



## STATE OF CONNECTICUT

# COUNCIL ON ENVIRONMENTAL QUALITY

### VIA ELECTRONIC MAIL

May 28, 2025

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PETITION NO. 1668 – Johnson Controls Inc. (JCI) (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 grid-side 3.9-megawatt fuel cell facility and associated equipment located at 25 North Main Street, Ansonia, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1668.

#### Soils

The Council questions if the property identified in the Petition and depicted on Petitioner's map titled "JCI Fuel Cell Ansonia Map", dated January 30, 2025 as 25 N. Main Street in Ansonia is also identified as 35 N. Main Street, consistent with the City of Ansonia's assessor's records (see attached map). The Council notes that the address of Connecticut Siting Council Petition 1595 (approved February 16, 2024) was 35 N. Main Street.

The Council notes that 35 N. Main Street is on the Connecticut Brownfield Inventory<sup>1</sup> as "Municipal Brownfield Liability Relief Program (MBLR), Urban Sites Remedial Action Program (US RAP)." The Council supports the redevelopment of brownfield sites to more productive use; however, precautions should be considered if the proposed project requires disturbance of the underlying material. The Council recommends that the Petitioner assess the proposed site, by sampling soil, groundwater and/or soil vapor. Such assessment will assist the Petitioner to minimize disturbance of potentially contaminated material and help ensure the health and safety of project personnel. If any soil and/or other materials, which are proposed to be disturbed/removed due to the construction of the proposed facility, are found to be contaminated, the Council also recommends that the Petitioner 1) notify the Connecticut Department of Energy and Environmental Protection (DEEP) Remediation Division, and 2) appropriately characterize and treat, or dispose of the soils/material at an approved location, consistent with applicable regulations.

#### Noise

The Petitioner states that "the subject fuel cell installation project will meet the noise ordinance limits of Ansonia, CT", however, the noise study indicates that "sound power data for each individual fuel cell Server was taken from a 2016 acoustics memo on "Bloom Energy Server 5"

fuel cells.” The Council notes that the twelve fuel cells proposed for this project are the “Bloom Energy Server 6.5”, which might have a different sound profile. Further, the Council questions if the “nine 460-kW HyAxiom PureCell Model 400 fuel cell power modules”, approved in the Siting Council’s Decision for Petition 1595 for 35 N. Main Street, has or will be developed and if so, would the noise analysis for the proposed fuel cells need to consider existing background noise. Lastly, the Petitioner notes that the calculated sound at the nearest residential property, located at 25 N. Cliff Road approximately 125 feet from the proposed facility, would be 49 dBA. Since the nighttime ordinance limits for residential receptors from an industrial emitter is 51 dBA, the Council recommends that the Petitioner 1) recalculate the projected sound levels at the nearest residential properties, given the factors noted above, and 2) conduct a fuel cell operational noise study to confirm compliance with applicable noise control regulations.

The Council’s 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 black ink, appearing to read "Paul Aresta", written in a cursive style.

Paul Aresta  
Executive Director

Attachment (1) City of Ansonia - MapXpress Property Information Viewer – 35 N. Main Street

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<sup>1</sup> Connecticut Brownfield Inventory;

<https://ctdeep.maps.arcgis.com/apps/MinimalGallery/index.html?appid=eb8adbee72644fa1bbe4c5d08a10fb33#viewer=290b68d842d743dba1b97c3364f5ae46>

