



*STATE OF CONNECTICUT*

**COUNCIL ON ENVIRONMENTAL QUALITY**

April 27, 2022

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Melanie Bachman, Executive Director  
Connecticut Siting Council  
Ten Franklin Square  
New Britain, CT 06051

PETITION NO. 1503 - Bloom Energy Corporation petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a customer-side 750-kilowatt fuel cell facility and associated equipment to be located at Milford Hospital, 300 Seaside Avenue, Milford, Connecticut.

Dear Ms. Bachman:

The Council on Environmental Quality (“Council”) supports the development of clean, renewable energy technologies on appropriate sites in Connecticut. The Council offers the following comments regarding Petition 1503.

**1. Noise**

The Petitioner states that the site is defined as a Class A noise zone and the nearest property boundary is a residential parcel, which is also a Class A noise zone. Under “Scenario 2” in the Petition, the sound model predicts that at 87 feet the sound level would be 46.7 dBA.

Section 22a-69-3.5 of the Regulations of Connecticut State Agencies (RCSA) does not allow nighttime noise levels to Class A receptors to exceed 45 dBA, unless the emitter is in a Class C noise zone, which this one is not. The Petitioner states, “In light of ambient noise from Hospital operations, including the adjacent Emergency Department entrance, and nearby roads, the incremental sound from operation of the Facility is anticipated to be minimal.” This suggests the Petitioner is asserting that Section 22a-69-3.6 applies due to the presence of background noise:

**“Sec. 22a-69-3.6. High background noise areas**

In those individual cases where the background noise levels caused by sources not subject to these Regulations exceed the standards contained herein, a source shall be considered to cause excessive noise if the noise emitted by such source exceeds the background noise level by 5 dBA, provided that no source subject to the provisions of Section 3 shall emit noise in excess of 80 dBA at any time, and provided that this Section does not decrease the permissible levels of the other Sections of this Regulation.”

If that is the regulation which the Petitioner is invoking, a showing of what the background noise levels are would complete the information needed to evaluate compliance with the state’s noise regulations for high background noise areas.

The Council notes that the comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council's administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council's comments.

Sincerely,

A handwritten signature in cursive script, reading "Peter Hearn", enclosed in a rectangular box.

Peter Hearn  
Executive Director