STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL

LSE Scutum LLC and LSE Bootes 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 1.93-megawatt AC solar photovoltaic electric generating facility located at 141 Town Farm Road, and Parcel Nos. 86-326 and 86-164, Abbe Road, Enfield, Connecticut, and associated electrical interconnection.	**PETITION NO. 1611** **MAY 9, 2024**

PETITIONERS' RESPONSES TO COUNCIL'S INTERROGATORIES

Petitioners LSE Scutum LLC and LSE Bootes LLC ("Petitioners" or "Lodestar") respond to the interrogatories issued by the Connecticut Siting Council ("Council") on April 18, 2024 as follows:

Notice

1. ***Has Lodestar received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.***

RESPONSE: Lodestar has not received any additional comments. Since the filing of the petition, Lodestar engaged with and met on-Site with the intervenors in this proceeding along with several members of the town council for the Town of Enfield. That meeting occurred on March 3, 2024. Neighbors were concerned about the visibility of the solar facility. In response to that meeting, Lodestar is providing a more detailed vegetative screening plan and photo simulations, and Petitioners are committed to reviewing alternatives for the proposed fencing and landscaping, a copy of which is attached as Exhibit 7 hereto. Neighbors were also concerned about noise from the solar facility and Lodestar explained more about the points of noise emanation as described in the noise analysis. Neighbors were also concerned about the health and safety of the panels. Lodestar explained that the proposed panels have passed a Toxicity Characteristic Leaching Procedure (TCLP) testing (as seen in Exhibit 6 attached hereto), which confirms that the panels are safe to use.

Project Development

2. ***If the project is approved, identify all permits necessary for construction and operation and which entity will hold the permit(s)?***

RESPONSE: In addition to the Council's approval of this Petition, the Project will require a stormwater General Permit (GP 15) from the Department of Energy and Environmental Protection ("DEEP") along with both building and electrical permits from the Town of Enfield. Petitioners will hold all of the required permits.

3. ***What is the estimated cost of the project?***

RESPONSE: The estimated cost of the project is $3,750,000.00.

4. ***Referencing Petition p. 4, identify the location of any alternate sites that were considered for solar development and the reasons they were rejected.***

RESPONSE: The Petitioners considered Eversource interconnection substation capacity, circuit capacity, and proximity to Eversource lines. Parcel size, accommodation of the project size, wetland impacts, slope, buildability, environmental impacts, and availability of land were also

considered. As a result, this was the only parcel in the Town of Enfield that met all of these stated criteria.

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?***

RESPONSE: This project is part of the Non-Residential Solar Renewable Energy Solutions (NRES) program which is a statewide program. The NRES program is a successor program to the Low Emission Renewable Energy Credit and Zero Emission Renewable Energy Credit (LREC/ZREC) and Virtual Net Metering (VNM) programs with the objectives to foster the sustained orderly development of the state's Class I renewable energy industry and to encourage the participation by customers in underserved and environmental justice communities, among others. The statewide NRES Program seeks the deployment of new or incremental Class I renewable generation projects for a 20-year term. Eligible projects are chosen through a competitive bidding procurement process each year, for a total of 6 years. The first procurement occurred in 2022 and this project participated and won an auction in Year 1 of the program. There are two separate awards for each array.

6. ***Referring to Petition p. 1, if the facility operates beyond the terms of the NRES Agreement, will Lodestar decommission the facility or seek other revenue mechanisms for the power produced by the facility?***

RESPONSE: Lodestar would likely continue to operate the facility and seek other revenue mechanisms available at that time.

7. ***If Lodestar transfers the facility to another entity, would Lodestar 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?***

RESPONSE: Yes, Lodestar would require this to the extent required by any approval of this Petition.

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.***

RESPONSE: Please see Exhibit 1 attached.

9. ***What is the length of the lease agreement with the property owners? Describe options for a lease extension(s), if any.***

RESPONSE: Subject to any confidentiality provisions in Petitioners' lease agreements, both leases provide for an initial term of twenty (20) years with three (3) additional five (5) year renewal terms available.

10. ***In the lease agreement with the property owners, 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.***

Response: Petitioners are required to remove the improvements on the Site at the termination or expiration of the lease agreements.

11. ***Is the site, or any portion of the host parcel(s), 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?***

RESPONSE: All three host parcels are part of the Public Act 490 Program. The municipal land use code classifies Parcel ID 86-321 and 86-164 as "490 TILLABLE B". The municipal land use code classifies parcel ID 86-326 as "490 PASTURE". The project would remove the parcels from the Public Act 490 Program.

12. ***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?***

RESPONSE: No.

13. ***Is the host parcel currently farmed by the property owner or by a third party? If by a third party, is this use subject to a lease agreement, and if so, when does the lease expire?***

RESPONSE: The host parcel is currently farmed by the property owner.

Energy Output

14. ***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 any contract(s).***

RESPONSE: There is no current plan for battery installation because such technology is not part of the existing state regulatory regime. In the event that the regulatory environment changes,

Petitioners may later seek to install batteries at the Project and, if so, sizing and location would be determined at that time and Petitioners would then seek the required regulatory approvals to do so, including any approvals required by the Siting Council.

15. ***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?***

RESPONSE: The two sections of the solar array are entirely electrically separate. Electrical problems or other issues causing prolonged outage at either the southern or northern array will not affect each other. Each interconnects to the Eversource distribution grid at a separate location and do not share any auxiliary services with the other facility. Within each array, modules are grouped together in "strings" of approximately 27 modules, each of which have dedicated electrical protection and disconnecting ability. In addition, each inverter also has dedicated electrical protection and disconnecting ability.

16. ***Would Lodestar participate in an ISO-NE Forward Capacity Auction? If yes, which auction(s) and capacity commitment period(s)?***

RESPONSE: No, this is not allowed under NRES program rules.

17. ***What is the anticipated capacity factor of the project? Identify what electrical loss assumptions been factored into the output of the facility, if any.***

RESPONSE: The capacity factor of the system is 23.97%. PV Solar panels degrade at a fixed rate of 0.3% to 0.5% per year. This means that after 20 years, the system will be producing at approximately 90% of its initial capacity.

18. ***Would Lodestar construct the facilities if the solar array area footprints were reduced and/or if the facility design features (ex. row spacing, panel height, etc.) were modified? Explain.***

RESPONSE: Lodestar performs a detailed engineering analysis of its project sites, taking row spacing, panel height, land topology, and other factors into account to ensure both optimum performance and safe, reliable operation. Modifying the facility design features could negatively affect both project economics and operation to the point of no longer being a viable endeavor.

Proposed Facility and Associated Equipment

19. ***What is the length of each access drive?***

RESPONSE: The northern access drive is approximately 560 feet in length. The southern access drive is approximately 157 feet in length.

20. ***Are the inverters located on concrete pads or on post-supported racking?***

RESPONSE: The inverters are mounted on post-supported racking.

21. ***What are the approximate dimensions of the transformer and switchgear that would be installed on the concrete pads?***

RESPONSE: Each unit is roughly 6.5’ wide x 6’ long x 6’ tall.

22. ***Referencing Petition, p. 6,***

a. to what approximate depth would the tracker support posts be driven into the ground?

RESPONSE: Posts will be driven to 5-7’ embedment per a project-specific structural engineering design.

b. how many tracker unit motors would be installed?

RESPONSE: There will be 5-7 tracker motors installed.

c. ***what is the lifespan of the tracker motors?***

RESPONSE: The tracker motors are designed for the full design life of the Project. They can be easily repaired or replaced with hand tools, as necessary.

d. how are the tracker motors powered?

RESPONSE: Tracker motors are powered with low voltage electricity supplied by the facility auxiliary power system. No additional interconnection or utility service is necessary.

e. ***at what height above grade are the tracker motors located?***

RESPONSE: Tracker motors are installed beneath the axis of rotation at approximately 3’ above grade.

23. ***Referencing Petition p. 20, is the wiring from the panels to the inverters installed on the racking system? If wiring is external, how would it be protected from potential damage from weather exposure, vegetation maintenance, or animals?***

RESPONSE: Wiring from the modules is mounted to the racking system with stainless steel wiring clips and / or ties designed specifically for use in photovoltaic wire management. When transitioning out of the racking system, protective wire loom is used to prevent abrasion damage from moving parts. Wiring is then routed through site utilizing either underground conduit or above ground wire messenger systems approximately 3’ above grade, under the racking and above the limits of vegetation maintenance. In all cases, wire is protected against physical damage per National Electric Code requirements and is insulated with jacketing appropriately rated for direct sun / weather exposure.

24. ***Referencing Petition Overall Aerial Plan - Sheet 3, has the lot identified as 086-0323-Piro Ndoci (205 Abbe Rd) been developed with a residence since the date the aerial image was taken?***

RESPONSE: Yes. According to the Assessor's records, a house was constructed at 205 Abbe Road in 2020, after the date of the aerial photo.

25. ***What is the distance from the proposed perimeter fence to the nearest residential building on Abbe Road and Town Farm Road?***

RESPONSE: The distance from the perimeter fence to the nearest residential building on Abbe Road (207 Abbe Road) is approximately 180 feet. The distance from the perimeter fence to the nearest residential building on Town Farm Road (14 Hayfield Cir.) is approximately 135 feet. This house is located on the opposite side of Town Farm Road from the site.

Electrical Interconnection

26. ***Does the interconnection require a review from ISO-NE?***

RESPONSE: No.

27. ***Besides the interconnection poles to be owned by Eversource, describe any other off-site distribution system upgrades necessary to facilitate the Project interconnection, if applicable.***

RESPONSE: No additional distribution system upgrades are necessary outside of the interconnection poles.

28. ***Will the interconnection provide energy to a substation? If yes, which one?***

RESPONSE: The project will export power directly to the adjacent, existing Eversource distribution circuit (feeder 27H4) which interconnects to the existing Eversource Scitico 27H substation.

29. ***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.***

RESPONSE: The applicant has discussed pad-mounted versus pole-mounted equipment with Eversource. Eversource will not permit pad-mounted reclosers. Pad-mounted metering may be permissible by Eversource but is not economically viable for the Project as it would significantly increase construction costs (almost 50% increase from $380,000.00 for overhead to $500,000.00 for underground).

30. ***What is the height above grade of the proposed utility poles?***

RESPONSE: The utility poles are provided by and installed by Eversource and any change in the number of poles or design thereof would require approval by Eversource. The average height above grade for the utility poles being installed is 30-40 feet. Eversource does not typically allow consolidation of its equipment.

31. ***Referencing Petition Array Site Plan - Sheet 4, what is the distance between the four utility poles at each interconnection location? Can the distance between the poles be increased to avoid clustering of the poles at each access drive entrance area?***

RESPONSE: The pole spacing is thirty (30) feet and location is determined by Eversource.

Public Safety

32. ***Would the project comply with the current Connecticut State Building Code, National Electrical Code and Connecticut State Fire Prevention Code?***

RESPONSE: Yes. The Project will comply with all applicable standards.

33. ***What are industry Best Management Practices for Electric and Magnetic Fields at solar facilities? Would the site design conform to these practices?***

RESPONSE: The Project will conform and comply to all applicable laws and regulations. Potential risks from the electric and magnetic fields at the solar facility are no different than the risks from common utility distribution lines and household electrical services. Industry best practice for electrical system safety is described within the National Electric Code which is adhered to in all parts of the system design and construction. Typical safety measures include the installation of a grounding ring in equipment areas and proper bonding of all metallic or otherwise conductive equipment and racking to mitigate step and touch shock hazards. Protective relaying, fusing, and circuit breakers are incorporated into the design to ensure the prompt interruption of electrical faults.

34. ***Would notice to the Federal Aviation Administration be necessary for the temporary use of a crane during construction?***

RESPONSE: There is no plan to utilize a crane during construction. Any construction activities will comply with all regulatory requirements, including but not limited to FAA requirements.

35. ***Would training be provided for local emergency responders regarding site operation and safety in the event of a fire or other emergency at the site?***

RESPONSE: Yes, this will be provided.

36. ***Provide an Emergency Response Plan for the proposed facility.***

RESPONSE: Petitioners' emergency response plan is included in the revised O&M Plan, which is attached as Exhibit 2 to these responses.

37. ***Could a fire truck or other large emergency service vehicle that is utilizing the proposed access road maneuver around the on-site wetland to reach the solar array areas? What are the points of access for emergency response?***

RESPONSE: The access radii of the access drive is adequate to allow for a fire truck or large emergency vehicle to get around the wetland and reach the solar array. Access points for emergency response will be limited to the gates where the access roads enter the fenced area near the northern and southern equipment pads.

38. ***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 of media and/or specialized equipment would be necessary to extinguish a solar panel/electrical component fire?***

RESPONSE: While Petitioners cannot provide responses to how the local fire department would respond to a fire at the Site. The Project has been designed in accordance with applicable safety codes. The Project includes a gang-operated air-break switch (GOAB) that permits emergency responders to safely de-energize the entire Project from the electrical grid and prevent electrical generation at the Site in the event emergency response personnel need to access the Project. Information regarding the GOAB will be provided in the emergency responder training provided by Petitioners prior to energization of the Project. Based on Petitioner's knowledge, there is no specialized equipment required for fire suppression at a solar project.

39. ***What is the distance of the nearest municipal fire hydrant to the proposed facility? What alternative water sources are available to the fire department? How would water be brought to the site in the event of a fire?***

RESPONSE: There are multiple hydrants along both Abbe Road and Town Farm Road. The nearest to the northern access drive is located approximately 200 feet to the north on the west side of Abbe Road. The nearest to the southern access road is located approximately 120 feet to the east on the south side of Town Farm Road. With the presence of these hydrants, the need for alternative water sources is not anticipated.

40. ***Would firewater or other runoff from a solar panel/electrical fire be considered hazardous and require cleanup by a hazardous materials response contractor?***

RESPONSE: No.

41. ***What type of insulating oil is used within the transformers? Is it biodegradable? Do the transformers have a containment system in the event of an insulating oil leak? Can the SCADA system detect an insulating oil leak?***

RESPONSE: Envirotemp FR3 natural ester fluid is used within the transformers. It is readily biodegradable per OECD 301, non-toxic and non-hazardous in soil and water, contains no petroleum, halogens, silicones, or sulfurs, and is recyclable. Secondary containment and SCADA

leak detection are not typically installed when using FR3 fluid due to it being non-toxic and non-hazardous.

42. ***If private water wells are located on properties abutting the site, would vibrations from the installation of racking posts affect well function and/or water quality, such as well water sedimentation?***

RESPONSE: Petitioners does not anticipate any activity during construction that would result in vibrations significant enough to impact neighboring wells. Geotechnical analysis is performed prior to the post-approval, pre-construction engineering design of the foundations and all subsurface conditions are considered in the final design. Should rock or other subsurface conditions exist that may significantly conduct vibrations, pilot hole drilling is typically employed prior to pile driving which greatly reduces drive times and associated noise and vibrations.

43. ***Referencing Petition Attachment 8- Noise Analysis, p. 5, it states "The closest residence is 315 ft away from the southern equipment pad." Identify the address of this residence.***

RESPONSE: Petitioners would like to correct that the closest residence is 240 ft away from the southern equipment pad. The residence is at 114 Town Farm Road.

44. ***What is the distance from the southern equipment pad to both the property line and residence at 2 Cornfield Lane? What would be the noise level from operation of the facility at the 2 Cornfield Lane property line?***

RESPONSE: The distance from the southern equipment pad to the property line at 2 Cornfield Lane is 195 feet. The distance from the pad to the residence at 2 Cornfield Lane is approximately 248 feet. The noise level from operation of the facility at the 2 Cornfield property line is approximately 47 dBA at the maximum during the daytime, which is well below the permitted levels. Of note, because the equipment is not operating at night, there will be no noise present during night hours. The associated calculations can be found in Exhibit 3.

45. ***Can the southern equipment pad be moved farther to the north to increase the distance to the residences on Town Farm Road and Cornfield Lane?***

RESPONSE: This is possible but all changes to interconnection equipment will need to be reviewed and approved by Eversource. Petitioners has inquired and is currently reviewing this possibility.

Environmental Effects and Mitigation Measures

46. ***Referencing Petition p. 16, it states construction would be in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control and the 2004 Connecticut Stormwater Quality Manual. Is the preliminary design of the Project at least 50 percent complete? If not, would construction comply with both the Connecticut Soil Erosion and Sediment Control Guidelines and Connecticut Stormwater Quality Manual, effective March 30, 2024?***

RESPONSE: The design was more than 50 percent complete prior to the effective date of March 30, 2024, so the 2024 Guidelines and Manual do not apply.

47. ***Referencing Petition p. 16 and Attachment 7, p. 9, has Lodestar received any comments from the State Historic Preservation Office regarding the Phase IB investigation?***

RESPONSE: Petitioners received a letter from the State Historic Preservation Office on April 29, 2024 stating that "no historic properties will be affected by the proposed solar facility and no additional archaeological investigation is warranted." The letter is attached in Exhibit 5.

48. ***Referencing Petition Overall Aerial Plan - Sheet 3, is it possible to relocate the access drive and underground electrical line to avoid tree clearing north of the wetland?***

RESPONSE: No tree clearing is proposed in the vicinity of the wetland. There is only limited clearing (maximum 20' into the existing tree belt between the two agricultural fields) along the northern property line to accommodate the solar array and perimeter fence.

49. ***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).

RESPONSE: See Exhibit 4 attached hereto.

Facility Construction

50. ***Will blasting be required to construct the site? If not, how will racking posts be installed if bedrock is encountered?***

RESPONSE: Geotechnical analysis is performed prior to the engineering design of the foundations and all subsurface conditions are considered in the final design. Blasting is not anticipated to be utilized. Should rock or other subsurface conditions exist that may significantly conduct vibrations, pilot hole drilling is typically employed prior to pile driving which greatly reduces drive times and associated noise and vibrations.

51. ***Would construction of the two solar array areas occur concurrently or in phases?***

RESPONSE: Concurrently.

52. ***Referencing Petition p. 15, what is meant by "…seed the fields right away once the harvest is complete"?***

RESPONSE: The owner of the property grows squash on the farm field on the property. Following the harvest of the squash, the fields were seeded with rye which helps prevent soil erosion and stronger vegetation growth for the following season.

53. ***Referencing Petition p. 15, why does the stormwater swale need to be registered with DEEP? If the process is separate from the General Permit application process, what is the registration process for a stormwater swale?***

RESPONSE: DEEP General Regulations, Section 22a-409-1(a)(10) states that "Dam means any barrier of any kind whatsoever which is capable of impounding or controlling the flow of water, including but not limited to storm water retention or detention dams, flood control structures, dikes and incompletely breached dams." According to DEEP General Regulations, Section 22a-409-1(b), all dams or similar structures are required to be registered with the state regardless of size. Registration of the swale is required once construction is completed. Registration will require a form submission to DEEP with the property information and civil details of the swale.

Facility Maintenance/Decommissioning

54. ***Revise the Operations and Maintenance (O&M) Plan to include the following:***
    - ***a. Inspection and maintenance procedures for the tracker motors.***
    - ***b. section E- Emergency Response –correct the reference to the Willimantic fire and police departments.***
    - ***c. Water source for the periodic panel washing.***
    - ***d. Provisions for landscape watering for a full year after planting.***
    - ***e. Provisions for replacement of dead plantings for the life of the project.***

Response: Please see the revised operations and maintenance plan in Exhibit 2.

55. ***Referring to the O&M Plan, Section II, Spill Prevention Control Plan- Reporting, if a spill occurs, what entity is responsible for notifying area residents that have water wells?***

RESPONSE: The U.S. Environmental Protection Agency (USEPA) regulations require the reporting of a spill or release that exceeds USEPA's minimum reporting requirements to the USEPA and to the CT DEEP. If the spill or release presents the potential for a fire or danger to the public, Petitioners will need to notify the local Fire Department. There is not a requirement to notify the general public. However, the DEEP could require the involvement of a licensed environmental professional (LEP) and depending on the level of the release could require public notification and public hearings. The Petitioners will follow the instructions of USEPA and DEEP and comply with all requirements in such an event.

56. ***Would replacement modules be stored on-site in the event solar panels are damaged or are not functioning properly? If yes, in what location?***

RESPONSE: There are no plans to store replacement modules on-site. When the modules initially arrive, they are inspected for any signs of damage. If any damage is found, it will be documented in compliance with the manufacturer's warranty procedure. Once the project is operational, damaged modules would be detected visibly, via annual thermal flight reports, through voltage/amperage testing during the annual O&M inspections, or during a visit in response to a perceived site issue being monitored 24/7/365 by our O&M provider.

57. ***Would project decommissioning include the two access drives and perimeter fencing?***

RESPONSE: Yes.

58. ***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 Lodestar agree to install solar panels that are not classified as hazardous waste through TCLP testing?***

RESPONSE: Petitioners has confirmed that it will be utilizing ZNShine, Item/Model Number: ZXM7-SHLDD144 Module Size: 540 for the Project. Attached hereto as Exhibit 6 is a copy of the passing TCLP test results from the manufacturer, verifying that the panels comply with TCLP requirements.

Respectfully submitted,

Petitioners
LSE Scutum LLC and LSE Bootes LLC

CERTIFICATION OF SERVICE

I hereby certify that, on the date hereof, a complete copy of the foregoing was provided electronically and/or U.S. Mail, postage prepaid to all parties and intervenors of record:

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