



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

January 22, 2025

Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
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PETITION NO. 1653 – East Point Energy, LLC (Petitioner) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 20-megawatt AC battery energy storage facility and associated equipment located at 1825 South Main Street, Middletown, Connecticut, and associated electrical interconnections.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1653.

1. Public Water Supply

The Petitioner states that the “groundwater underlying the majority of the Property is classified by publicly available DEEP mapping as “GA”, with western portions of the Property classified as “GAA” and that “the far western edge of the Property is located in the Middletown Water Department’s Public Water Supply Watershed (ID #CT0830011). The watershed supplies the Laurel Brook Reservoir.” The Council recommends that the Petitioner 1) review and incorporate the protective measures identified in the Department of Public Health’s “General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area” guidance document, and 2) notify the Middletown Water Department and local health department prior to the commencement of construction. Protecting groundwater for drinking water and other needs (e.g., fire-fighting) is becoming more and more important. The Council also recommends that the emergency response plan give due consideration to the protection of groundwater.

2. Spill Prevention and Emergency Response Plan

The Petitioner states that “a Spill Prevention, Control, and Countermeasure (“SPCC”) Plan, and an Operations and Maintenance (“O&M”) Plan will be developed for the Project”. The Petitioner also states that they are coordinating with both local emergency response and the original equipment manufacturer to finalize a site-specific emergency response plan for the proposed facility. The Council recommends that the referenced documents and any external environmental quality plans and/or standards, referenced by the Petitioner, be submitted to the Siting Council for inclusion in the record, consideration, and possible incorporation into permits.

3. Noise

The Petitioner states that predicted “sound levels emanating from the Project’s equipment will comply with State noise standards at the southern Property boundary but that sound levels at the east, north and west Property boundaries will exceed State noise standards. A sound wall

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Executive Director

will be installed around all sides of the equipment to provide adequate mitigation for compliance with State noise standards.” The Council recommends that the Petitioner conduct a post-construction noise study, when the facility is at full operation, to confirm compliance with applicable noise standards.

4. Wildlife

The Petitioner states that “one federally listed threatened species, tricolored bat (“TCB”), is known to occur in the vicinity of the Property” and that a time of year restriction for tree clearing is required by the United States Fish and Wildlife Service as a condition of the “may affect, not likely to adversely affect (NLAA)” determination for TCB. The Council recommends that the Petitioner 1) confirm the dates for the time of year restriction on tree clearing, and 2) consult with the Connecticut Department of Energy and Environmental Protection’s (DEEP) Wildlife Division regarding additional protective measures to minimize any potential impacts on TCB and other tree-nesting bat species.

The Council’s comments above addresses 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 black ink that reads "Paul Aresta". The signature is written in a cursive, flowing style.

Paul Aresta
Executive Director