



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

January 25, 2021

TO: Service List, dated December 15, 2020

FROM: Melanie Bachman, Executive Director *MAB*

RE: **PETITION NO. 1438** - 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 a customer-side 500-kilowatt AC fuel cell facility and associated equipment to be located at 69 (a/k/a 65) Woodland Street and a customer-side 500-kilowatt AC fuel cell facility and associated equipment to be located off of Drake Hill Road, both located at the Dyno Nobel campus in Simsbury, Connecticut.

Comments have been received from the Connecticut Council on Environmental Quality, dated January 21, 2021. A copy of the comments is attached for your review.

MB/emr

c: Council Members



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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Executive Director

January 21, 2021

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

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Dear Ms. Bachman:

The Council on Environmental Quality ("the Council") received notice of Petition 1438 (Petition) on December 16, 2020. There was insufficient time to review it and prepare comments for Council approval prior to its December 18th meeting. Subsequent to that meeting, Council staff has reviewed the Petition and offers the following comments:

1) Noise

The Petitioner states that the host parcel for Site 2 is classified as a Class C emitter (Manufacturing) and that the nearest receptor is a residentially developed property, which is classified as a Class B receptor. This is in error as a residential property is classified as a Class A receptor. The Petitioner also states that the nearest property line to Site 2 is approximately 30 feet and the results of the sound model at 30 feet are 56.2 dBa (Page 10). This would exceed the State's nighttime standard for a Class C emitter to a Class A receptor (residential), which is 51 dBa. The Council recommends that the Petitioner confirm the results of the noise model for the proposed Site 2 facility and propose appropriate attenuation, if needed, for the proposed facility to conform with the applicable noise standard.

2) Wetlands

The Petitioner states that, according to the Town Inland Wetlands Map, the southern portion of Site 2 is within an identified wetland area. However, the Petitioner suggests that the "wetlands appear to be located further to the south beyond the project area, associated with Hop Brook" (Page 6). In Connecticut, wetlands are defined by soil type¹, not the appearance of the land at the surface. Consequently, the Council recommends that the Petitioner undertake a soil survey of the proposed disturbed areas to determine if wetland soils are present.

Thank you for your consideration of these comments. Please do not hesitate to contact the Council if you have any questions.

Sincerely,

Peter Hearn, Executive Director

¹ Connecticut General Statutes, Sec. 22a-38. Definitions. "Wetlands" means land, including submerged land, not regulated pursuant to sections 22a-28 to 22a-35, inclusive, which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the National Cooperative Soils Survey, as may be amended from time to time, of the Natural Resources Conservation Service of the United States Department of Agriculture.