



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

January 30, 2015

TO: Parties & Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **DOCKET 192B-** CPV Towantic, LLC Motion to Reopen and Modify the June 23, 1999 Certificate of Environmental Compatibility and Public Need based on changed conditions pursuant to Connecticut General Statutes §4-181a(b) for the construction, maintenance and operation of a 785 MW dual-fuel combined cycle electric generating facility located north of the Prokop Road and Towantic Hill Road intersection in the Town of Oxford, Connecticut.

1. Requests

During the public hearing held by the Connecticut Siting Council (Council) on January 29, 2015, the Council voted on the following requests from parties and intervenors:

a. Request from Middlebury Land Trust for a 90-day extension to provide expert testimony, dated January 21, 2015

This request was denied in part for a 90-day extension and granted in part for a 30-day extension. All pre-filed testimony, exhibits and responses to interrogatories are required to be submitted to the Council and the service list on or before the close of business on Tuesday, March 3, 2015.

b. Request from Westover School for 90-day extension, dated January 23, 2015

This request was denied in part for a 90-day extension and granted in part for a 30-day extension. All pre-filed testimony, exhibits and responses to interrogatories are required to be submitted to the Council and the service list on or before the close of business on Tuesday, March 3, 2015.

c. Request from Jay Halpern for moratorium on further consideration of this project, dated January 26, 2015

This request was denied.

2. CPV Towantic, LLC Late-Filed Exhibits

CPV Towantic, LLC shall submit the following on or before the close of business on **February 5, 2015**:

- a. Check for missing November 17, 2014 "Notice of Presumed Hazard" letter from the Federal Aviation Administration regarding the northeast corner of the administrative building and provide a copy, if available.
- b. Provide temperature and velocity profiles of the stack exhaust to indicate how rapidly temperature and velocity change as it exits the stack vertically under still air conditions.
- c. Indicate how many acres of glacial till would be penetrated and displaced by foundation excavations for the power plant project. How would the foundation emplacements and excavations alter the subterranean water flows? How would downstream wetlands and watercourses (Jack's Brook) be affected by these changes? In testimony at the January 29, 2015 hearing, it was indicated that the till is quite impermeable, and that the water moves in distinct pathways through the till. These pathways are akin to subterranean streams. Have these been identified and mapped? Address thermal changes to water exiting the site resulting from holding water in open detention basins as opposed to underground movement through the till. Which is the current situation? Address whether the stormwater management plan on C-310 alters the current discharges east and west on the site. Does water leaving the site still reflect the sub watershed contributions in the pre-construction condition? Address the potential for the dewatering of Wetlands 2 and 3, and or alterations in hydroperiod of Wetlands 2 and 3, by the filling of Wetland 1 and/or the current stormwater management plan shown on C-310.
- d. Where would the trailers for water demineralization be located?
- e. Provide any boring test pit results from the power plant site. Also, indicate where test pits were located and the soil conditions.
- f. How would stormwater flows based on 100-year design avoid significantly eroding the berm associated with Stormwater Renovation Area B?
- g. Where would the oil/water separator be located?
- h. Provide an illustration of flight patterns, particularly for landings.
- i. Check the retirement list and ensure its current accuracy in the event that some of the plants are already retired and/or out of service.
- j. At the January 29, 2015 hearing, the witness testified that the Connecticut electric cost savings would be on the order of \$3 to \$5 per megawatt-hour. Estimate the cost savings in Connecticut consumers' electric bills.
- k. Indicate how load flows in and out of Long Island from Connecticut (including but not limited to the Cross Sound Cable and the #1385 cable) affect the determination that there is sufficient generating capacity in Connecticut.
- l. Indicate how the existing ambient noise levels at the power plant site property lines (including noise from the Waterbury-Oxford airport) would be affected with and without the power plant.
- m. Discuss the feasibility of water impoundment storage.
- n. Provide drainage maps showing drainage flows for before and after the power plant construction.
- o. To the extent possible, estimate the average power output, minimum power output, maximum power output, average minimum power output, and average maximum power output for the power plant. (Capacity factor data provided in Figure 23 of "New England Wholesale Power Market Changes 1999-Present" report could be used in the average power output calculation if desired.)
- p. For one mole of methane (CH₄) burned, indicate how many moles of water (H₂O) would be produced.
- q. Provide a report or analysis that depicts the dispersal of particulate matter from the power plant into the immediate area.

CPV Towantic, LLC may submit to the Council a written request for an extension of time to submit any of the above-mentioned materials and information pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

3. Mr. Ray Pietrorazio Late-Filed Exhibits

Mr. Ray Pietrorazio shall submit the following on or before the close of business on **February 5, 2015**:

- a. If available, provide a copy of the noise regulations referred to during the January 29, 2015 hearing that indicate that the noise standards require noise calculations to compute the cumulative effect of existing noise levels and predicted noise levels generated from power plant operations.
- b. If available, provide materials supporting the contention that a 20-foot change in stack height would double the deposition of emissions byproducts.

Mr. Ray Pietrorazio may submit to the Council a written request for an extension of time to submit any of the above-mentioned materials and information pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

4. Continuation of the Evidentiary Hearing

The Council shall continue the evidentiary hearing for the above-referenced proceeding on Tuesday, February 10, 2015, in Hearing Room One, Ten Franklin Square, New Britain, Connecticut, beginning at **11:00 a.m.**

The hearing shall commence with the continued cross examination of the Certificate Holder by the party, Mr. Jay Halpern, followed by the grouped parties, the Town of Middlebury, Mr. Ray Pietrorazio and the Middlebury Land Trust, followed by cross examination of the Certificate Holder by the other parties and intervenors in the order listed on the January 29, 2015 Hearing Program. Thereafter, the public hearing will continue with the commencement of appearances of the parties and intervenors in the order listed on the January 29, 2015 Hearing Program.

The deadline for submission of pre-filed testimony and responses to interrogatories is on or before the close of business on Tuesday, February 3, 2015. **All testimony is required to be pre-filed in writing and distributed to the service list in accordance with the Council's schedule. Direct testimony at the hearings is not permitted.**

Any request for an extension of time to submit pre-filed testimony and responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulation of Connecticut State Agencies.

If you have any questions about Council procedures, please do not hesitate to contact me at the Council office at 860-827-2935.

Thank you.

MAB/MP/cm