



Burt Stevens, President
Oxford Flying Club, Inc.
29 Orton Lane • PO Box 371
Woodbury CT 06798
(203) 263-5158 • fax (800) 246-1135
cell (203) 558-1114 • BStevens@snet.net

April 27, 2015

Chairman Robert Stein
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051

Re: Docket 192B – Towantic Energy, 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 Section 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.

Dear Chairman Stein:

I wish to thank you and the entire Connecticut Siting Council Board for the time and effort that you and your staff have provided to this Docket. I am sure your ultimate decision, whether for or against the applicant, will be thoughtful and considered.

I feel compelled to draw your attention to two findings of fact that, in my experience, are flawed: numbers 105 and 106 (Findings of Fact, Page 19).

Number 105 states:

Plumes from the stacks could have areas of potentially severe turbulence approximately 28 or 29 feet above the stacks. The 90th percentile height ranged from 126 to 133 feet above the stacks. (Tr. 3, p. 177-178)

While Ms. Gresock's statement above is correct, it is incomplete and misleading in suggesting that the areas of potentially severe turbulence are limited to a maximum of 133 feet for a light sport aircraft similar to many general aviation aircraft that fly into and out of Oxford Airport.

Ms. Gresock's figures are from Mitre's September 2012 "Expanded Model for Determining the Effects of Vertical Plumes on Aviation Safety" and were calculated based on the smaller plant, not the proposal before the Council. For this reason alone, these figures should be disregarded. Furthermore, the height of potentially severe turbulence is directly related to aircraft weight and Ms. Gresock's figures are for a 2750 pound Navion, not a light sport aircraft with a maximum weight of 1320 pounds.

Additionally, while Ms. Gresock's use of the 90th percentile height sounds impressive, the FAA considers anything less than the 99.9th percentile height as likely to occur and to be avoided. Using the same chart and aircraft that Ms. Gresock used but at this percentile, the plumes from the stacks could have areas of potentially severe turbulence approximately 788 to 1520 feet above the stacks which puts even the 2750 pound Navion at risk over the old plant, to say nothing about the significantly greater danger for a 1320 pound light sport aircraft with the larger proposed plant.

I encourage the Council to amend Number 105 to state that "plumes from the stacks could have areas of potentially severe turbulence of up to 1520 feet or greater above the stacks, depending on the size of aircraft."

Number 106 states:

Visible plumes from the stacks would only interrupt the controller's line of sight for very short periods. Specifically, at 41 to 109 nautical miles per hour (i.e. knots), which is the typical range for a Cessna 172 light

sport aircraft, a plane would travel 69 to 184 feet per second. As a result, a light sport aircraft would expected [sic] to traverse a thermal plume in approximately two to five seconds. Given that a plume would only limit the controller's visibility for very short period of time, there is no reason for a pilot to alter their course based on visibility issues. (CPV 29, Additional FAA Information, pp. 1-2)

Incredulously, the applicant's Aviation Expert, Clyde Pittman, indicated under oath that "a plume is not defined as a cloud" (Transcript p. 321). He states that FAA publication AC00-6A defines a cloud. From page 42 of that publication, "a cloud is a visible aggregate of minute water or ice particles suspended in air." Clearly, visible plumes are aggregates of minute water or ice particles suspended in air and Mr. Pittman is flatly wrong. He further states, again under oath, that "there is nothing in the FAA criteria that says [flying through a plume] is unsafe." I refer the Council to 14 CFR 91.155 which requires a pilot to remain 2000 feet away from any cloud (including clouds produced by plumes) and to Mr. Pittman's own quote of 14 CFR 91.13 which, as he states, requires pilots not to behave in a reckless manner. (CPV 29, Additional FAA Information, p. 1). I encourage the council to amend Number 106 to read:

As defined by 14 CFR 91.155, VFR pilots are required to remain 2000 feet away from any cloud (including clouds produced by visible plumes).

These erroneous findings of fact suggest that the Council has relied on experts that have a particular agenda to satisfy, be it applicant or intervenor. As there is no pilot/aviation expert on the Siting Council, I encourage the Council to retain its own pilot/aviation expert advice to parse reality from advocacy. I suggest your expert visit Oxford Airport and discuss the proposed power plant with the FAA tower personnel and distinguish the difference between corporate jet activity at the airport – which will have little to no impact by the placement of the proposed power plant – and small piston powered single engine aircraft including light sport aircraft, which will be significantly and dangerously impacted.

I encourage the Council to do its own MITRE Corp modeling as this is the appropriate tool to be used by state and local permitting agencies to evaluate compatibility of exhaust plumes with aviation. An impartial calculation of MITRE's modeling will demonstrate an undue increase in safety risks to Light Sport Aircraft if the proposed power plant is permitted and constructed. I believe that based on an objective Mitre modeling calculation following FAA protocol, which the Council should undertake, the application in its present form would be denied.

If the Council chooses not to retain its own pilot/aviation expert, I urge it to defer any decision to the release of the FAA's updated Advisory Circular which will provide additional substantive land use compatibility guidance to permitting agencies, including the evaluation of thermal exhaust plumes. This document is due to be published later this year. At most the Connecticut Siting Council should withhold issuing a final determination until the FAA recommended guidance is applied to this project.

In the absence of these suggestions, I believe the substantial weight of evidence shows an unacceptable risk to pilots and the general public should this project be approved.

Sincerely,



Burt Stevens

President, Oxford Flying Club, Inc.

FAASTeam Lead Representative

Master Instructor – ATP, CFII, MEI



29 Orton Lane • PO Box 371

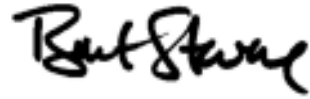
Woodbury CT 06798

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Cell (203) 558-1114 • BStevens@snet.net

CERTIFICATION

I certify that a copy of the attached document was sent on April 27, 2015, via U.S. First-Class mail or electronic mail, to each participant on the attached service list for this proceeding.

A handwritten signature in black ink, appearing to read "Burton L. Stevens". The signature is written in a cursive, slightly slanted style.

Burton L. Stevens

**LIST OF PARTIES AND INTERVENORS
SERVICE LIST**

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	CPV Towantic, L.L.C.	Franca L. DeRosa, Esq. Philip M. Small, Esq. Brown Rudnick LLP 185 Asylum Street Hartford, CT 06103 (860) 509-6500 (860) 509-6501 – fax fderosa@brownrudnick.com psmall@brownrudnick.com
Party	Jay Halpern 58 Jackson Cove Road Oxford, CT 06478 h: 203-888-4976 zoarmonster@sbcglobal.net Peter Thomas 72 Towantic Hill Rd. Oxford, CT 06478 203-720-1536	
Intervenor	Town of Middlebury	Attorney Dana A. D'Angelo Law Offices of Dana D'Angelo, LLC 20 Woodside Avenue Middlebury, CT 06762 (203) 598-3336 (203) 598-7283 – fax Dangelo.middlebury@snet.net Stephen L. Savarese, Esq. 103 South Main Street Newtown, CT 06470 203-270-0077 attystephensavarese@gmail.com
Intervenor	The Connecticut Light and Power Company (CL&P)	Stephen Gibelli, Esq. Associate General Counsel The Connecticut Light and Power Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-5513 (860) 665-5504 –fax gibels@nu.com

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
	CL&P continued...	<p>John R. Morissette Manager-Transmission Siting and Permitting The Connecticut Light and Power Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-2036 morisjr@nu.com</p> <p>Christopher R. Bernard Manager, Regulatory Policy (Transmission) The Connecticut Light and Power Company P.O. Box 270 Hartford, CT 06141-0270 (860) 665-5967 (860) 665-3314 – fax bernacr@nu.com</p> <p>Stella Pace, Senior Engineer The Connecticut Light and Power Company Transmission and Interconnection Dept. P.O. Box 270 Hartford, CT 06141-0270 (860) 665-3569 paccess@nu.com</p> <p>Jeffery D. Cochran Northeast Utilities Service Company 107 Selden Street Berlin, CT 06037 860-665-3548 cochrjd@nu.com</p>
Party	Town of Oxford	<p>Kevin W. Condon, Esq. Condon & Savitt PC P.O. Box 570 Ansonia, CT 06401 203-734-2511 condonsavitt@comcast.net</p>
Party	Naugatuck Valley Chapter Trout Unlimited	<p>Robert M. Perrella, Vice President TU Naugatuck/Pomperaug Valley Chapter 278 W. Purchase Road Southbury, CT 06488-1004 johnnytroutseed@charter.net</p>

Intervenor	Town of Southbury	Ed Edelson First Selectman Town of Southbury 501 Main Street Southbury, CT 06488 selectman@southbury-ct.gov (203) 262-0647 (203) 264-9762 – fax
Party	The Pomperaug River Watershed Coalition	Len DeJong, Executive Director Pomperaug River Watershed Coalition 39 Sherman Hill Road, C103 Woodbury, CT 06798 203-263-0076 LDeJong@pomperaug.org
Intervenor (approved 06/07/06)	Raymond Pietrorazio 764 Charcoal Avenue Middlebury, CT 06762-1311 (203) 758-2413 (203) 758-9519 – fax ray@ctcombustion.com	
Intervenor (approved 10/10/06)	GE Energy Financial Services, Inc.	Jay F. Malcynsky The Law Offices of Jay F. Malcynsky, P.C. One Liberty Square New Britain, CT 06051 (860) 229-0301 (860) 225-4627 – fax jmalcynsky@gaffneybennett.com
Intervenor (Approved on November 13, 2014)	Borough of Naugatuck and Borough of Naugatuck Water Pollution Control Authority	Edward G. Fitzpatrick, Esq. Alicia K. Perillo, Esq. Fitzpatrick, Mariano, Santos, Sousa, PC 203 Church Street Naugatuck, CT 06770 203-729-4555 Fitz@fmslaw.org alicia@fmslaw.org Ronald Merancy, Chairman Water Pollution Control Authority 229 Church Street Naugatuck, CT 06770 203-720-7000 Rjm62156@aol.com

Intervenor <i>(Approved on January 8, 2015)</i>	Wayne McCormack 593 Putting Green Lane Oxford, CT 06478 wayne@waynemccormack.com	
Intervenor (Approved on January 8, 2015)	Naugatuck River Revival Group, Inc.	Kevin R. Zak, President Naugatuck River Revival Group, Inc. 132 Radnor Avenue Naugatuck, CT 06770 kznrrg@sbcglobal.net 203-530-7850
Intervenor (Approved on January 8, 2015)	Westover Hills Subdivision Homeowners	Chester Cornacchia Westover Hills Subdivision Homeowners 53 Graham Ridge Road Naugatuck, CT 06770 203-206-9927 cc@necsonline.com
Intervenor (Approved on January 8, 2015)	Westover School	Kate J. Truini Alice Hallaran Westover School 1237 Whittemore Road Middlebury, CT 06762 203-758-2423 ktruini@westoverschool.org ahallaran@westoverschool.org
Intervenor (Approved on January 8, 2015)	Greenfields, LLC and Marian Larkin	Edward S. Hill, Esq. Cappalli & Hill, LLC 325 Highland Avenue Cheshire, CT 06410 203-272-2607 ehill@cappalihill.com
Intervenor (Approved on January 8, 2015)	Lake Quassapaug Association, LLC	Ingrid Manning, Vice President Lake Quassapaug Association, LLC P.O. Box 285 Middlebury, CT 06762 203-758-1692 Ingridmanning2@gmail.com

Intervenor (Approved on January 8, 2015)	Middlebury Land Trust, Inc.	W. Scott Peterson, M.D., President Middlebury Land Trust, Inc. 317 Tranquility Road Middlebury, CT 06762 203-574-2020 wsp@aya.yale.edu
Intervenor (Approved on January 15, 2015)	Quassy Amusement Park	George Frantzis Quassy Amusement Park P.O. Box 1107 Middlebury, CT 06762 203-758-2913 ext 108 george@quassy.com
Intervenor (Approved on January 15, 2015)	Middlebury Bridle Land Association	Nancy Vaughan Middlebury Bridle Land Association 61 Sandy Hill Road Middlebury, CT 06762 203-598-0697 ndzjavaughan@gmail.com
Intervenor (Approved on January 15, 2015)	Dennis Kocyla 28 Benz Street Ansonia, CT 06401 203-736-7182 Dennis3141@yahoo.com	
Intervenor (Approved on January 15, 2015)	Naugatuck Valley Audubon Society	Sophie Zyla Jeff Ruhloff Carl Almonte Naugatuck Valley Audubon Society 17 Stoddard Place Beacon Falls, CT 06403 203-888-7945 NVASeditor@mail.com
Intervenor (Approved on January 15, 2015)	Oxford Flying Club	Burton L. Stevens Oxford Flying Club, Inc. P.O. Box 371 Woodbury, CT 06798 203-236-5158 bstevens@snet.net