



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

October 28, 2010

TO: Participants for Fuel Cell Facilities

FROM: Linda Roberts
Executive Director

RE: **DOCKET NT-2010** – Reopening of final decisions pursuant to C.G.S. §4-181a(b) for jurisdictional natural gas-fired electric generating facilities under C.G.S. §16-50i(a)(3) and C.G.S. §16-50k(a) limited to Council consideration of changed conditions and the attachment of conditions to the certificates and declaratory rulings consistent with the findings and recommendations in the Final Report issued by the Kleen Energy Plant Investigation Review Panel (Nevan Commission) and the findings and recommendations in the Executive Report issued by the Thomas Commission.

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than November 15, 2010. To help expedite the Council's review, please file individual responses as soon as they are available.

Please forward an original and 15 copies and a .pdf file via email to this office. It is also requested that an electronic version of all filings is sent to siting.council@ct.gov. Responses must also be sent to the service list associated with the subject facility. In accordance with the State Solid Waste Management Plan, the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. A list of parties and intervenors dated October 25, 2010, is enclosed. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Linda Roberts
Executive Director

LR/laf

c: Council Members
Parties and Intervenors



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NT-2010 Interrogatories Fuel Cells

1. Is the fuel cell unit stationary or mobile?
2. If the fuel cell unit has already been constructed and installed, what NFPA standards were applied to the construction and installation?
3. If the fuel cell unit has yet to be constructed and installed, what NFPA standards will apply to the construction and installation?
4. How would recommendation #6, "Recommendation as to adoption of codes" in the Thomas Commission recommendations affect the facility?
5. How do the following codes affect construction, installation or modification of the unit:
 - a) NFPA 37 (2010 edition);
 - b) NFPA 54 (2009 edition);
 - c) NFPA 54 Temporary Interim Amendment 09-3 (August 25, 2010);
 - d) NFPA 850 (2010 edition);
 - e) NFPA 853 (2010 edition);
 - f) ASME B31; and
 - g) ASME B31.1 Appendices IV and V.
6. What is the length of the natural gas piping required for installation and operation?
7. What is the operating pressure (psig) of the natural gas piping?
8. What is useful lifespan of the natural gas piping?
9. Would the natural gas piping/pipeline need to be replaced during the life of the facility?
10. Do you foresee any circumstances that would require replacement of a section of natural gas piping?
11. If so, would a new section of natural gas piping be installed and require cleaning?
12. What type of material is the natural gas piping composed of?





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
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The Nevas Commission Final Report urged the Connecticut Siting Council (Council) to attach as conditions to any permit it issues, language that addresses the findings of the Nevas Commission and the adoption of the specific recommendations of the Thomas Commission.

The Thomas Commission issued its Executive Report on September 21, 2010. Recommendation #5 of the Report urges the Council to “make the recommendations of this Commission applicable to **existing power plants** where necessary” (emphasis added).

Since the Nevas Commission, Thomas Commission and the Governor’s Executive Order #45 directly relate to “natural gas fired power plants,” Council staff conducted an analysis of electric generating facilities under Council jurisdiction that use natural gas. Under Section 4-181a(b) of the Administrative Procedures Act (APA), on a showing of changed conditions, the Council may modify a final decision at any time on its own motion and shall follow the procedure for contested cases. Section 4-166 (3) of the APA defines a “final decision” as “(A) the agency determination in a contested case; (B) a declaratory ruling issued by an agency pursuant to section 4-176...”

At a regular meeting held on October 21, 2010, the Council voted to reopen the final decisions of several jurisdictional facilities, a list of which is attached hereto. Enclosed please find the Council’s notice of hearing and request for responses to interrogatory questions.

Also, please provide the appropriate contact information, including e-mail addresses if future notification of matters concerning this docket by e-mail is acceptable.

Fuel cell decisions will likely be heard on Tuesday, December 14, 2010. A draft hearing program will be forthcoming.



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