

STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

IN RE: :
 :
APPLICATION OF NTE CONNECTICUT, LLC : DOCKET NO. 470B
FOR A CERTIFICATE OF ENVIRONMENTAL :
COMPATIBILITY AND PUBLIC NEED FOR :
THE CONSTRUCTION, MAINTENANCE AND :
OPERATION OF AN ELECTRIC POWER :
GENERATING FACILITY OFF LAKE ROAD, :
KILLINGLY, CONNECTICUT : APRIL 11, 2019

LATE FILE EXHIBITS

In a memorandum dated April 5, 2019, the Connecticut Siting Council (Council) requested the Applicant, NTE Connecticut, LLC (NTE) submit certain late file exhibits (LFEs). The Council's individual requests and NTE's responses are set forth below.

LFE No. 1

Provide a copy of any correspondence to the Department of Public Health (DPH) and the response thereto regarding the construction sequence (relative to the proposed construction of KEC) for the water supply interconnection between Connecticut Water Company's (CWC) Crystal System and Plainfield System.

LFE Response No. 1

NTE's April 8, 2019 letter to the DPH regarding construction sequencing is attached as LFE No. 1. Representatives at DPH mentioned that they would communicate directly to the Council.

LFE No. 2

Provide a response as to whether or not CWC will have to modify its water supply plan.

LFE Response No. 2

Following the Council's April 4, 2019 evidentiary hearing, NTE reached out to CWC. NTE was informed that an updated water supply plan was filed by the CWC in May of 2018. While that update did not include projections associated with KEC, it did indicate that a connection between the Plainfield and Crystal systems was anticipated within the five (5) year planning period. The updated plan also noted (when discussing available water supply) that with the addition of the third well at the P.B. Hopkins well field, installed several years ago, there are currently no outstanding supply needs in the Crystal system. In the event that additional supply is needed, the interconnection between the Plainfield and Crystal systems will allow excess capacity to augment Crystal system available supply. CWC reported to NTE that it does not believe it needs to make any additional revisions to its water supply plan at this time.

LFE No. 3

Convert the approximately 110,000 million BTUs per day of natural gas supply to standard cubic feet of natural gas per day.

LFE Response No. 3

Approximately 103 million standard cubic feet per day.

LFE No. 4

Estimate the capacity factor for the duct burner.

LFE Response No. 4

NTE expect the duct burner capacity factor to be approximately 30% for the first 5+ years of KEC operations.

LFE No. 5

Indicate if the proposed site was previously used for agricultural purposes and approximately when in the past that occurred, if known.

LFE Response No. 5

Following the Council's April 4, 2019 evidentiary hearing, NTE consulted with the property owner, who has been in residence since 1959, and conducted additional review of historic aerial photographs of the generating facility parcel (63 acres) and the switch yard parcel (10 acres). The property owner indicated that no active crop cultivation or commercial agricultural use occurred during his residence, although portions of the property were used to grow hay to feed their livestock, particularly during the earlier years. By the mid-1990s, all haying had ceased, with the fields only periodically mowed with no agricultural purpose. The aerial photography confirms this anecdotal history, indicating that between 1934 and 1974 approximately 20 of the 73 acre generating facility and switch yard parcels appear to be open hay fields. After 1974, tree growth appears to begin encroaching into these open field areas suggesting a decrease in this use. By 2016, 93% of these open fields are gone. Periodic mowing of the fields continues currently. A copy of the EDR Aerial Photo Decade Package is attached as LFE No. 5.

LFE No. 6

Provide the full-load ultra-low sulfur distillate (ULSD) consumption rate in gallons per hour and calculate the maximum full-load run time (currently estimated at 45.7 hours) based on the 1,000,000-gallon ULSD storage tank (assuming no refueling).

LFE Response No. 6

At a full load consumption rate of approximately 23,000 gallons per hour, the 1 million

gallon ULSD storage tank contains approximately 43 hours of storage before refueling operations must commence.

LFE No. 7

With ULSD refueling, the current estimate is two truckloads of ULSD to be delivered per hour. Please confirm the number of truckloads of ULSD to be delivered to the plant per hour and if that can support the full load consumption rate indicated above in [LFE No. 6]. Also confirm if the Department of Transportation (DOT) or other rules limit the weight and therefore the number of gallons that each refueling truck can hold (e.g. 7,700 gallons per truck).

LFE Response No. 7

Based on our research, a tanker truck volume is determined by the 80,000 pound weight limit (pursuant to ConnDOT standards). After subtracting the empty truck weight (approximately 27,000 pounds) we are left with approximately 53,000 pounds of ULSD stored in the tanker truck which equates to approximately 7,700 gallons. Using the full load consumption rate discussed in LFE No. 6 above, NTE would require an average of three (3) trucks per hour to keep up with full load consumption. Increasing the number of trucks per hour for ULSD refueling from 2 to 3 would not have a significant impact on the operations of area roadways.

CERTIFICATION OF SERVICE

I hereby certify that on this 11th day of April 2019, a copy of the foregoing was sent via electronic mail, to the following:

Mary Mintel Miller, Esq.
Reid and Riege, P.C.
One Financial Plaza, 21st Floor
Hartford, CT 06103
mmiller@rrlawpc.com

Mary Calorio, Town Manager
Town of Killingly
172 Main Street
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Katherine Fiedler, Esq.
Connecticut Fund for the Environment
900 Chapel Street
Upper Mezzanine
New Haven, CT 06510
kfiedler@ctenvironment.org



Kenneth C. Baldwin

LFE NO. 1

April 8, 2019

Via Electronic and U.S. Mail

Lori J. Mathieu, Public Health Section Chief
CT Department of Public Health
Drinking Water Section
410 Capitol Avenue, MS#12DWS
P.O. Box 340308
Hartford, CT 06134-0308

Re: **Docket No. 470B – Application of NTE Connecticut, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance and Operation of an Electric Power Generating Facility at 180 and 189 Lake Road, Killingly, Connecticut - Reopening of this application based on changed conditions pursuant to Connecticut General Statutes §4-181a(b)**

DPH Project # 2016-0214

Dear Ms. Mathieu:

I write on behalf of NTE Connecticut, LLC and in response to the Department of Public Health's ("DPH") comment letter to the Connecticut Siting Council ("Council") dated March 14, 2019. I spoke with Pat Bisacky last week about the DPH comments. She asked me to provide some additional information about the sequencing of construction activity currently planned for the Killingly Energy Center ("KEC") project in response to DPH Comment # 3 regarding the timing of the interconnection of the Connecticut Water Company's ("CWC") Crystal and Plainfield systems. Comment # 3 states:

Since CWC's water supply analysis includes use of an interconnection between the Crystal and Plainfield systems to demonstrate an adequate margin of safety, then water supply infrastructure improvements must be constructed and approved for use prior to construction of the KEC plant.

For the reasons discussed below, NTE finds this comment problematic given the anticipated sequencing for the on-site and off-site project improvements.

Lori J. Mathieu, Public Health Section Chief
April 8, 2019
Page 2

As referenced in its most recent filing with the Council, NTE was selected by the Independent System Operator-New England ("ISO-NE") to receive a Capacity Supply Obligation ("CSO") for the power generated at KEC. This selection requires NTE to have the KEC Facility online and transmitting power to the New England power grid on or before June 1, 2022. NTE currently anticipates a 33 month construction timetable for KEC. NTE expect to commence construction following the Council's issuance of a Certificate and a Development and Management Plan and the securing of project financing, which we expect to have in place in the late summer or early fall of 2019.

NTE has entered into three (3) separate agreements with the Connecticut Water Company ("CWC"). First, NTE and CWC have entered into a Water Supply Agreement, for up to 400,000 gallons per day, for use at the KEC Facility. In order to accommodate KEC's need for water and maintain a safe yield, CWC has determined that it must connect its Crystal and Plainfield water systems to accommodate KEC's need. In addition to maintaining adequate supply for KEC, the connection of these two systems will enhance CWC system reliability overall and allow CWC to maintain an adequate margin of safety.

In addition to and as a condition of the Water Supply Agreement, KEC and CWC have also entered into two construction agreements which require KEC to pay the cost of: (i) connecting the existing local CWC service line to the KEC parcel and supply 30,000 gallons per day to support construction activities; and (ii) interconnecting the Crystal and Plainfield systems, which is required to support the full 400,000 gallons per day needed for KEC operations. Under these contracts, CWC is obligated to commence construction of these water line improvements upon notice to proceed ("NTP") from NTE, which will be given upon financial close, and complete work within ninety (90) days of the NTP for contract (i) above and within sixteen (16) months from the NTP for contract (ii) above. Under our current schedule, we would anticipate that CWC interconnection work on the interconnection of the Crystal and Plainfield systems would commence in late summer/early fall of 2019, and pursuant to the agreement, be completed before December 31, 2020, in advance of KEC's need for the maximum quantity of water required for commissioning activities, start-up, and first-fire at KEC, which is anticipated to occur in mid-2021.

While it is perfectly understandable and acceptable that restrictions on KEC's operations would be contingent upon the interconnection of the Crystal and Plainfield systems, waiting until that interconnection has been completed to start construction at KEC would not allow KEC to complete facility construction in time to meet its in-service obligations to ISO-NE under its CSO. We fully anticipate that CWC's construction activity, including the interconnection of the Crystal and Plainfield systems, would commence at the beginning of the construction phase for KEC and be completed in such time to support startup and commissioning activities, ahead of

Robinson+Cole

Lori J. Mathieu, Public Health Section Chief
April 8, 2019
Page 3

plant operations. Similar arrangements have been made with Yankee Gas for the provision of gas service to KEC and the Town of Killingly for the installation of wastewater services to KEC. The coordination of these construction schedules and the sequencing of the work in the manner that we described, will ensure that all improvements are completed in advance of plant startup and commissioning activities, in order to support plant operations.

We would, therefore, ask that you modify Comment # 3 as follows to take into consideration the construction sequencing I've described above.

Since CWC's water supply analysis includes use of an interconnection between the Crystal and Plainfield systems to demonstrate an adequate margin of safety, then water supply infrastructure improvements must be constructed and approved for use prior to operation of the KEC plant.

This matter was discussed at the Council's evidentiary hearing on April 4, 2019. The Council asked NTE to reach out to you so that we may clarify this issue for them. The Council's next evidentiary hearing is scheduled for April 18, 2019. An additional evidentiary hearing has also been scheduled for May 2, 2019 (if necessary).

If you have any questions or need any additional information regarding the NTE project please do not hesitate to contact me or Tim Eves, Vice President of NTE Connecticut, LLC. My number and e-mail address are listed above. Mr. Eves can be reached at 813-503-2991.

Thank you very much for your cooperation. We look forward to hearing from you.

Sincerely,



Kenneth C. Baldwin

KCB/kmd

Copy to:

Pat Bisacky, Department of Public Health - Drinking Water Section
Melanie Bachman, Executive Director, Connecticut Siting Council
Craig Patla, Connecticut Water Company
Dave Radka, Connecticut Water Company

LFE NO. 5



180-189 Lake Rd Killingly

180-189 Lake Road

Dayville, CT 06241

Inquiry Number: 5607173.5

April 01, 2019



The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Site Name:

180-189 Lake Rd Killingly
 180-189 Lake Road
 Dayville, CT 06241
 EDR Inquiry # 5607173.5

Client Name:

Tetra Tech Rizzo
 912 Silas Deene Highway
 Wethersfield, CT 06109-0000
 Contact: Adam Stannard



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2008	1"=500'	Flight Year: 2008	USDA/NAIP
2005	1"=500'	Flight Year: 2005	USDA/NAIP
1996	1"=500'	Flight Date: April 15, 1996	CTMAGIC
1991	1"=500'	Acquisition Date: April 12, 1991	USGS/DOQQ
1990	1"=500'	Flight Date: May 02, 1990	MAGIC
1985	1"=500'	Flight Date: March 16, 1985	USDA
1980	1"=1000'	Flight Date: March 19, 1980	USGS
1974	1"=500'	Flight Date: April 20, 1974	USGS
1970	1"=500'	Flight Date: March 11, 1970	USGS
1969	1"=500'	Flight Date: June 10, 1969	CTMAGIC
1963	1"=500'	Flight Date: October 06, 1963	CTMAGIC
1951	1"=500'	Flight Date: October 13, 1951	CTMAGIC
1941	1"=500'	Flight Date: October 17, 1941	USGS
1934	1"=500'	Flight Date: April 17, 1934	FAIR

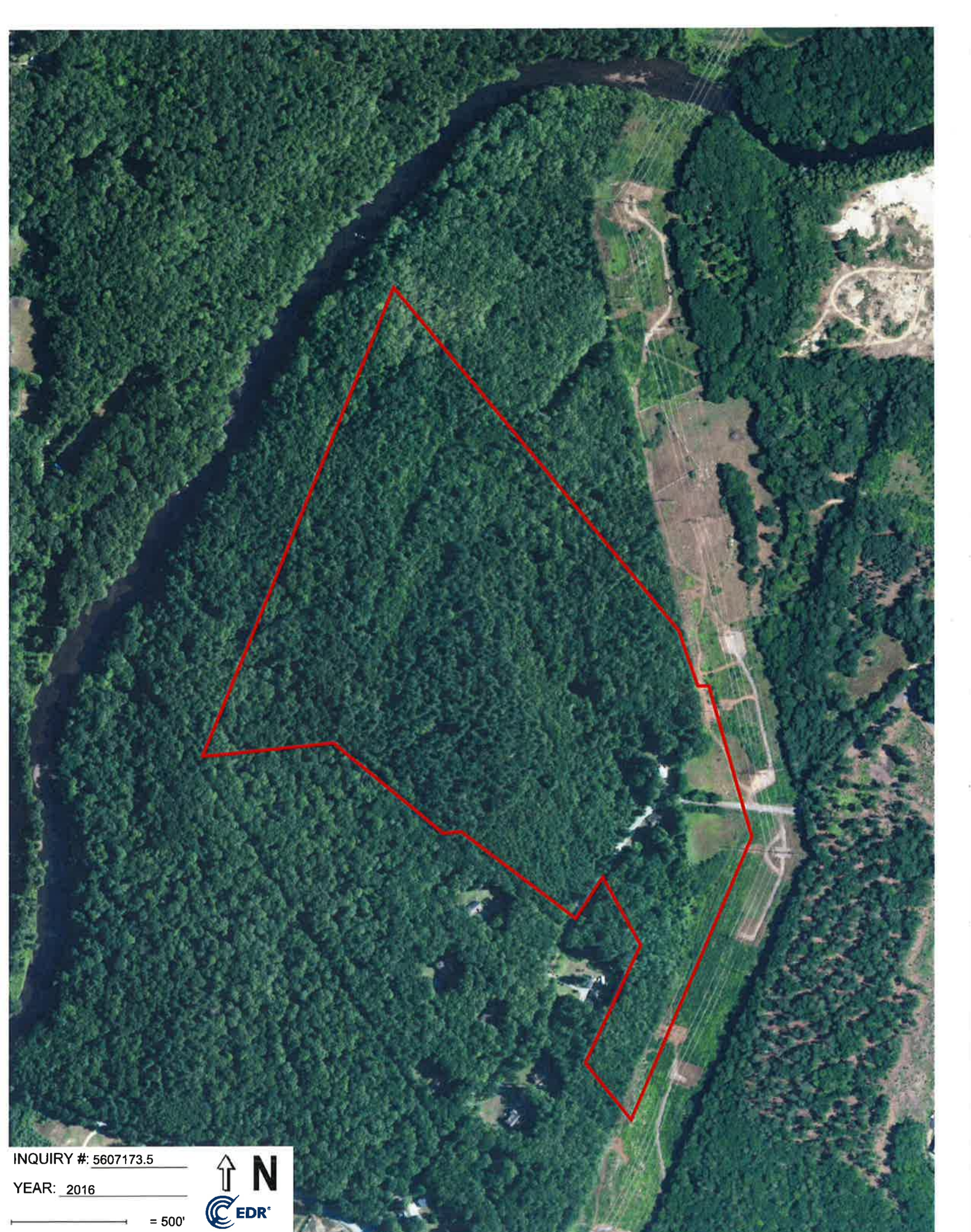
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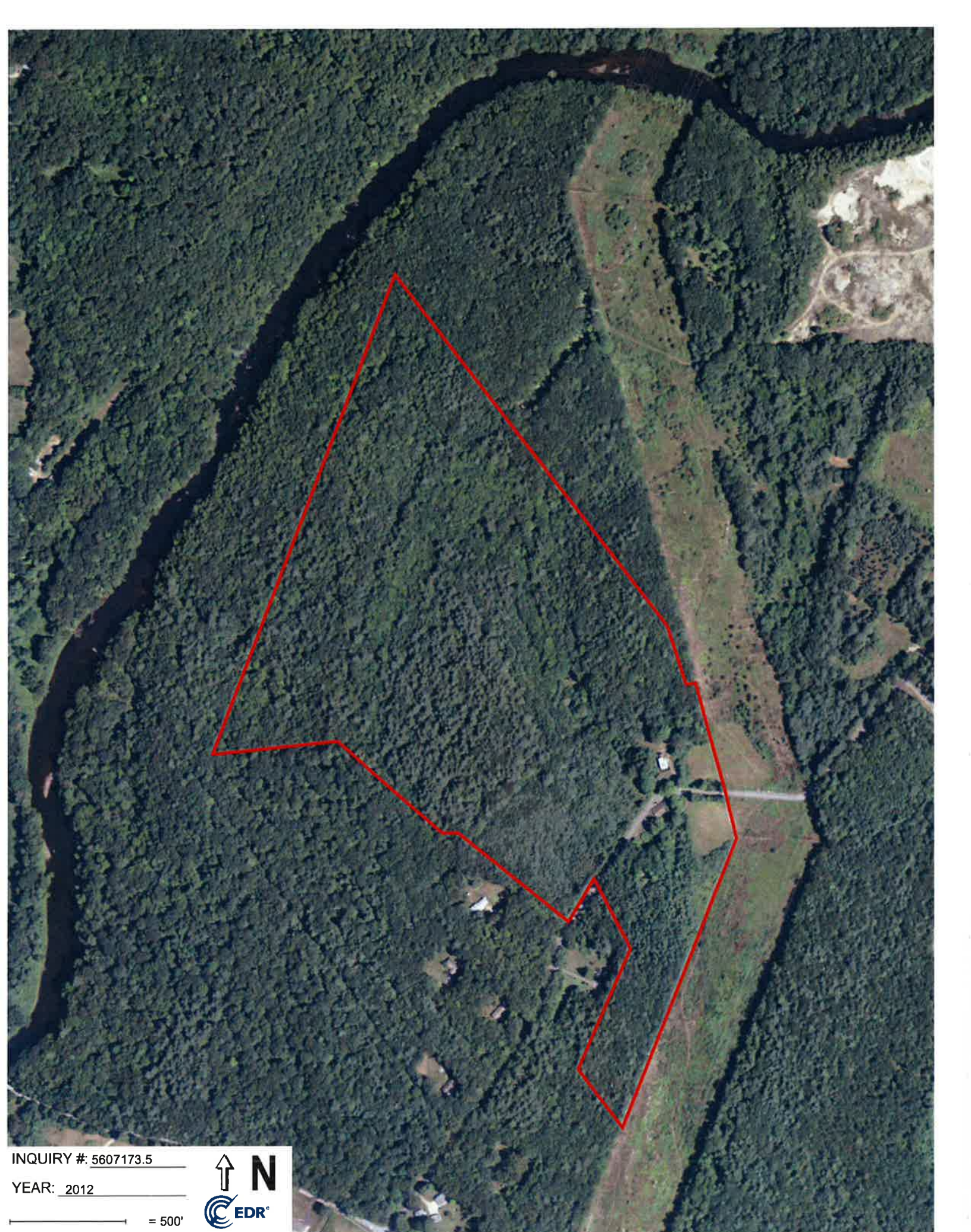


INQUIRY #: 5607173.5

YEAR: 2016

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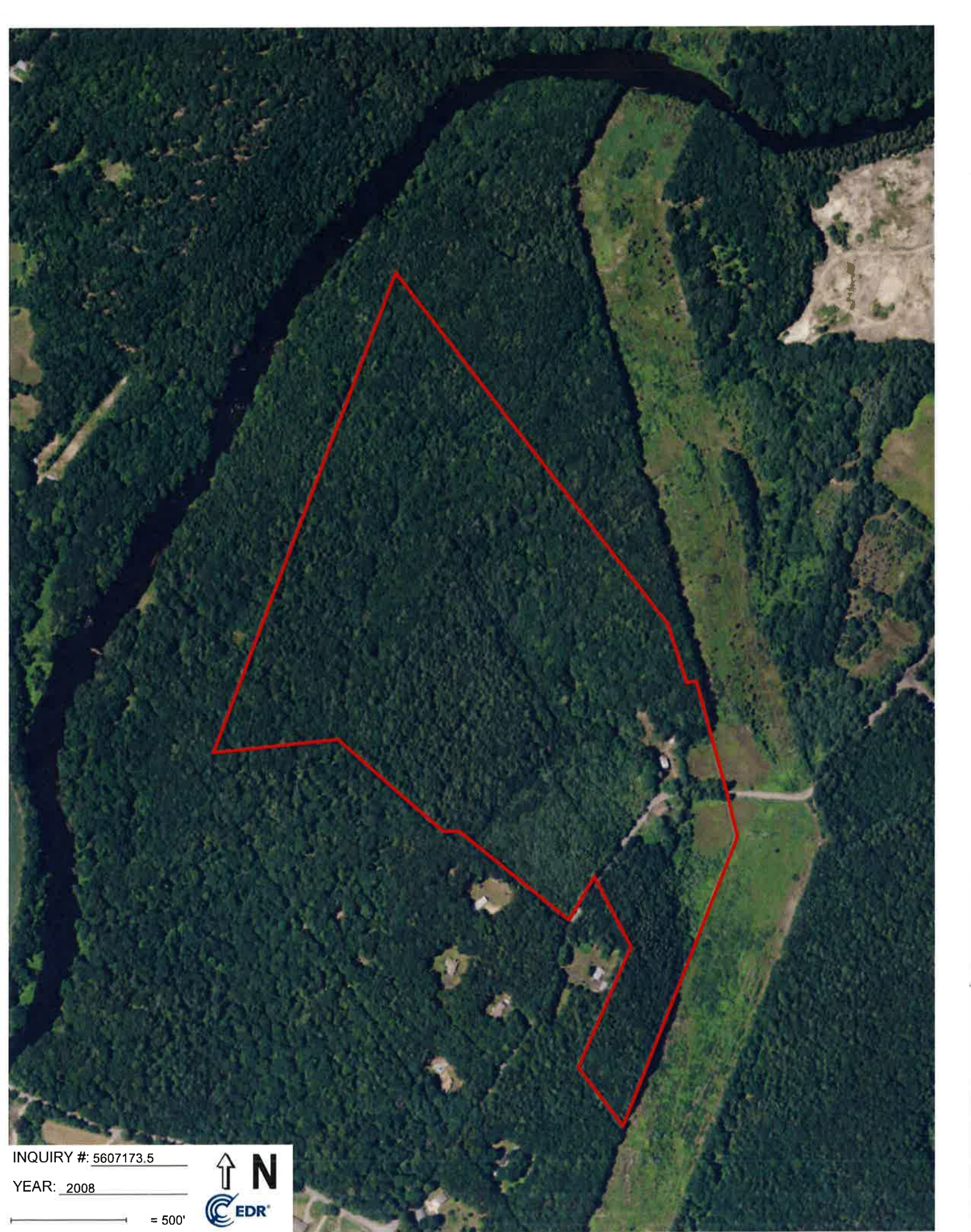


INQUIRY #: 5607173.5

YEAR: 2012

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INQUIRY #: 5607173.5

YEAR: 2008

 = 500'





INQUIRY #: 5607173.5

YEAR: 2005

— = 500'





INQUIRY #: 5607173.5

YEAR: 1996

_____ = 500'





INQUIRY #: 5607173.5

YEAR: 1991

_____ = 500'





INQUIRY #: 5607173.5

YEAR: 1990

_____ = 500'



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YEAR: 1985

 = 500'





INQUIRY #: 5607173.5

YEAR: 1980

_____ = 1000'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



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YEAR: 1974

_____ = 500'





INQUIRY #: 5607173.5

YEAR: 1970

— = 500'





INQUIRY #: 5607173.5

YEAR: 1969

— = 500'





INQUIRY #: 5607173.5

YEAR: 1963

— = 500'





INQUIRY #: 5607173.5

YEAR: 1951

_____ = 500'





INQUIRY #: 5607173.5

YEAR: 1941

— = 500'





INQUIRY #: 5607173.5

YEAR: 1934

 = 500'

