



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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VIA ELECTRONIC MAIL

August 17, 2023

Bruce L. McDermott, Esq.
Raquel Herrera-Soto, Esq.
Murtha Cullina LLP
One Century Tower
265 Church Street, 9th Floor
New Haven, CT 06510-1220
bmcdermott@murthalaw.com

RE: **PETITON NO. 1533A** – ReNew Developers, LLC Declaratory Ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a customer-side 4.99-megawatt fuel cell facility and associated equipment to be located at 42 Old Amston Road, Colchester, Connecticut. **Reopening of this Declaratory Ruling based on changed conditions pursuant to Connecticut General Statutes §4-181a(b).**

Dear Attorneys McDermott and Herrera-Soto:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than September 7, 2023. Please submit an original and 15 copies to the Council's office and an electronic copy to siting.council@ct.gov. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies, the Council requests all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Please be advised that the original and 15 copies are required to be submitted to the Council's office on or before the September 7, 2023, deadline.

Copies of your responses are required to be provided to all parties and intervenors listed in the service list, which can be found on the Council's website under the "Pending Matters" link.

Any request for an extension of time to submit responses to interrogatories shall be submitted to the Council in writing pursuant to §16-50j-22a of the Regulations of Connecticut State Agencies.

Sincerely,

A handwritten signature in dark ink, appearing to read "Melanie Bachman".

Melanie Bachman
Executive Director

MB/MP/dll

c: Service List dated July 20, 2023

Petition No. 1533A
ReNew Developers, LLC
42 Old Amston Road
Colchester, CT
Interrogatories

Notice

1. Referencing p. 8 of the Motion to Reopen (MTR) and Exhibit C of the Petition Addendum, has the Town of Colchester, the Town of Hebron or any abutting property owners provided comments to ReNew Developers, LLC (ReNew) since the MTR filing? If so, please summarize the comments.

Project Development

2. Referencing the Town of Colchester's May 14, 2022 correspondence in the original petition and page 7 of the Petition Amendment, is the proposed fuel cell designed to support a community microgrid?
3. Referencing page 7 of the Petition Addendum, describe in detail how the fuel cell facility is configured as a microgrid.

Proposed Site

4. Referencing page 7 of the Petition Addendum, ReNew states, "A dedicated gas main will be constructed for the 18 MW facility at Old Amston Road;" however, other portions of the Petition Addendum and the original petition for the 4.99 MW facility indicate interconnection to an existing gas main along the Airline Trail. Please clarify.
5. Provide site plans showing the location of the data center in relation to the approved fuel cell facility and the proposed fuel cell facility.
6. Provide the length of the proposed gravel driveway.

Interconnection

7. Would interconnection of the proposed facility impact gas and water supply to the other two nearby fuel cell facilities?
8. Would modifications to Judd Brook Substation be required for the interconnection of the proposed fuel cell facility?
9. Provide the distance of the new utility pole from the proposed facility interconnection point.
10. Referencing page 6 of the Petition Addendum, Sheet SP-1 in Appendix A of the Petition and Sheet SP-1 from the original petition, would the fuel cell facilities share the same new utility pole for interconnection? Was the 4.99 MW fuel cell facility interconnection pole relocated?

Public Safety

11. Could the construction or operation of the proposed facility impact or interfere with any existing utilities or infrastructure within the surrounding area? If so, identify any measures that would be employed to protect existing utilities or infrastructure from impact or interference.
12. Would any nitrogen cylinders be stored on site?
13. Would lighting be installed at the facility?
14. Would a crane be required for construction? If yes, would notice to the Federal Aviation Administration be required for the temporary use of a crane?
15. Has ReNew consulted with the DEEP Dam Safety Division regarding permitting requirements, if any, for the proposed stormwater basin? Is the proposed stormwater basin an excavation-type basin or berm-type basin?

Environmental Effects and Mitigation Measures

16. Referencing page 12 of the Petition Addendum has ReNew submitted an application for a General Permit to the Department of Energy and Environmental Protection? If no, approximately when does ReNew anticipate filing for the General Permit?
17. For a Department of Energy and Environmental Protection General Permit (GP) on the same parcel as a previous project, could the GP be revised or is a reapplication required? If either, are new historic preservation and Natural Diversity Database reviews required? Explain.
18. Would the proposed stormwater management basin require periodic maintenance? If so, please provide details.
19. What is the distance of the nearest 100 year flood zone from the facility?
20. Is the dewatering area located within the 100 year flood zone? What is the impact of this on the drainage swale and nearby wetland?
21. Would it be possible to move the facility in any direction or configuration to increase the distance from the LOD to the wetland?
22. Referencing Appendix F of the Environmental Assessment, provide the acreage or number of trees six inches in diameter or greater that would be removed for installation of the proposed facility.
23. Referencing page 18 of the Petition Addendum, a modular block retaining wall is proposed at the nearest point of the proposed fuel cell facility to the wetland. Page 17 indicates the nearest point of the fuel cell facility would be a grass lined stormwater basin at the southwest corner of the site located 22 feet east of the wetland. How was the location determined? Why is the retaining wall necessary?
24. Page 18 of the Petition Addendum states, "The construction of this retaining wall will cause temporary impacts in adjacent upland areas within 1.5 feet of the wetland..." Please elaborate on the temporary impacts.

25. Referencing page 16 of Exhibit A of the Petition Addendum, approximately how much clearing of edge forest (acres or number of trees 6 inches in diameter at breast height or greater) would occur to develop the proposed fuel cell facility?