



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

April 25, 2019

TO: Parties and Intervenors

FROM: Melanie Bachman, Executive Director *MAB*

RE: **DOCKET NO. 470B** – NTE Connecticut, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a 550-megawatt dual-fuel combined cycle electric generating facility and associated electrical interconnection switchyard located at 180 and 189 Lake Road, Killingly, Connecticut. Reopening of this application based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).

Additional comments have been received from the Drinking Water Section of the Connecticut Department of Public Health, dated April 24, 2019. A copy of the comments is attached for your review.

MB/MP/laf

c: Council Members

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

Renée D. Coleman-Mitchell, MPH
Commissioner

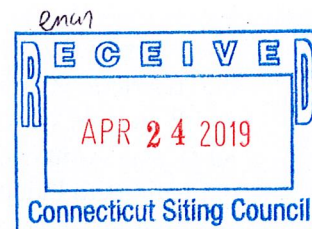


Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

DRINKING WATER SECTION

April 24, 2019

Melanie Bachman, Esq.
Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06021



RE: Docket No. 470B—Application of NTE Connecticut, LLC for a Certificate of Environmental Compatibility and Public Need for the Construction, Maintenance, and Operation of a 550-Megawatt Dual-Fuel Combined Cycle Electric Generating Facility and Associated Electrical Interconnection Switchyard Located at 180 and 189 Lake Road, Killingly, Connecticut—Reopening of this application based on changed conditions pursuant to Connecticut General Statutes §4-181a(b)

Dear Attorney Bachman:

This is in regards to a letter dated April 8, 2019, that NTE Connecticut, LLC (“NTE”) sent to the Department of Public Health (“the DPH”) regarding the above-referenced docket. In its April 8, 2019 letter, pursuant to a request made to NTE by the Connecticut Siting Council at its April 4, 2019 evidentiary hearing regarding the above-referenced docket, NTE asked that the DPH modify Comment # 3 of its March 14, 2019 letter to the Connecticut Siting Council and provide a response regarding such modification directly to the Council. Specifically, NTE requested that the DPH change the requirement that CWC construct the water system improvements, including the interconnection of the Crystal and Plainfield Systems, and obtain approval for use of such improvements, from “prior to construction of the KEC plant” to “prior to operation of the KEC plant. According to NTE, the DPH’s Comment # 3 is problematic given the anticipated sequencing for the on-site and off-site project improvements.

By way of background, the DPH submitted comments to the Connecticut Siting Council regarding NTE’s application for a certificate of environmental compatibility and public need for the construction, maintenance, and operation of an electric generating facility and associated electrical interconnection switchyard in Killingly, Connecticut, on October 20, 2016, with respect to the



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Melanie Bachman, Esq.
Executive Director
April 24, 2019
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original docket, and on March 14, 2019, with respect to the above-referenced docket. In both the October 20, 2016 and the March 14, 2019 comments, the DPH stated that CWC must construct the water supply improvements and obtain approval for their use prior to the construction of the KEC plant. The DPH provided this comment to the Connecticut Siting Council because both NTE and CWC made clear that if CWC is to serve the KEC plant, which is necessary for the KEC plant's operation, an interconnection of the Crystal and Plainfield Systems is necessary in order for CWC to maintain an adequate margin of safety.

In its April 8, 2019 letter to the DPH, NTE explained that, while it is understandable and acceptable that restrictions on KEC's operations would be contingent upon the interconnection of the Crystal and Plainville systems, waiting until that interconnection is completed to start construction of the KEC plant would not allow NTE to complete facility construction in time to meet its in-service obligations to Independent Systems Operator-New England ("ISO-NE"). Understanding the time constraints under which NTE is for completion of the construction of the KEC plant and recognizing that as long as CWC completes construction of the water supply improvements, and obtains DPH approval for use of such improvements, prior to operation of the KEC plant, CWC, based on its December 14, 2016 letter to NTE, will maintain its margin of safety even with the addition of the KEC plant as a consumer, the DPH hereby modifies Comment # 3 of its March 14, 2019 letter as follows:

Since CWC's water supply analysis includes use of an interconnection between the Crystal and Plainfield systems to demonstrate an adequate margin of safety, then water supply infrastructure improvements must be constructed and approved for use prior to operation of the KEC plant.

In addition, the DPH requests that the Connecticut Siting Council make such certificate of environmental compatibility and public need conditioned on CWC's completion of the water supply improvements, including the interconnection of the Crystal and Plainville systems, and approval for such improvements by the DPH.

Thank you for the opportunity to provide additional comments regarding the above-referenced docket. If you have any questions or would like additional information, please do not hesitate to contact Patricia Bisacky, Environmental Analyst 3, at (860) 509-7333.

Sincerely,



Lori J. Mathieu
Public Health Section Chief

Copy to:

Kenneth C. Baldwin, Esq., Robinson + Cole
Mr. Craig Patla, Connecticut Water Company