting us up for failure, and if anything goes wrong, we're going to recognize one of the biggest, catastrophic losses of life and resources, and hopefully, they can reconsider, to the points that you've made, chief, and everything we've discussed here."

The previously stated goal for the Acton project was to be online by 2026.

A link to the livestream is available at [youtube.com/watch?v=d8I8AsN5suA](https://www.youtube.com/watch?v=d8I8AsN5suA).



Perry Smith