



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

January 17, 2023

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
lhoffman@pullcom.com

RE: **PETITION NO. 1551** – C-Tec Solar, LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 1.3-megawatt AC solar photovoltaic electric generating facility located at the former New Britain landfill on Deming Road east of the intersection with Christian Lane, Berlin, Connecticut and associated electrical interconnection.

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than February 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 February 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,

Melanie Bachman
Executive Director

MB/rm

c: Service List dated November 23, 2022

**Petition No. 1551
C-Tec Solar, LLC
New Britain Landfill
Deming Road, Berlin, Connecticut
Interrogatories
January 17, 2023**

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. What is the revenue mechanism for the proposed project? Is the Project being developed through a Request for Proposals with the City of New Britain?
4. Was this Project bid into any State-program such as the Shared Clean Energy Facility Program? If yes, provide more information.
5. Referencing Petition Attachment C, did the Town of Berlin express concerns about the Project during the virtual meeting held on or about September 15, 2022? If yes, what were their concerns and how were they addressed?
6. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?

Proposed Site

7. 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?
8. Provide a decommissioning plan to summarize the plans to remove equipment and restore the site after the operational life has been reached and/or the project is removed from service.
9. What entity manages the landfill?
10. What is the distance and direction from the edge of the solar facility to the nearest residence?

Energy Output

11. 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 Project power purchase agreements.
12. Would the project be submitted to participate in the ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?

13. Petition pp. 9-10 states, "...the Project will generate the majority of its power during the summer electrical peak, it will provide *peaking resources* when the State has its greatest need – in turn, decreasing energy costs for ratepayers statewide." (Emphasis added). ISO-NE generally defines peaking resources as quick-start, dispatchable resources that typically operate less than 10% of the year. Would a more accurate statement be that the Project would help serve summer peak loads? Explain.

Site Components and Solar Equipment

14. What is the approximate size of the ballasts supporting the solar panels?

Interconnection

15. Referencing Petition p. 6, what is the status of the interconnection application with Eversource?
16. Referencing Petition p. 7, what would be the height of the utility poles above ground level after installation?

Public Safety

17. 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?
18. Referencing Petition Attachment A, p. 22, clarify the following;
- a. the property at 131 Deming Road is referred to as residential; however, this address appears to be an industrial property.
 - b. The property at 604 Berlin Turnpike is referred to as being to the north-northwest and residential, however this address is the abutting property to the south.
 - c. What is the projected noise level at the nearest property line?
19. Describe manual shut-off procedures in the event of an emergency.

Environmental

20. Would the nearest residential properties have year-round or seasonal views of the facility?

Facility Construction

21. Did the Petitioner discuss the Project with the DEEP Stormwater Program prior to filing for a General Permit on November 21, 2022? If yes, what suggestions/comments did the DEEP Stormwater Division have regarding the Project? Were these suggestions/comments incorporated in the Project design?
22. 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?
23. Would ballasts be cast on-site? If yes, where would this activity occur?

24. Submit photographs of the proposed solar facility site construction area with descriptive captions and/or a map identifying the locations of the photographs.
25. What are the construction hours/days of week?

Maintenance/Decommissioning

26. 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?
27. 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?
28. Would the City of New Britain or the Petitioner manage vegetation within the solar array? If the Petitioner is responsible, are there reporting protocols to the City of New Britain and/or DEEP if issues with the landfill cap are discovered during facility inspections/maintenance?