



STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

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VIA ELECTRONIC MAIL

December 6, 2023

Lee D. Hoffman, Esq.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06095
lhoffman@pullcom.com

RE: **PETITION NO. 1596** – USS Torrington 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 1.99-megawatt AC solar photovoltaic electric generating facility located on the former Torrington Landfill at 105 Vista Drive, Torrington, Connecticut, and associated electrical interconnection. **Council Interrogatories to Petitioner.**

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) requests your responses to the enclosed questions no later than December 27, 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 December 27, 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

MAB/RDM/dll

c: Service List dated October 25, 2023

Petition No. 1596
USS Torrington Solar, LLC
105 Vista Drive, Torrington, Connecticut

Pre-Hearing Interrogatories
December 6, 2023

Notice

1. Has USS Torrington Solar (USS) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.
2. Petition Introduction Section refers to the address of the nearest residence as 1126 South Main Street. Petition Visual Impact Section refers to the address of the nearest residence as 1125 South Main Street. Please clarify.

Project Development

3. If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?
4. What is the estimated cost of the project?
5. 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?
6. If the facility operates beyond the terms of the SCEF Agreement, will USS decommission the facility or seek other revenue mechanisms for the power produced by the facility?
7. If USS transfers the facility to another entity, would USS 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?

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. Referencing Petition Distribution System Impact Study, p. 3, the Site Plan depicts a larger project footprint (3.98 MW). What was the reason for the reduction in the size of the project to 1.99 MW?
10. Referencing the Site Layout Plan, please define a RCRA closure area.

11. Could development of the solar facility at the closed landfill interfere with any remediation phases depicted in the Final Contours Map and/or on remaining areas of the landfill that may be currently used by the City? Explain.

Energy Output

12. 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 Agreement.
13. 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?
14. Would USS participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?
15. What is the projected capacity factor (expressed as a percentage) for the proposed project?
16. Have electrical loss assumptions been factored into the output of the facility?
17. Would the power output of the solar panels decline as the panels age? If so, estimate the percent per year.
18. When the SCEF contract expires and the solar facility has not reached the end of its lifespan, will USS decommission the facility or seek other revenue mechanisms for the power produced by the facility?

Proposed Facility and Associated Equipment

19. Submit specifications sheets for the selected solar panels.
20. What is the expected useful life of the proposed solar facility?

Electrical Interconnection

21. Referencing the existing electric distribution line along Vista Drive, what distribution upgrades are required for the facility interconnection, if any?

Public Safety

22. Would the project comply with the current Connecticut State Building Code, National Electrical Code and Connecticut State Fire Prevention Code?
23. Provide an Emergency Response Plan for the facility.
24. If the facility is approved, would USS provide training to emergency responders?
25. What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices.

26. In the event of a brush or electrical fire, how are potential electric hazards that could be encountered by emergency response personnel mitigated?
27. What type of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?
28. What type of oil is within the transformers? Do the transformers have a containment system in the event of a leak? How are oil leaks detected?
29. Identify the distance/direction of the nearest federally-obligated airport from the proposed site.
30. What noise-generating equipment would be installed at the site? Would operation of the proposed facility meet the applicable Department of Energy and Environmental Protection (DEEP) Noise Standards at the nearest property boundary?

Environmental Effects and Mitigation Measures

31. What is the width of the proposed overhead line utility corridor? Would grubbing be required adjacent to the stream?
32. Referencing the Petition O&M Section, what constitutes a DEEP approved meadow grass or pollinator mix?
33. 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

34. Has USS discussed the Project with the DEEP Stormwater Program? If yes, when and what suggestions/comments did the DEEP Stormwater Division have regarding the Project? Were these suggestions/comments incorporated in the Project design?
35. Has USS submitted an application for a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities from DEEP. If yes, what is the status of such permit?
36. Referencing Petition Construction Section, ballasts are not mentioned as being transported to the site. Would ballasts be cast on-site? If yes, where would this activity occur?
37. Submit a construction fuel materials storage, refueling and spill response plan with applicable contact information.

Facility Maintenance/Decommissioning

38. Would the inverters last the life of the project? If not, at what time interval would the inverters need to be replaced?
39. 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 USS agree to install solar panels that are not classified as hazardous waste through TCLP testing?
40. Would the City of Torrington or USS manage vegetation within the solar array? If USS is responsible, are there reporting protocols to the City and/or DEEP if issues with the landfill cap are discovered during facility inspections/maintenance?
41. Referencing the Petition O&M Section, would the panels be cleaned periodically? If so, how?
42. Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?