



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

September 5, 2023

Paul R. Michaud, Esq.
Michaud Law Group LLC
515 Centerpoint Drive, Suite 503
Middletown, CT 06457
pmichaud@michaud.law

RE: **PETITION NO. 1583** – TRITEC Americas, LLC notice of election to waive exclusion from Connecticut Siting Council jurisdiction, pursuant to Connecticut General Statutes §16-50k(e), and petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 0.999-megawatt AC solar photovoltaic electric generating facility located at Parcel Nos. 113-1 and 113-1-A, 428 Bethmour Road, Bethany, Connecticut, and associated electrical interconnection. **Council Interrogatories to TRITEC Americas, LLC.**

Dear Attorney Michaud:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than September 19, 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 19, 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 blue ink, appearing to read "Melanie Bachman".

Melanie Bachman
Executive Director

MB/RM

c: Service List dated August 31, 2023

Petition No. 1583
TRITEC Americas, LLC
Parcel Nos. 113-1 and 113-1-A
428 Bethmour Road, Bethany, Connecticut

Pre-Hearing Interrogatories to TRITEC
September 5, 2023

Project Development

1. 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?
2. Has TRITEC received any comments from persons who are not parties or intervenors to the proceeding since the petition was submitted to the Council? If yes, summarize the comments and state how these comments were addressed.
3. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
4. If TRITEC transfers the facility to another entity, would TRITEC provide the Council with a written agreement as to the entity responsible for any outstanding conditions of the Declaratory Ruling and quarterly assessment charges under CGS §16-50v(b)(2) that may be associated with this facility, including contact information for the individual acting on behalf of the transferee?
5. Referring to Petition p. 4, when and how was the “alternative project site plan” on Town of Bethany (Town) property at 755 Amity Road submitted to the Town?
6. Why was an “alternative project site plan” developed for the Town property at 755 Amity Road with an output of 11.45 MW AC?
7. Did the Town direct TRITEC to other Town-owned properties that may be suitable to host a solar facility? If yes, provide detail.

Proposed Site

8. Submit a map clearly depicting the boundaries of the solar facility site and the boundaries of the host parcel(s). Under Regulations of Connecticut State Agencies (RCSA) §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.
9. What is the length of the lease agreement with the property owner?
10. 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? If so, please describe and/or provide any such provisions.
11. Does the lease agreement with the property owner contain provisions for agricultural co-uses at the Site? If yes, describe the co-uses.

12. Is the site, or any portion of the host parcel, part of the Public Act 490 Program? If so, how does the municipal land use code classify the parcel(s)? How would the project affect the use classification?
13. Has the State of Connecticut Department of Agriculture purchased any development rights for the facility site or any portion of the facility site as part of the State Program for the Preservation of Agricultural Land?
14. Are any portions of the site under lease by any third party? If yes, when does the lease expire?
15. Referring to Petition p. 12, in what areas of the Site have the apiaries been established? What entity is managing the apiaries? Have the apiaries been registered with the State Entomologist?
16. Who would be responsible for responding to concerns and/or complaints related to agricultural co-use on the Site? How would contact information be provided for complaints?
17. Referring to Petition p. 11, will sap be obtained from maples trees within the Site boundaries? What entity is managing maple syrup production?
18. Petition page 5 states “the solar array setback is fifty feet from the property line, consistent with the Town of Bethany’s zoning regulations”. What part of proposed facility would maintain a 50-foot buffer (e.g. solar panel, perimeter fence, interconnection) from the property line? What portions of the proposed facility are within 50 feet of the property line?
19. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence, transformer pads, and the proposed access drive.
20. Referring to the Boundary and Topographic Map EX-1 - General Note 1C, when was the field resurvey conducted? During the resurvey, were the remains of an old fence/barb wire evident in the area of 11 Glenwood Court? Does the alignment of this fence line up with the Map Reference Note B (“Glenwood Map of Lots... April 2, 1964...”)?

Energy Output

21. Referring to Petition p. 11, provide the following:
 - a) additional information as to how the energy from the facility and the associated renewable energy certificates are allocated under the Non-Residential Renewable Energy Solutions Program (NRES).
 - b) is there a renewal option beyond the 20-year contract term?
 - c) is there a project benefit to Town of Bethany residents?
22. If the facility operates beyond the terms of the NRES contract, will TRITEC decommission the facility or seek other revenue mechanisms for the power produced by the facility?
23. 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 NRES contract(s).

24. 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? By what mechanism are sections electrically isolated from each other?
25. Would TRITEC participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?

Proposed Facility and Associated Equipment

26. List the equipment that would be installed on the two concrete pads in the northwest corner of the site. Provide dimensions of the equipment.
27. Petition Exhibit L contains specification sheets for two different solar panels. Which solar panels would be installed at the site? What solar panel output was used to calculate the generation capacity of the site?
28. The Petition Exhibit E site plans specify a six-foot high fence whereas the Exhibit L Site Plans specify a 7-foot fence. Both plan sets have the same date. Which set of plans are correct?
29. Petition Exhibit E Site Plan 2.11 provides the vegetated aisle width. How does the aisle width comply with the Soil Array Spacing Detail on Site Plan 3.01 given that slopes within the array attain 9.5 percent?
30. What is the width of the installed solar panels?
31. What is the minimum and maximum height of the solar panels above grade?
32. Was an alternate location of the access drive extending from Bethmour Road considered? If yes, in what location? If no, describe the feasibility of relocating the access drive towards the center of the parcel.
33. Can the string inverters be located on panel row ends in the center of the facility? Explain.

Electrical Interconnection

34. Did the interconnection agreement with Eversource require a review from ISO-NE?
35. Referring to Petition p. 7, what offsite upgrades are necessary to facilitate the Project interconnection?
36. Referencing Site Plan 2.11,
 - a) what is the height of the utility poles above ground level after installation?
 - b) what equipment is mounted on each pole?
 - c) Can the number of poles be reduced by consolidating equipment?
37. Have there been any discussions with Eversource to use pad-mounted equipment rather than pole-mounted equipment? Provide cost estimates for both an overhead and underground interconnection.

Public Safety

38. Would the project comply with the current Connecticut State Building Code and National Electrical Code?
39. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices.
40. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated? What type media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
41. What type of oil is within the transformer? Does the transformer have a containment system in the event of a leak? Can the SCADA system detect an insulating oil leak?
42. Identify the distance/direction of the nearest federally-obligated airport from the proposed site. Is an aviation glare analysis required for this airport?
43. Are there any water wells on the site or in the vicinity of the site? If so, would the installation of racking posts affect well water quality from construction impacts, such as vibrations and sedimentation?
44. What chemicals if any would be used during operation of the facility?
45. Describe how the solar panels are constructed. Would rainwater penetrate the panels over time and leach out chemicals/substances?
46. What noise-generating equipment would be installed at the site? Provide noise profile information for all noise generating equipment during site operation.
47. Based on the noise profile information for the selected equipment, what is the collective operational noise level of the equipment at the nearest property boundary? Does this noise level meet applicable Department of Energy and Environmental Protection (DEEP) Noise Standards?

Environmental Effects and Mitigation Measures

48. Provide a site plan that clearly shows the limit of tree removal and site grubbing.
49. What types of seed mix would be used for final stabilization?
50. What type of evergreen species are planned to be planted?
51. The Geotechnical Report references dry-stacked stone walls cross the property. Would any stone walls be affected by development of the solar facility? If yes, could the stone walls be rebuilt and where could they be rebuilt?

52. Submit photographic site documentation with notations linked to the site plans or a detailed aerial image that identify locations of site-specific and representative site features. The submission should include photographs of the site from public road(s) or publicly accessible area(s) as well as Site-specific locations depicting site features including, but not necessarily limited to, the following locations as applicable:

For each photo, please indicate the photo viewpoint direction and stake or flag the locations of site-specific and representative site features. Site-specific and representative site features include, but are not limited to, as applicable:

1. wetlands, watercourses and vernal pools;
2. forest/forest edge areas;
3. agricultural soil areas;
4. sloping terrain;
5. proposed stormwater control features;
6. nearest residences;
7. Site access and interior access road(s);
8. utility pads/electrical interconnection(s);
9. clearing limits/property lines;
10. mitigation areas; and
11. any other noteworthy features relative to the Project.

A photolog graphic must accompany the submission, using a site plan or a detailed aerial image, depicting each numbered photograph for reference. For each photo, indicate the photo location number and viewpoint direction, and clearly identify the locations of site-specific and representative site features show (e.g., physical staking/flagging or other means of marking the subject area).

Facility Construction

53. Submit a construction fuel materials storage, refueling and spill response plan.
54. Has TRITEC submitted an application for a stormwater permit? If yes, what is the status of such permit?
55. Referring to Petition Exhibit L, Geotechnical Report, Test Pit 4 is in the location of the proposed stormwater basin. The test pit indicates bedrock occurs at a depth of approximately 594.5 feet above mean sea level (amsl). The stormwater basin will be excavated to a depth of 589 feet amsl. How will the basin promote infiltration through bedrock?
56. Will blasting be required to construct the stormwater basin? If not, how will bedrock be removed?
57. The Geotechnical Report stated that due to shallow bedrock at the site, a ballast-mount tracker system is an alternative to the proposed pile foundations. Why were driven pile foundations selected over a ballast mount system?
58. Referring to Site Plan 2.31, Phase II includes the construction of temporary sediment traps and associated swales, followed by construction of the site. Do the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control* require that these stormwater control features be stabilized prior to further site disturbance? What time interval is anticipated to achieve stabilization of these stormwater control areas?

59. What effect would runoff from the drip edge of each row of solar panels have on site drainage patterns? Would channelization below the drip edge be expected?

Facility Maintenance/Decommissioning

60. 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 TRITEC agree to install solar panels that are not classified as hazardous waste through TCLP testing?
61. The Petition Decommissioning Plan (Exhibit E) contains information for a different location. Submit a decommissioning plan specific to the proposed site.
62. Revise the Petition Operations and Maintenance Plan (Exhibit G) to include procedures for vegetation maintenance, stormwater control inspections and repair, pesticide/herbicide use, panel washing and landscape vegetation replacement.
63. Would project decommissioning include stormwater management features? If yes, how would the stormwater management system be removed?