



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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PETITION NO. 309

Request for Rulings Concerning Lisbon RRF
Connecticut Resources Recovery Authority
Staff Report
October 20, 1993

At a public meeting on July 14, 1993, the Connecticut Siting Council (Council) determined that a decision on the Connecticut Resources Recovery Authority (CRRA) petition for declaratory rulings that a) because Riley Energy Systems of Lisbon Corporation (RESOL) obtained neither the required minimum amount of waste from the required communities specified in the Decision and Order (D&O), nor an amendment of its Certificate, RESOL has not met the conditions of its Certificate of Environmental Compatibility and Public Need (Certificate) and cannot proceed with construction; and b) because the new towns RESOL proposed to serve at the Lisbon Resource Recovery Facility (Facility) can be served without constructing a new source of pollution, sections 22a-14 through 22a-20 of the Connecticut General Statutes prevent RESOL from substituting the new towns for the towns required by the Certificate, would be postponed until a decision was rendered by the Council on the Council's resolution to consider amendment of the D&O and Certificate issued for the Facility in Docket No. 110.

Subsequently, at a public meeting on October 4, 1993, the Council approved an amendment of the D&O and Certificate issued for the Facility in Docket No. 110 to allow additional municipalities to participate with the Facility. Section 1g of the D&O now states:

"The Certificate holder shall submit confirmation of executed contracts for acquisition of MSW totalling 425 tons per day. Preference for future contracts shall be given in this order: 1) communities that were identified in the Council's 1990 Findings of Fact as submitting letters of intent and interest, 2) members of the Northeastern Connecticut Regional Resource Recovery Authority (NCRRA), 3) eastern Connecticut communities, and 4) other Connecticut communities."

Consequently, staff believes that the issues addressed in the CRRA's petition for a declaratory ruling are moot at this time.

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