



STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 2, 2022

Carrie Larson Ortolano, Esq.  
General Counsel  
LSE Pyxis LLC  
c/o Lodestar Energy LLC  
40 Tower Lane, Suite 201  
Avon, CT 06001  
[cortolano@lodestarenergy.com](mailto:cortolano@lodestarenergy.com)

**RE: PETITION NO. 1544** – LSE Pyxis LLC (Lodestar Energy) petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 4-megawatt AC solar photovoltaic electric generating facility located at 599 Greenwoods Road East, Norfolk, Connecticut, and Winsted-Norfolk Road, Colebrook, Connecticut and associated electrical interconnection.

Dear Attorney Ortolano:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than December 23, 2022. Please submit an original and 15 copies to the Council's office and an electronic copy to [siting.council@ct.gov](mailto: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 December 23, 2022 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,

Melanie Bachman  
Executive Director

MB/rm

c: Service List dated November 1, 2022

**Petition No. 1544  
Interrogatories  
December 2, 2022**

**Project Development**

1. What is the estimated cost of the project?
2. Is the project, or any portion of the project, proposed to be undertaken by state departments, institutions or agencies, or to be funded in whole or in part by the state through any contract or grant?
3. Referencing Petition page 11, have the Towns of Norfolk or Colebrook and/or any abutters provided comments on the project since the Petition filing? If so, please summarize the comments and how these comments were addressed.
4. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?

**Proposed Site**

5. Please submit a map clearly depicting the boundaries of the solar project “site” and the boundaries of the host parcel. Under Regulations of Connecticut State Agencies §16-50j-2a(29), “Site” means a contiguous parcel of property with specified boundaries, including, but not limited to, the leased area, right-of-way, access and easements on which a facility and associated equipment is located, shall be located or is proposed to be located.
6. In the lease agreement with the property owner, are there any provisions related to decommissioning or site restoration at the end of the project’s useful life, including, but not limited to, removal of the gravel access roads referenced in Petition Attachment 4 Decommissioning Plan? If so, please describe and/or provide any such provisions.
7. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence.

**Energy Output**

8. What is the anticipated capacity factor of the project? Would the capacity of the system decline over time? If so, estimate annual losses.
9. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the SCEF contract(s).
10. If one section of the solar array experiences electrical problems causing the section to shut down, could other sections of the system still operate and transmit power to the grid?
11. Would the project be submitted to participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?

### **Site Components and Solar Equipment**

12. Is the wiring from the Solar Array 2 panels to the inverters installed on the racking? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?
13. Provide more information as to how wiring from the panel rows for Solar Array 1A and 1B is installed and routed to the inverter at the edge of Solar Array 1A.
14. What is the approximate size of the ballasts supporting the solar panels and perimeter fence?

### **Interconnection**

15. Did the executed interconnection agreement with Eversource require a review from ISO-NE?

### **Public Safety**

16. Would the project comply with the Connecticut State Building Code - 2022, National Electrical Code, the National Electrical Safety Code and any applicable National Fire Protection Association codes and standards including, but not limited to, NFPA Code Section 11.12.3?
17. With regard to emergency response:
  - a. Would training be provided for local emergency responders in the event of a fire or other emergency at the site?
  - b. In the event of a brush or electrical fire, how would the Petitioner mitigate potential electric hazards that could be encountered by emergency response personnel?

### **Environmental**

18. Would the driving of racking posts affect the water quality of nearby wells due to subsurface sedimentation?
19. Referring to Petition Environmental Assessment pp. 21-22, list the acreage of tree clearing per array. Post site clearing, would the remaining forest surrounding Array 2 be classified as core or edge forest?
20. Referring to Petition Environmental Assessment pp. 24-25, smooth green snake protective measures were recommended but do not appear on the site plans. Will these measures be implemented? Explain.
21. Referring to Petition Environmental Assessment p. 19 and the DEEP Natural Diversity Database letter dated October 21, 2021, what Primary Treatment Practices will be used to ensure water quality of the nearby Beckley Bog is not affected?
22. Revise Array 1 Site Plan to include the on-site vernal pool. Include the 100-foot vernal pool envelope, and the distance from the vernal pool to the nearest point of the project limit of disturbance.

23. Referring to Petition Environmental Assessment pp. 15-16, vernal pool protective measures were recommended but do not appear on the site plans. Will these measures be implemented? Explain.
24. Referring to Petition Environmental Assessment p. 15, can the project limit of disturbance for Solar Array 1B be relocated out of the 100-foot vernal pool envelope to maintain existing habitat and its function as vernal pool species movement corridor? Explain.
25. Referring to Petition Environmental Assessment pp. 19-20 and Figures 4 and 5, Vernal Pool Analysis – Existing and Proposed, does the existing area identified as cool season grasses offer a preferred habitat type for vernal pool species? Would vernal pool species likely traverse this area as part of a migratory corridor to reach forest and wetlands further east? Would the native wildflowers planted in the solar array area offer a similar habitat function as the cool season grasses?
26. Referring to Petition Environmental Assessment p. 25, does USFWS Information, Planning, and Conservation System (“IPaC”) include migratory birds? Per USFWS procedures, would mitigation measures be necessary for migratory birds listed on the IPaC?

### **Facility Construction**

27. Did Lodestar meet with the DEEP Stormwater Program to discuss the project? What suggestions/comments did DEEP present? Indicate where these suggestions/comments were incorporated in the Project design.
28. Referring to Array 2 Site Plan, the stormwater basin outfalls #1 and # 2 are within 50 feet to the adjacent wetland. Does a distance of less than 50 feet comply with DEEP’s General Permit Appendix I? Explain. Can the outfalls and related construction limit of disturbance be relocated to provide a minimum 50-foot wetland buffer?
29. Referencing Petition Attachment 7, Stormwater Pollution Control Plan p. 9- Construction Sequencing. Provide the following;
  - a. What array area does the construction sequencing pertain to?
  - b. Will site work for all three Project arrays be conducted concurrently?
  - c. Step 3 references a “security fence”, provide more detail regarding the security fence and where and when it would be installed.
30. Describe any vehicle or construction-related work procedures necessary for work on the landfill cap.
31. Referencing Petition Attachment 7, Stormwater Pollution Control Plan p. 13 lists impervious surfaces as a gravel road and invert/transform pads. Provide the following;
  - a. Would the ballasts supporting the solar modules and fencing in Solar Array 1A and 1B also be considered impervious? Explain.
  - b. What is the approximate dimension of a solar array ballast and a fence ballast?
  - c. What is the total impervious area of the solar array and fence ballasts?
  - d. How does the presence of ballasts ensure stormwater runoff remains as sheet flow across the site?
32. What effect would runoff from the drip edge of each row of solar panels have on the landfill cap or site drainage patterns? Would channelization below the drip edge be expected?

33. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall Project design? If so, summarize the results. If not, has the Petitioner anticipated and designed the Project with assumed subsurface conditions? What are these assumed conditions?
34. Submit photographs of the proposed solar facility site construction area with descriptive captions and/or a map identifying the locations of the photographs.

#### **Maintenance/Decommissioning**

35. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If so, where? How would damaged panels be detected?
36. Referencing Petition Attachment 3, Operations and Maintenance Plan, p. 3, the use of pesticides and herbicides is not mentioned. Revise the plan to account for the proper use of these substances.
37. Has the manufacturer of the proposed solar panels conducted Toxicity Characteristic Leaching Procedure (TCLP) testing to determine if the panels would be characterized as hazardous waste at the time of disposal under current regulatory criteria? If so, submit information that indicates the proposed solar modules would not be characterized as hazardous waste. If not, would the Petitioner agree to install solar panels that are not classified as hazardous waste through TCLP testing?