

STATE OF CONNECTICUT CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051 Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov
Web Site: portal.ct.gov/csc

VIA ELECTRONIC MAIL

January 11, 2023

Deborah Denfeld
Team Lead – Transmission Siting
Eversource Energy
P.O. Box 270
Hartford, CT 06141-0270
deborah.denfeld@eversource.com

RE: **PETITION NO. 1535** – The Connecticut Light and Power Company d/b/a Eversource Energy declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed Ledyard Junction to Mystic Substation Upgrade Project consisting of the replacement and reconductoring of approximately 12.8 miles of its existing No. 1280 115-kilovolt (kV) electric transmission line within existing Eversource electric transmission right-of-way between Eversource's Ledyard Junction in Ledyard and Mystic Substation in Stonington, Connecticut and related electric transmission line and substation improvements.

Dear Deborah Denfeld:

The Connecticut Siting Council (Council) is in receipt of Eversource's Proposed Work Methods addressing the Department of Public Health recommendations dated January 9, 2023 in compliance with Condition No. 2 of the Council's Declaratory Ruling of December 23, 2022 for the above-referenced project.

The Council acknowledges that the condition has been satisfied. This acknowledgment applies only to the condition satisfied by the January 9, 2023 correspondence.

Please be advised that deviations from the standards established by the Council in the Declaratory Ruling are enforceable under the provisions of Connecticut General Statutes §16-50u.

Thank you for your attention and cooperation.

Sincerely,

Melanie A. Bachman Executive Director

MB/MP/laf

c: Kathleen Shanley, Manager – Transmission Siting, Eversource Energy (kathleen.shanley@eversource.com)

From: Bellion, Susan J <susan.bellion@eversource.com>

Sent: Monday, January 9, 2023 3:40 PM

To: Bachman, Melanie < Melanie.Bachman@ct.gov>; CSC-DL Siting Council

<Siting.Council@ct.gov>

Cc: DENFELD, DEBORAH < deborah.denfeld@eversource.com>

Subject: Petition 1535: Response to Condition #2 of Approval Decision

Dear Ms. Bachman:

Attached is the above referenced Response to Condition #2 of the CSC approval of this Petition. The original and 15 copies will be hand delivered to your office on Wednesday afternoon.

Thank you.

Best,



Sue Bellion – Transmission Siting – Project Siting Specialist Eversource Energy Cell 203-313-4143 susan.bellion@eversource.com







January 9, 2023

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

Re: Petition 1535 – Ledyard Junction to Mystic Substation

Dear Ms. Bachman:

In accordance with Connecticut Siting Council's ("Council") approval ("Approval") on December 22, 2022 of the above referenced petition, Eversource hereby provides an original and 15 copies of the information requested in Condition #2 of the Approval.

Should you have any questions, please do not hesitate to contact me via email at deborah.denfeld@eversource.com or telephone at 860-728-4654.

Sincerely,

Deborah Denfeld

Team Lead - Transmission Siting

Deborah Denfeld

Enclosure

Petition 1535 – Responses to the Department of Public Health Drinking Water Section letter dated September 7, 2022

Following are Eversource's responses to the Department of Public Health Drinking Water Section's comments, dated September 7, 2022, regarding the potential impacts to any sources of public drinking water resources:

1. Eversource cites the use of temporary "construction mats" in the direct vicinity of public drinking water reservoirs and wetlands associated with public drinking water watersheds to provide a stable base for equipment. It is recommended that any matting in the vicinity of public drinking water resources be impermeable and provide adequate containment to protect against fuel or other hazardous material contamination to drinking water supply.

Response: A Spill Prevention and Control Plan ("SPCP") has been developed for this project that includes management of fueling and hazardous materials in proximity of the drinking water resources. See attached SPCP.

2. It is recommended that Eversource provide a detailed pollution prevention plan, including remediation measures and clear definitions of the "best management practices" referenced in the Petition. The aforementioned pollution prevention plan should be provided to the Department of Public Health, Groton Utilities, and Aquarion Water Co. for review.

Response: See attached SPCP.

3. It is recommended that Eversource work closely with Groton Utilities and Aquarion Water Co. to ensure any temporary structures, mechanical equipment and handling of fuel or other hazardous materials associated with the construction activities pose no threat to drinking water resources, will not result in disruption of service or compromise the quality of water distributed to consumers of the associated water utilities.

Response: Eversource has been in coordination with Groton Utilities since the inception of this project to support protection of drinking water resources and prevention of service disruption. Eversource has also reached out to Aquarion Water Company for similar protection measures. Eversource will continue such coordination to the extent that the water utilities request it during project construction and restoration.

4. Excavated soils generated during construction activities are suggested for use on site as backfill. Any imported, non-native backfill including "processed gravel" to be used around embedded structures must be "clean" and free of potential contaminants that may mobilize in the groundwater table. Wherever possible, disturbed vegetation as a result of soil excavation should be restored to mitigate erosion or further degradation to the surrounding area. Appropriate, low-impact controls for brush management should be incorporated into the permanent maintenance plan for the project.

Response: Excavated soils generated during construction will remain on site to the extent practicable; otherwise, they will be properly disposed off-site. No imported topsoil shall be used on this project. Any imported processed gravel shall consist of inorganic mineral material.

Vegetation disturbance shall be minimized to the maximum extent practicable, which is in accordance with the New England Cottontail Best Management Practices.

5. Proposed construction activities include utilizing flat-bed trucks, brush hogs, skidders, bucket trucks and other heavy equipment for the permanent conversion of approximately 2.2 acres of upland forest to brush. As forested areas are ideal for the preservation of ground and surface water drinking water supply sources, it is recommended that tree removal be limited in scope to that which is necessary to promote the structural integrity of and access and maintenance of the electrical transmission lines.

Response: Agreed. Vegetation removal associated with the transmission line work shall be limited to the extent necessary for removal of non-compatible species supporting needed conductor clearance distance from vegetation and to support development of safe work areas (access roads and work pads). All work shall comply with Eversource's Best Management Practices Manual (April 2022).

A 2.2-mile segment of overlapping distribution line project will necessitate tree clearing for new pole and overhead line locations. Similar to the transmission line work, the distribution line project will be subject to Eversource's Best Management Practices minimizing impacts to the extent practicable.

6. It is recommended that all machinery associated with construction activities be serviced and refueled outside of any public drinking water watersheds or associated reservoirs. In the event it is necessary to refuel within public drinking water watersheds or associated reservoirs, this should be conducted on an impervious pad with secondary containment designed to contain fuels.

Response: See attached SPCP.

7. All fuel and other hazardous materials should not be stored within any public drinking water watersheds or associated reservoirs. Any fuel or hazardous materials that must be kept within public drinking water watersheds or associated reservoirs during working hours should be stored on an impervious surface utilizing secondary containment. A fuel spill remediation kit should be stored on-site so that any spills may be contained and cleaned quickly.

Response:Please see response to question #6.

8. Groton Utilities and Aquarion Water Company personnel should be allowed to periodically conduct inspections throughout the course of this project to ensure that drinking water source quality is not being adversely impacted and that construction activities are conducted in accordance with best management practices.

Response: Groton Utilities and Aquarion Water Company have been invited to conduct inspections during all phases of the project.



EVERSOURCE'S LEDYARD JUNCTION TO MYSTIC SUBSTATION UPGRADE PROJECT SPILL PREVENTION AND CONTROL PLAN

1. INTRODUCTION

This Spill Prevention and Control Plan (SPCP) has been developed for Eversource's Ledyard Junction to Mystic Substation Upgrade Project (Project) to augment Eversource's standard best management practices in proximity to wetlands or reservoirs/other water resources within portions of Public Drinking Water Watersheds deemed potentially more susceptible to a large spill of hazardous materials, should one occur. Specifically, it shall be applied to Project work within or proximate to wetlands and watercourses within 1. Ledyard and Groton Reservoir System Drinking Water Watersheds associated with Ledyard Reservoir (Groton Utilities); and 2. Palmer/Dean System Drinking Water Watershed associated with Dean's Mill Reservoir (Aquarion Water Company). Specifically, this SPCP shall be applied to the following Project work areas:

- ➤ Structures 8394 8396 (200 Scale Petition Map Sheets 8 & 9)
- ➤ Structures 8441 8444; 8448 8449; 8451 & 8451A (200 Scale Petition Map Sheets 18 20)

This SPCP describes measures to minimize the potential for a spill of petroleum products or a hazardous or toxic substance and, in the event that a spill does occur, to contain and control the release to minimize the effects. Eversource will require all construction contractors to adhere to the procedures presented in this SPCP during Project construction. No on-site bulk storage of petroleum or other regulated substances will be permitted within Project areas subject to this SPCP.

Copies of this SPCP shall be provided to Eversource's Project Construction Representative and Contractors. Accordingly, this SPCP describes:

- Designation of a Connecticut-Licensed Spill Response and Cleanup Contractor;
- The identification of petroleum products and materials classified as hazardous or toxic that are likely to be used during Project construction;
- Training, equipment inspection and maintenance, and other procedures designed to minimize the potential for a spill;
- The transport, storage, and disposal procedures for these substances; and
- The procedures to be followed in the event of a release of a petroleum or hazardous / toxic substance to the environment, including a spill reporting protocol. Attachment B includes a copy of the Spill Report Form that construction contractors must complete and submit to Eversource in the event of a spill.



2. IDENTIFICATION OF PETROLEUM PRODUCTS AND OTHER HAZARDOUS / TOXIC SUBSTANCES USED DURING CONSTRUCTION, AND DESIGNATION OF CLEANUP CONTRACTOR

2.1 Materials Subject to this SPCP

The principal materials used during the Project that are addressed in this SPCP are petroleum products, such as fuels, lubricants, fluids, and related materials used for the operation of vehicles and equipment. Also included are other substances classified as hazardous or toxic that may be used during Project construction.

Each Contractor shall advise all employees of the petroleum products and hazardous / toxic substances that may be used during the Project and provide access to a Safety Data Sheet (SDS) for each such material. Due to the different types of petroleum products and other regulated materials that may be used during the completion of the Project, different handling and storage procedures may be required. Eversource requires all Contractors to adhere to all directions and warnings for products used during the Project.

2.2 Designation of a Connecticut-Licensed Spill Response and Cleanup Contractor and Monitor

Prior to the start of construction, each Contractor must identify a licensed spill response Contractor who can respond promptly, if required, during construction.

3. TRAINING AND BEST MANAGEMENT PRACTICES

Key measures to avoid spills during the completion of the Project include proper training of employees in spill prevention and control techniques, properly maintaining vehicles and equipment, and proper management of the storage and use of petroleum and hazardous / toxic substances used during completion of the Project. If a spill does occur, employees shall be trained in the techniques to contain, clean up, and report the spill promptly and properly.

3.1 Training

Prior to the start of work each Contractor will brief its employees on the requirements of this SPCP, make them aware of sensitive resources within and in the vicinity of the Project work sites, and inform them of the governing pollution control laws, rules, and regulations applicable to the work they will be completing.

Contractors shall implement standard practices and procedures aimed at minimizing the potential for spills and for promptly responding to and reporting spills, should they occur. Examples of such practices and procedures are:

- a. Inspect, operate, and maintain vehicles and equipment to minimize the potential for the accidental discharge or release of fuel, oil, or lubricants to the environment.
- b. Implement employee training / awareness regarding the handling of fuels and, as applicable, hazardous or toxic materials.
- c. Perform refueling to minimize the potential for a release to the environment.
- d. Maintain adequate supplies of spill response equipment, materials, and supplies in accessible locations for cleanup of a release.
- e. Conform to regulatory requirements and Eversource specifications regarding equipment operation, refueling, and the use of petroleum products near water resources.
- f. In the event of a spill, promptly respond and follow required reporting procedures.



3.2 Equipment Inspection and Maintenance

To minimize the potential for a spill due to equipment failure, Contractors shall be responsible for:

- a. Routinely inspecting and maintaining construction equipment, including hydraulic lines, valves, and other hoses;
- b. Promptly repairing any equipment leaks or faulty equipment components;
- c. Routinely inspecting and maintaining in good condition all containers, valves, pipes, hoses, and other components of storage areas for fuels and lubricants;
- d. Providing appropriately sized and provisioned spill containment kits to construction crews and replenishing such supplies as needed; and
- e. Maintaining stockpiles of spill cleanup materials at easily accessible locations.

In addition, Contractors will be responsible for providing portable toilets if deemed necessary. The Contractor shall be responsible for properly locating portable toilets in upland areas, away from any water resources, sensitive environmental resources, or other restricted areas, and for arranging for routine cleaning and maintenance of these facilities. In high wind areas, sanitary facilities may need to be anchored to prevent them from blowing over.

3.3 Fuel and Material Storage

Contractors shall implement the following procedures when storing fuels and hazardous / toxic substances within areas subject to this SPCP. These procedures are intended to limit the potential for spills and minimize the impact of releases that may accidentally occur.

- a. No bulk quantities of hazardous substances, toxic materials, or petroleum products will be stored within areas subject to this SPCP.
- b. Hazardous / toxic substances and/or petroleum products will be kept in original containers with the original manufacturer's label. Safety Data Sheet (SDS) information and applicable warnings for all stored materials will be provided as well.
 - Fuels that need to be kept in portable containers will be stored in tightly sealed containers designed to hold such fuels and will be clearly labeled.
 - All chemical and petroleum product containers stored on the site (excluding those contained within vehicles and equipment) shall be provided with impermeable containment which will hold at least 110% of the volume of the largest container, or 10% of the total volume of all containers in the area, whichever is larger, without overflow from the containment area.
- c. Manufacturer's recommendations for proper use of a product will be followed. If surplus product must be disposed of, the manufacturers' or state-recommended methods for proper disposal will be followed.
- d. Regularly inspect storage area for leaks.
- e. When possible, replace traditional hazardous materials such as pesticides and cleansers with non-hazardous products such as bio-lubricants which can reduce response costs in the event of a spill.

3.4 Equipment Refueling and Parking

Contractors shall implement the following measures when refueling equipment and when parking equipment on remaining locations subject to this SPCP.

- a. Refueling equipment will be manned throughout the refueling operation.
- b. Spill kits will be on hand during all refueling operations.



- c. Equipment refueling will not be performed within 100 feet of any waterbody or wetland, with the following potential exceptions:
 - Areas where removing equipment from or near a wetland and/or watercourse for servicing or refueling would increase adverse impacts to the water resource; and
 - Locations where the waterbody or wetland is located adjacent to a road crossing (from which the equipment can be fueled).
- d. If refueling must occur within a wetland or within 25 feet of a water resource, temporary containment will be provided and used as appropriate.
- e. During refueling, all necessary precautions will be taken to avoid or minimize the potential for an accidental spill. Appropriate spill kits / absorbent materials will be available at all refueling sites.
- f. Vehicles and equipment shall not be serviced or parked overnight within wetlands. If equipment must remain in a wetland overnight, secondary containment shall be provided.

Contractors shall implement the following additional measures when refueling and parking equipment at Structure 8395. This structure is located adjacent to Ledyard Reservoir.

- a. Refueling for equipment at this location will take place via fuel trucks. Eversource will request only one driver who is familiar with this SPCP perform fueling at this location.
- b. An approximate 50' x 50' impervious liner will be installed between mat layers in the northern corner of the Structure 8395 work pad.
- c. All equipment refueling will take place over the impervious liner in conjunction with secondary containment which will be used beneath the fill valve while refueling.
- d. When not in use, all equipment with the exception of drill rigs, will be stored over the impervious liner with secondary containment beneath.

4. SPILL EQUIPMENT, RESPONSE, CONTROL, AND CLEANUP

4.1 Spill Containment and Cleanup Equipment

Contractors are required to provide appropriate spill containment and cleanup equipment for use as needed during Project construction. Basic types of spill containment and cleanup materials shall be kept on-hand during completion of the Work in uplands, near and within water resources, and at refueling and product storage sites. In response to a spill, the Contractor shall use equipment and control/cleanup measures appropriate to contain and clean up the spilled material, taking into consideration the environmental characteristics of the area affected by the release.

4.2 Spill Response and Control

If a spill occurs, containment and control of the release are the immediate priorities. The Contractor shall take immediate action to minimize the impact of the spill (containment) and to implement appropriate cleanup action. Cleanup procedures will begin immediately after a release is contained. In the event of a spill, the Contractor shall typically take the following actions:

- a. The spill will be immediately stopped at the source;
- b. If the spill impacts a water resource, the spill will be contained through the use of appropriately deployed containment materials (e.g., sorbent booms, absorbent pads, constructing dikes) and then will be collected with sorbent materials, skimmed off water surfaces with booms, and/or the contaminated soil will be excavated:



- c. If the spill occurs in uplands, the contaminated soil will be excavated;
- d. The affected areas will be restored as closely as possible to previous condition.

4.3 Spill Notifications

In Connecticut, a release, as defined in Connecticut General Statutes (CGS) Section 22a-450, means the discharge, spillage, uncontrolled loss, seepage, or filtrations of oil or hazardous materials (OHM) that poses a potential threat to human health or the environment. The threshold for reporting a release is determined by a Reportable Quantity defined for each OHM. A release of Reportable Quantities is defined by the criteria within the *Connecticut Release Reporting Regulations – Reportable Quantities* flow chart in Attachment A.

Eversource requires that <u>ANY release of a Reportable Quantity must be reported to the CT DEEP</u>. Contractors are responsible for providing immediate notification of spills to the CT DEEP and other entities, as required. The Contractor shall identify reported spills as their own and not under Eversource's name. When notifying CT DEEP, obtain the CT DEEP representative's badge number and record the Spill Identification Number assigned to the incident by CT DEEP.

It is the Contractors' responsibility to report spills of a Reportable Quantity to CT DEEP. Spills must be reported immediately (24/7) to:

CT DEEP Emergency Response and Spill Prevention Division

860-424-3338 or toll free at 866-337-7745 (866-DEPSPIL)

If the above numbers are unavailable for any reason, call 860-424-3333

In the event of any spill, the Contractor shall immediately report the following facts to CT DEEP, pursuant to CGS Section 22a-450:

- a. Contact information for the following
 - the person reporting the release, who such person represents and a telephone number of such person for immediate call back
 - the person, business or entity that caused the release and the owner of the property where the release occurred.
- b. Information regarding the release as follows
 - The time, date, and estimated duration of the release and when the release was discovered, including when the release began and whether the release is continuing, intermittent or has terminated.
 - A description of the source and the cause of the release.
 - The chemical name, identity, trade name, or Chemical Abstract Service (CAS) number, of each reportable material released.
 - An estimate of the quantity of each reportable material released and any amount recovered.
 - For releases to the land or air, the location of the release by street address, city or town; and Identifiable permanent landmark and distance to such landmark or distance to the nearest street intersection.
 - For releases to the waters of the state, the location of the release by the name of the water body and the location of the release with respect to a fixed point or points.
- c. Potential impacts of the release as follows



- The medium such as air, water, or land, including, but not limited to, in or out of a building, into secondary containment, to soils, groundwater, or surface water, into which the reportable material was released.
- The identification of sensitive receptors and areas impacted or that may be impacted by the release, including, but not limited to, population centers, sensitive populations such as schools, hospitals, nursing homes, day care centers, waters of the state, wetlands, wildlife management watershed protection areas, public or private drinking water wells, and any aquifer protection area as defined in section 22a-354h of the Connecticut General Statutes.
- Whether the release has entered or is likely to enter a storm sewer, sanitary sewer, combined sewer system or catch basin.
- Whether anyone has been or may be injured and if so, a brief description of any actual or potential injuries or fatalities.
- d. Response actions and any additional information as follows
 - The actions taken or to be taken to contain and remove, or otherwise properly mitigate the release, including, but not limited to, any areas evacuated, any safety precautions undertaken or needed, and the type and quantity of material contained and removed or mitigated in response to the release.
 - The name and contact information of the entity employed or retained to respond to the release
 - Any additional information or relevant circumstances that would assist the commissioner in understanding the nature and potential impacts of the release or any response efforts.

In addition to notifying the CT DEEP, the Contractor or other Project personnel who first observe a spill shall provide immediate verbal notification to the designated Eversource or Project representative. Within 24 hours of a spill, the Contractor will prepare and submit to Eversource or Eversource's Project representative a Spill Report Form (see Attachment B). This form must include the following information regarding the spill, along with any relevant supporting information (such as maps) and representative photographs:

- 1. Date, time, and location of the spill, including name and address (municipality) of the owner of the property where the spill occurred and the nearest transmission line structure number (if on the ROW);
- 2. The quantity and type of the substance, material, or waste spilled;
- 3. circumstances that caused the spill;
- 4. List of water resources affected or potentially affected by the release (if applicable);
- 5. Statement verifying whether a sheen is present;
- 6. Size of the affected area;
- 7. Estimate of the depth that the material has reached in water or in soil;
- 8. Determination of whether the release has or will migrate off Project work areas (e.g., Eversource property, ROWs, off-ROW access roads);
- 9. Determination of whether the release is under control;
- 10. Status of the cleanup effort and a description of the methods used (or to be used) to clean up the release:
- 11. Name(s), company affiliation(s), and address(es) of the personnel who identified the release;
- 12. List of any soil and water samples taken;



- 13. Names of contacts made to federal, state, and local agencies, as applicable, and time of report (include, at minimum, CT DEEP representative's badge number and the assigned spill identification number); and
- 14. Name, address, and company affiliation of the person who completed the Spill Report Form.

The designated Eversource Project representative will verify that the construction contractor's Spill Report Form is complete and will submit it to Eversource Environmental Affairs.

4.4 Spill Cleanup

Contractors shall respond and conduct initial cleanup of all spills promptly using appropriate containment and cleanup measures. Spill containment equipment will not be used for storing wastes resulting from cleanup efforts or other contaminated material.

Small spills that are below the Reportable Quantities shall be contained and cleaned up by the Contractor using the on-site spill containment and cleanup materials. In such cases, all contaminated materials will be properly handled, contained, and transported in secure containment for appropriate disposal.

In no case will spills or contaminated materials (including waste oils) be buried or otherwise disposed of on Project sites.

If the Contractor determines that a release required or not required to be reported cannot be adequately contained, cleaned up or excavated and disposed of by its crews alone, the Contractor shall contact a licensed spill response firm. Any cleanup must be performed by a licensed spill response contractor, as required by CGS Section 22a-454. The Contractor will work with the spill response firm and shall verify that all excavated wastes are transported to a licensed disposal facility.

4.5 Penalties for Non-Reporting

Any person who fails to report incidents as required by CGS Section 22a-450 may be fined by CT DEEP not more than \$5,000 and the employer of such person not more than \$10,000. Failure to report incidents, as required by Eversource, can result in removal from the Project or termination.

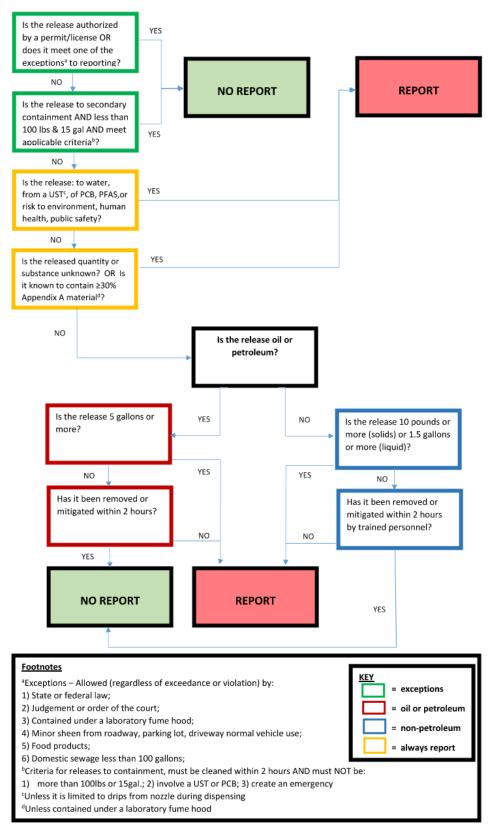


ATTACHMENT A

Connecticut Release Reporting Regulations Reportable Quantities



CONNECTICUT RELEASE REPORTING REGULATIONS - REPORTABLE QUANTITIES





ATTACHMENT B

Spill Report Form



SPILL REPORT FORM

Date: Time of Spill Occurrence	e:		
Name/Title of the first observer:			
Regulatory Agencies Notified / Time & Date of Notification representative badge number and CT DEEP-assigned spill in	-		
Location of Spill: Parcel No Municipality		County	
Nearest Public Road: Nearest Transmis Nearest Street Address or landmark:			
Attachments (circle all that apply): map photo	ographs o	ther	
Type of material spilled:			
Quantity spilled (circle one): 10 gals. or less	10 - 1,000	gals. Over 1,000 gals.	
Specify approximate amount spilled:			
Size of area affected by spill: Estimate depth of s If spill is into water, is a sheen present? (circle one):	pilled materia	NO	
Has spill left Company property or ROW? (circle one):	YES	NO	
Is spill under control? (circle one): *If not, is there a potential for the spill to leave th	YES e	NO*	
ROW or staging area? (circle one):	YES	NO	
Has spill cleanup begun? (circle one): **If so, provide methods that are being or will be	YES** used:	NO	
Have soil and/or water samples been taken? (circle one) ***If yes, list sample types:	YES***	NO	
Signature of Contractor Representative/Date: Signatur	e of Designat	ed Project Representative/Date:	
Print Name/Title: Print Nam	e/Title:		_