

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

PETITION NO. 1637 – KCE CT 11, 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 4.99-megawatt AC battery energy storage facility located at 100 Salmon Brook Street, Granby Connecticut and associated electrical interconnection.	Petition No. 1637
	November 12, 2024

Petitioner KCE CT 11, LLC (“KCE”) hereby submits the following responses to the Interrogatories that were directed to KCE by the Town of Granby on November 4, 2024.

Notice

1. Describe outreach efforts to project abutters. Have any abutters requested further information? Were right-of-way (ROW) restoration measures described during public outreach? Please explain.

KCE provided formal notice to abutters of the project on July 23, 2024. On 8/21/2024, Paul Williamson from KCE met with abutting landowners and businesses tenants north of the project on Mill Pond. The meeting included an introduction to the project, questions and answers about the project construction and operations and discussion about shared use of access easement.

As follow up to the meeting, Paul Williamson communicated with J Lar, Inc. and Acre Group to initiate the creation of a shared access use agreement. KCE performed title and deed research to confirm the access easement location, dimensions, rights and responsibilities for all parties. KCE has provided a proposal as a bases of agreement terms to both parties. The parties are in general agreement, on base level terms, which include KCE performing a pre-construction analysis of the drive, KCE being responsible for any upgrades prior construction, repairs after construction, and replacement of the traffic island at the entrance to the drive with a low profile traffic control island that can be driven over by larger trucks. The parties will need additional time to complete review and execute a draft of the full agreement. The next scheduled meeting for this group is 11/13/2024.

Proposed Site

2. What is the distance to the nearest 100-year flood zone from the facility? And from the project site?

The nearest 100-YR Flood Zone is approximately 2,250 feet to the northeast of the project site, along the Farmington Canal Heritage Trail, and is 2,300 feet from the facility fence. Refer to Exhibit A (FEMA map) attached hereto.

3. Where is the nearest publicly accessible recreational area in the Town from the proposed project site? Describe the visibility of the proposed project from this recreational area.

This information was provided in Section 3.7 of the Petition Narrative. Based on publicly available data, the nearest State-designated scenic road is Main Street through Suffield Depot and is located approximately 7 miles north of the Project. The nearest public recreation area, the municipal Granbrook Park in East Granby, is 0.5 miles to the east of the site. The nearest State resource is the Mclean Game Reserve approximately 0.5 miles to the west. None of these resources are expected to have visibility of the project based on proximity, landforms, and tree cover in the area.

4. Has KCE CT 11, LLC (KCE) considered a larger setback from the roadway and abutting properties? If yes, explain. If not, why not?

The project has been carefully designed within the available space allowed by topography and boundary setbacks with consideration for equipment, access, and stormwater control facilities. Moving the project will not be feasible, as doing so would require extensive excavation/earth work. The project is currently setback 380 feet from Mill Pond Drive and 350 feet from Salmon Brook St., which are greater than typical municipal setbacks. Due to the forested buffer that will be left in place, the project will not be seen nor heard at this location by travelers on the roads and will have no impact on uses of the nearby roads during normal operations. The project will have limited visibility from the rear of 7 Mill Pond Drive. Due to the limited visibility and the fact that the project meets the sound standard at the property lines, the project will have no adverse impact on abutting properties during normal operations.

5. In addition to Windsor Locks and East Hampton, please list the last five locations of projects developed by KCE or affiliates of KCE, including the nature of these projects and their outcomes. This information should not be restricted to Connecticut.

KCE developed, constructed, and owns/operates the first operational BESS in New York State, the 20 MW KCE NY 1 Facility in Stillwater, NY. This KCE BESS asset was the first of its kind to progress through the NYISO Interconnection Queue, which required close coordination with New York State Electric & Gas (NYSEG), the local utility, and NYISO.

KCE's 3 MW / 12 MWh BESS, KCE NY 3, was selected by Orange & Rockland Utilities (O&R) through its competitive Pomona NWA RFP to provide support for its Pomona load pocket in Ramapo, NY in October 2018 and was brought into operation in December 2020. O&R owns the Project and KCE operated it under a five-year O&M agreement. Through its acquisition of this

Project, O&R will delay building costly new peak-demand infrastructure, while simultaneously increasing system reliability and reducing reliance on carbon-emitting resources.

KCE NY 6, a 20 MW / 41.97 MWh BESS in Blasdell, NY achieved COD in May 2023.

KCE TX 10 is a 100 MW, 2-hour standalone lithium-ion battery energy storage system (BESS) in Denton County, Texas, developed and constructed by KCE. The project was brought online in October 2024 and is currently operated by KCE's Market Operations, Asset Management, and Operations teams.

KCE CT 5 is a 5 MW 20 MWh BESS system in Willington, CT that has received CT Siting Council, CT DEEP Stormwater Discharge Permit, and US Army Corps of Engineers approvals. The project is currently in pre-construction planning.

A full list of the KCE projects operating, in construction, and under development can be found at <https://keycaptureenergy.com/projects/>.

Project Development

6. As referenced on page 4 of the Petition, provide all agreements with third parties responsible for monitoring, operating and maintaining the facility.

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. Subject to the foregoing objection, KCE states that upon full permit approvals and final project engineering, the project will negotiate equipment purchase agreements, warranty, service, monitoring and maintenance agreements. The agreements and all subject parties have not been defined at this time.

7. Was direct access to Salmon Brook Street considered? If it was not considered, provide reasons. If it was, why was it rejected?

Direct access to Salmon Brook Street. was considered at the early stages of development. The access path was rejected due to the presence of the swale with intermittent stream and wetland in the path to Salmon Brook Street. Creating access on that route would require disturbance and permanent fill of a wetland, in addition to either performing significant fill or building a bridge to traverse the swale. Those options would cause greater environmental impact and would also not be financially feasible in light of the environmental mitigation measures that would be necessary. It appears that the Guarco family clearly understood this issue when they deeded the 34-foot-wide access easement from the property to Mill Pond Drive.

8. What tax revenue will be generated by the project for the benefit of the Town?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. Subject to the foregoing objection,

KCE states that tax revenue will be generated by the project for the benefit of the Town, however, a current estimate cannot be provided at this time. KCE will seek to engage the Town for a tax stabilization agreement upon permit approvals for the project, at which time such benefits will become clearer.

Proposed Facility and Associated Equipment

9. Provide operational service and safety records for the make and model of batteries being proposed.

The information requested is marked by the manufacturer as copy written by e-Storage, “Contains Confidential information. Without prior written consent from e-Storage or its licensors, do not modify, reproduce or distribute.” KCE has sent written request to the manufacturer but did not receive a response in time for the submission of this response. If permission is granted by the manufacturer to release certain information, such submission will be released to the Council under seal of confidential materials pursuant to a Protective Order.

10. What is the service life of the batteries?

While battery degradation is non-linear, the average degradation over a 20-year lifetime is 1.48%.

11. Referring to page 13 of the Emergency Operations Plan, emergency contact details will be located on the perimeter fence. How will the public access this information in the event of an emergency?

Copies of the full Emergency Response Plan will be kept in a locked box on the exterior of the project fence line to be accessible to emergency responders in the case of an emergency. Additionally, copies of the plan will be provided to the fire department. As the plan is updated, revised copies will be held on site and filed with the fire department. KCE will provide additional copies per the request of the fire department or the Town, to be filed at their discretion.

12. Describe the safety features integrated within the Battery Management System Supervisory Control and Data Acquisition (SCADA) referenced on page 13 of the Petition.

The BMS is responsible for monitoring and managing the state of the battery cells and ensuring their health and performance, while maintaining safe operating conditions. Key BMS safety features include: Overcharge and Over-discharge Protection, Temperature Monitoring, Cell Balancing, State of Charge (SOC) and State of Health (SOH) Monitoring, Current Monitoring, Short Circuit Detection, Fault Detection and Isolation, and Fire Prevention Mechanisms. Key safety features of the SCADA system include: Real-time Monitoring and Alerts, Remote

Shutdown and Isolation, Operational Log and Event Logging, System Health Analytics and Predictive Maintenance, Access Control and Security, Redundancy and Failover Mechanisms, Geographical Safety Integration. The BMS and SCADA systems work in tandem to ensure safety at all levels including: Emergency Shutdown Protocol, Coordination for Fault Diagnosis, Data Sharing and Communication.

13. Has there been revisions to the construction schedule since submission?

The schedule is constantly being revised and updated. The most recent updates include a small push back in pre-construction from April 2025 to May 2025 and completion of construction from October 28, 2026 to November 2, 2026. The schedule is subject to further refinement based on final approvals and equipment procurement timelines.

14. If the project is approved, does KCE plan to transfer the facility or approval to another entity?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. Subject to the foregoing objection, KCE states that KCE currently has no plans to transfer the facility to another entity.

15. Under what circumstances would KCE sell or transfer the project to another entity prior to decommissioning?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. Subject to the foregoing objection, KCE states that KCE may consider transfer of the facility if doing so meets the company's business objectives at the time of consideration.

16. If KCE transfers the facility to another entity, will KCE provide the Town with a written agreement as to the entity responsible for any outstanding conditions of the approval, including contact information for the individual/entity acting on behalf of the transferee?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k and further assumes a hypothetical situation that is not currently in evidence in this proceeding. Subject to the foregoing objection, KCE states that notification to the Siting Council is required in the event of any transfer of the facility to another entity, and the new entity is required to take ownership of the facility pursuant and subject to all terms of Siting Council approvals, including updating contact information. Under the current regulations of the Siting Council, the Town will be copied as an identified party to this proceeding.

17. What type of inspections of the project site will be conducted pre-construction, during construction and post-construction? Who will be responsible for said inspections?

KCE performs a wide variety of inspections, either by qualified KCE personnel or contracted third party subject matter experts, as necessary. This list should not be deemed to be all-inclusive and is subject to change in accordance with project needs.

Pre-construction inspections include surveys for wetlands or environmentally sensitive areas, environmentally sensitive plant or animal species, and geotechnical studies on the subsurface ground conditions.

Prior to construction, KCE will file for a Town building and electrical permit, and then comply with all related inspections.

KCE completes inspections of the work as it is being completed to ensure safety and quality of the completed project. A project-specific Quality Plan, including inspection & testing plans (ITPs), is developed before work begins. Quality assurance/quality control (QA/QC) inspections are completed as the project is being constructed. Typical inspections during construction include periodic and post rain event stormwater and pollution prevention plan inspections (SWPPP Inspections), quality control inspections of all work being completed, and Health, Safety, and Environmental (HSE) Site Inspections. As the project is nearing completion, each piece of equipment is inspected as part of the pre-commissioning or cold commissioning and the hot commissioning process.

KCE's Health, Safety, Environmental, and Quality (HSEQ) team will have conducted a HSEQ site audit, and a final round of site walk/site inspections will be conducted by a joint team of KCE's Operations & Maintenance personnel, KCE's Construction & Commissioning personnel, KCE's equipment providers, KCE's contracted Engineering, Procurement, and Construction (EPC) contractor, and KCE's Operating & Maintenance contractor to ensure the site is ready for safe turnover and operation.

During-Construction inspections include SWPPP inspections (if the permit is not yet closed out), equipment inspections, Fire Safety System (FSS) testing, HSEQ Site Inspections, SPCC inspections. As and where required, regulatory inspections, as well as general operational site inspections are done at regular intervals that make sense for the size and location of the site. These inspections will be performed by qualified personnel for each task.

Post-Construction inspections of the facility are anticipated to be made multiple times a year by O&M personnel.

18. Has KCE conducted any studies to determine the economic impact the proposed project may have on abutting property values in the Town of Granby? If yes, provide said study. If not, why not?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. In addition, KCE objects to this

interrogatory as the Siting Council is not required consider property values when making declaratory rulings pursuant to the Public Utility Environmental Standards Act, Conn. Gen. Stat. § 16-50g, *et seq.* See, *Woodbridge Newton Neighborhood Env't Tr. v. Conn. Siting Council*, 349 Conn. 619, 635 (2024) (holding that a facility's impact on property values is not an enumerated or an unenumerated significant adverse effect which the Council must consider.)

Subject to the foregoing objection, KCE states that KCE has not performed a study on real estate values for this project. However, the project will not be visible or heard by individuals on surrounding properties and will go unnoticed, thus this project will likely have little effect on surrounding properties.

Many similar concerns have been raised about solar energy facilities, which are much larger and more visible than KCE's proposed project and the impact of these solar energy facilities on property values has been studied. Those studies, including one published in October 2024, have consistently found that large scale solar facilities have had no impact on property values, and in some cases, have had a positive impact. Since KCE's project has a much smaller physical footprint than a typical solar energy facility of the same generating capacity and includes visual barriers, KCE anticipates no impact to property values. See, Solar Compass-<https://www.sciencedirect.com/science/article/pii/S2772940024000249>; American Clean Power-<https://cleanpower.org/resources/property-values-and-utility-scale-solar-facilities/>.

Energy Output

19. Would the facility emit EMF? If so, what precautionary steps are taken for public safety?

BESS EMF emissions are expected to be similar to those of transmission substations with respect to 60-Hz magnetic fields, however, sources inside the facility are not generally substantial sources of 60-Hz magnetic fields outside the facility. The transmission and distribution lines entering and exiting the facility are the dominant sources of EMF at the property line and beyond. In the case of the KCE CT 11 project, the generation tie line that is connecting the project to the point of interconnect on Blair Hill Rd. has the same 23kV rating as the existing roadside line and will not create any greater level of EMF than already exists at this location or across most areas of the state.

This conclusion is confirmed by the following two reports. In addition, the World Health Organization has determined that there is no evidence of health concerns from low levels of EMF.

1. National Institute of Environmental Health Sciences, National Institutes of Health, EMF, Electric and Magnetic Fields Associated with the Use of Electric Power, June 2002, available at http://www.niehs.nih.gov/health/materials/electric_and_magnetic_fields_associated_with_the_use_of_electric_power_questions_and_answers_english_508.pdf

2. National Research Council, Research on Power-Frequency Fields Completed Under the Energy Policy Act of 1992, National Academy of Sciences, 1999, available at <http://books.nap.edu/openbook.php?isbn=0309065437>

Because EMF is expected to be minimal at the site and due to the lack of evidence that this is a significant issue from the forementioned studies, there are no industry BMPs for EMF.

Environmental

20. Given that the site itself is not listed on the CTDEEP Natural Biodiversity Database, have there been any assessments to determine the potential impact on the nearby mapped sites located downgradient in terms of groundwater flow and prevailing wind directions? What measures are currently in place or proposed to protect these NBDB sites from potential negative impacts originating from the site activities?

The project will obtain a CTDEEP Stormwater General Permit, and the project is required to secure a Final Determination from the CTDEEP Wildlife Division in the event of potential direct impacts to wildlife for that permit. The project has been designed to meet all State water quality and air quality guidelines protecting onsite resources and offsite properties.

21. Has the applicant adhered to the recommendations of the Council on Environmental Quality outlined in its letter dated August 29, 2024? If not, explain why.

KCE has reviewed the recommendations of the CEQ in its 8/29/24 letter. Since federal permitting is not required for this project, consultation with USFWS via an official IPaC report is not required. The Project intends to comply with protective measures set by CT DEEP should their Wildlife Division recommend time of year clearing restrictions. The Council additionally suggested seeking an alternative interconnection route to avoid clearing within a wetland onsite. KCE consulted with Eversource on alternative interconnection points within the vicinity of the project and inquired as to whether interconnecting down Mill Pond Drive would be possible. Eversource confirmed that interconnecting on Mill Pond Drive would not be possible due to the line set up and structure, and the best and only interconnection point would be the Eversource 23 kV NE Simsbury 43F3, located on Salmon Brook St. This will require clearing of trees in the narrowest area of the wetland onsite, but existing low shrub vegetation will remain in the cleared area. The project also intends to adhere to the CT DPH General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area and will provide an SPCC and Emergency Response Plan (ERP) to the Town of Granby.

22. Per Figure 5 of the Petition, there are wetlands and/or watercourses immediately adjacent to and downgradient of the proposed site. Please provide delineations of these wetlands and/or watercourses. Did KCE evaluate the impact of the project on these downgradient wetlands/watercourses? If so, please provide those evaluations. If not, please explain why.

As project design advanced, the KCE project team determined that the collected data outside of the project parcel, while not required, would be valuable. KCE recently worked with the adjacent abutting property owner to obtain permission to survey wetlands and watercourses within areas adjacent to the project. There are no proposed direct impacts to these resources as they occur offsite. Additionally, the Project will require a Stormwater Construction General Permit from

DEEP, which requires treatment of all stormwater runoff at the site. Refer to Exhibit C (Revised wetland figure) for more information.

23. Please provide delineations for upland review areas (100 feet for wetlands and 200 feet for watercourses) for all on-site and adjacent wetlands or watercourses.

Delineated wetlands on the project parcel and adjacent property are shown on the figure provided. The figures include the 100' upland review area for wetlands, and 200' upland review area for watercourses. Refer to Exhibit C (Revised wetland figure) for more information.

24. Provide a copy of any wetland and vernal pool assessments or reports related to the project.

Wetland and vernal pool survey results can be found in Section 4 of the Natural Resources Survey Report in Exhibit D of the Petition, and in the provided wetland figure.

25. Was the swale located in the northeasterly corner of the property evaluated for wetland soils? If not, why? If so, please provide any corresponding documentation.

The entire property was evaluated for wetland soils during wetland delineations. Refer to the wetland report in Exhibit D of the petition to see delineation methodology.

26. Has KCE considered additional contouring of the proposed site to prevent fluids from entering downgradient wetlands and watercourses? If so, why did KCE not include additional contouring in its petition? If not, why?

The Stormwater Construction General Permit will address the collection and treatment of all water onsite. The project location was selected to be on the flat part of the site, where there is minimal grading other than excavation required for the access road and stormwater basin. Stormwater runoff from the proposed surface does not directly enter downgradient wetlands and watercourses before being captured and treated by one of the project's proposed stormwater basins.

27. Can the project footprint including any areas of disturbance be reduced to provide a larger buffer from the top of the on-site slope? Please explain.

The site layout has been designed to consider safety specifications required from the manufacturer and required stormwater treatment. Further reduction of the footprint would require reduction of the project capacity, and therefore, the project would not be financially viable.

28. How will direct impacts to wetlands be conducted in terms of sequencing and stabilization?

No direct wetland impacts are proposed for construction and maintenance of the project.

a. What time of year will the work be completed?

Based on the current schedule, construction will take place from December 2025 through November 2026. The schedule is subject to change.

b. How will hydrology be managed, including but not limited to dewatering and restoration of stream bed and banks?

Stream crossing, dewatering, or other activities within the OHWM of the stream are not proposed and restoration of stream bed and banks will not be necessary.

c. What will be the width and depth of the trench traversing the wetland and watercourse?

There are no direct impacts, including trenching, proposed to the wetland and watercourse onsite. The interconnection will be via overhead lines and no poles are to be constructed within the wetland.

d. Where will this material and soil temporary stockpiles be located?

Refer to KCE's response to the Council's Interrogatory No. 68. Temporary stockpiles are to be located by the Contractor, who has not been selected at the time of this response.

29. Were subsurface soils at the property evaluated for hazardous contaminants? If yes, provide the results of the evaluation. If yes, how will excavated soils be handled? Will disturbed soils be tested prior to being relocated on site or removed from site?

NB Environmental Services performed a Phase I Environmental Site Assessment (ESA) of the property located at 100 Salmon Brook Street in Granby, Connecticut in conformance with the scope and limitations of ASTM Practice E 1527-21, including the All-Appropriate Inquiry requirements and the CTDEEP Site Characterization Guidance Document (SCGD).

This assessment included a review of environmental agency records, an interview with the owner, and a site inspection conducted on July 22, 2023. The report concluded "The Subject Property is not currently serviced by utilities. Stained soil or contamination on the Subject Property were not observed during NBES' field inspection." Based on the results of the report, no hazardous contaminants are known or expected on site.

30. Will the project require any approvals from the U.S. Army Corps of Engineers?

The project does not propose any discharge of dredged or fill material into waters of the U.S, including wetlands onsite and thus does not require permitting through the USACE.

31. Referencing page 6 of the Petition, which states that normal operations will not produce hazardous air emissions, please detail all possible air emissions scenarios in case of project failure, fire, or thermal runaway.

The air emissions during a fire event will be similar to typical byproducts released from a modern fire involving a house or vehicle, as described in KCE's response to Council Interrogatory No. 44a. Please see reference reports attached hereto as Exhibit B for air monitoring during historical fire events, which indicate that air contamination from fires does not pose a health concern to nearby occupants.

32. What, if any, fertilizers, or pesticides are expected to be used in connection with the facility, and for what reason(s)?

The project does not intend to use any fertilizers or pesticides.

33. Referencing page 16 of the Petition, which notes that industry standards recommend allowing a fire to burn out naturally, identify the potential discharge of materials, gases and chemicals into the air and onto the ground in the event of a fire.

As described in KCE's response to the Council's Interrogatory No. 44a, fire impacts are anticipated to be limited to the site based upon product testing of the battery cells themselves, independent testing on BESS, and experience with previous real world BESS fires. Furthermore, Fire & Risk Alliance (FRA) is performing a plume study which will evaluate the extent of toxic gases produced from a battery failure event. Based upon these analyses, FRA is confident the results will show that impacts are limited to the BESF. Additionally, as described in KCE's Response to the Council's Interrogatory No. 41, with these practices, water run-off will be minimized.

34. In cases where trees or vegetation are damaged or destroyed by fire or thermal runaway, what will be the impact on the site's wetlands and watercourses and nearby water resources?

The BESF will have a 50 ft clearance between BESS containers and vegetation to prevent impacts to trees and vegetation. Furthermore, the project has been designed to meet all stormwater

standards by the state and the basins ensure that fire water runoff will not induce erosion from the site into nearby water resources.

Also, real world BESS fire events have never spread to adjacent vegetation, even in situations where trees and vegetation were closer to the BESS containers than at this BESF. In addition, real world BESS fire events have not found contaminants in the water runoff levels dangerous to people, as described in KCE's response to the Council's Interrogatory No. 53.

35. Identify all materials or substances that could be part of run-off if water is used to extinguish a fire.

When following recommended industry standard emergency response procedures, which include limiting the use of water to cool nearby exposures and prevent the spread of fire, the fire run off water will carry no additional materials, as the water is not being applied directly to the distressed BESS container, as described above in in KCE's response to the Council's Interrogatory No. 53.

Furthermore, the project has been designed to meet all stormwater standards by the state and the basins provide an extra layer of protection to ensure fire water run off does not flow directly into water resources, induce erosion or other have any other negative effects.

36. Has a study been conducted to assess drinking water and irrigation wells proximate to the site or otherwise potentially impacted by potential thermal runoff or otherwise, including water supply wells within 200 feet and public water supply wells within 1000 feet of the proposed site? If such a study exists, please provide a copy of the findings and methodologies used.

Refer to in KCE's response to the Council's Interrogatory No. 58. A study has not been conducted but impacts to drinking water or irrigation wells are not anticipated. Stormwater runoff from the site is directed to one of three infiltration basins, which provide treatment prior to entering groundwater. Runoff from impervious areas of the site is not sent to the nearby wetlands directly.

37. Will topsoil, subsoil and substratum soil material be stockpiled? Where will these be located and how will it be stabilized? What mechanisms are in place to ensure these materials will stay on site? Will there be a soil scientist on site during soil disturbance activities to assist in directing trenching and grading to correctly separate and replace soil horizons and stockpiling?

Soil materials will be stockpiled on site by the Contractor. As the Contractor has not been selected at this time, exact locations cannot be specified. A laydown area has been provided graphically on the site plans, which is intended to be an area that materials and equipment are stored during construction. Soil stockpiles are required to be stabilized in accordance with CTDEEP regulations. Typically, soils stored as a stockpile utilize a silt fence, erosion control blankets, and/or seeding to

stabilize if it remains for a period of time. It is not required or proposed to have a soil scientist on site during construction.

38. Explain the proposed planting plans and provide a list of plantings (including size, number of plantings, and species)? Is there going to be a licensed landscape architect on site supervising the plantings? What is the care and treatment plan (*i.e.*, management plan) for these plantings? What will happen if the trees planted die within the first two to three years? Will they be replaced?

The project has been designed to leave a forest/vegetative buffer in place on all sides with the exception of the path for the powerline to Salmon Brook St. and the access entrance to Mill Pond Drive. No additional tree planting is planned. At the end of the construction period, a conservation seed mix will be used on any bare/disturbed soils as part of erosion control best practices.

39. What equipment will be used for the utility and interconnection lines for the project, and will this equipment be located and operated within designated wetlands areas?

The interconnection lines running from the project to the Eversource NE Simsbury 43F3 circuit located on Salmon Brook St. will be a 23kV three phase power line mounted on wooden poles. Pole spacing will be based on final interconnection design dictated by Eversource but should be similar to the spacing seen on Salmon Brook St. (approximately 150 feet apart). No poles or equipment will be installed in the identified wetland area or intermittent stream. At the point of change of ownership as the line approaches Salmon Brook St., Eversource will likely include a recloser and a meter mounted on poles.

During construction, a limited amount of clearing will be required within the wetland (approximately 1,450 square feet). This vegetation removal will be done either using operators with chainsaws or low pressure/tracked ground equipment. No tree stumps will be removed, and low growing shrubs will remain intact.

Public Safety

40. Could the construction or operation of the proposed facility impact or interfere with any existing utilities or infrastructure within the surrounding area? If so, identify any measures that would be employed to protect existing utilities or infrastructure from impact or interference.

The project was studied in detail by Eversource as part of the System Impact Study. The study results showed no adverse impact on the system as noted in KCE's response to the Council's Interrogatory No. 33.

41. Has KCE conducted any studies to determine the potential impact on cell phone reception, Wi-fi and internet connectivity in the immediate vicinity of the project site? If yes, provide said study. If not, why not? Would there be any impact to cell phone reception, Wi-Fi and internet connectivity during the construction of the facility?

The project has not conducted any studies related to cell phone interference. BESF facilities are relatively low profile and have not been known to cause cell phone interference as higher structures may tend to do. Additionally, as indicated in KCE's response to the Council's Interrogatory No. 54, EMF emissions from BESS do not extend far beyond the project boundaries, and therefore, do not create interference with communication signals. BESS are used at cell phone broadcasting facilities to provide backup power when needed.

42. Are there contamination concerns with water pooling and drainage contaminating nearby bodies of water? Explain.

When following recommended industry standard emergency response procedures, which include limiting the use of water to cool nearby exposures and prevent the spread of fire, the fire run off water will carry no additional materials as the water is not being applied directly to the distressed BESS container, as described above in KCE's response to the Council's Interrogatory No. 53.

Furthermore, the project has been designed to meet all stormwater standards by the state and the basins provide an extra layer of protection to ensure fire water run off does not flow directly into water resources, induce erosion, or cause any other negative effects.

43. Would the proximity of any existing or proposed structures present a fire safety or other hazard (*i.e.*, lightning strike)?

There are no nearby structures that present an immediate hazard to the project. The project fence line will be located 200' from the nearest building (Shopping Plaza to the North). At this distance, the existing buildings in the area do not present a hazard to the BESF.

44. Referencing Exhibit J, Operations and Maintenance Plan, will KCE provide training to the local first responders in proper firefighting protocols for lithium-ion battery fires? If so, provide specifics concerning the training. Who is responsible for the costs associated with that training?

In developing and operating battery energy storage projects, KCE's first priority is safety. We strictly adhere to industry best practices through our rigorous operations standards and promote a culture of safety throughout the company. KCE's team works with fire departments and other first responders on education and training during the development, construction and then operations of our projects. We conduct training and site familiarization with local emergency responders before a project goes into operation. Once operational, KCE offers these trainings annually once a KCE

facility has begun operations to discuss any new technology or industry best practices. All training is funded by KCE CT 11. KCE works closely with local officials with an ongoing dialogue to answer any questions they may have regarding our operations and fire containment and suppression strategy. KCE recommends that first responders stay outside of the facility fence, with a focus on the safety of first responders and the local community.

KCE has a best-in-class incident response manual developed in consultation with first responders and fire safety consultants for each of our projects. There are also national codes KCE must follow, which dictate how these documents must be prepared. Trainings held with local fire departments are based on the contents of these documents. As may be requested in certain jurisdictions, KCE also prepares supplementary plans and procedures to align with local requirements or project-specific considerations. Please refer to Exhibit J of the petition.

45. Referencing Exhibit J of the Petition, regarding emergency response:

a) How are Emergency Response Coordinator's selected?

Refer to Exhibit J of the petition.

b) What is the distance from the proposed facility to the nearest municipal fire water source for purposes of tie-in in the event of a fire? What is the type of that municipal fire water source?

Refer to KCE's response to the Council's Interrogatory No. 49.

46. What are the industry standards regarding evacuation procedures in the event of a thermal runaway?

There is no prescriptive industry standard regarding evacuation procedures as site-specific evacuation plans should be analyzed and coordinated with the BESF and local first responders. In general, it is recommended that site personnel, if any are on site at the time of the event, should evacuate the site and remain outside the perimeter fence, at a safe location. See, KCE's response to the Council's Interrogatory No. 44a for more information about community wide evacuation zones.

47. What preventative measures are available to prevent "Thermal Runaway" *e.g.*, such as explosion vent panels?

The BESS includes numerous layers of safety protection in the design. The BESS is equipped with dual and independent smoke and heat sensors in the battery cabinets with a redundancy designed to increase safety. There is an additional smoke and heat sensor in the auxiliary cabinet. The BESS is equipped with a fire alarm and strobe. The BESS container has its own Fire Alarm Control Panel

as the control and monitoring center for all fire safety devices, which also provides an interface to network with other fire safety devices onsite. This system interfaces with the external fire panel through either ethernet or fiber networking. Each battery cabinet is equipped with dual independent combustible gas detectors designed for improved safety, which also trigger fire alarms and activates the ventilation fan for explosion prevention.

In the separated aux cabinet, a fireproof wall is located between battery cabinets and the aux cabinet protects batteries from fire hazards caused by auxiliary system faults. The auxiliary cabinet is equipped with an additional set of smoke and heat sensors to detect potential electrical fire with the DMC and other electrical components.

The system is designed to meet the newest fire and safety codes globally, including complete fire propagation verification at the cell, module and unit levels with tests performed per the latest UL 9540A: 2019 (4th Edition).

The integrated multilevel fire detection provides timely detection and reports any thermal overload incident and includes E-Stop actions across the product and other system equipment as an immediate response. There is also a local emergency stop.

Gas detection and an NFPA69 rated active ventilation system with NFPA68 deflagration panels prevents the buildup of gases that may lead to a potential explosive event. Uninterrupted Power Supply (UPS) is built in for over twenty-four hours of fire alarm backup, and over two hours of ventilation back up.

Each BESS container has a HVAC system to keep the temperatures at the appropriate levels. The HVAC system includes coolant leak detection.

Construction, Maintenance, Decommissioning

48. What will be the final stabilization materials for the site? What seed mixes will be used? What habitat considerations were used in determining the materials/seed mixes?

At the end of the construction period, a conservation seed mix will be used on any bare/disturbed soils as part of erosion control best practices. Referencing the Town of Granby Interrogatory No. 20, that there are no known Rare, Threatened, or Endangered species on the site, no special habitat considerations were included in the project design. Notwithstanding that fact, the mature grass vegetation will serve to provide habitat to grassland species and will promote wildlife movement across the site.

49. Describe how data and mitigation instructions are transmitted in the Energy Management System (EMS) per the details on page 13 of the Petition. Do these communications rely on internet connections, and if so, what plan is in place for internet service outages?

The data collected by sensors, BMS, protection devices, and SCADA systems is transmitted to the EMS for analysis and processing. This is typically done using various communication methods such as private fiber optic networks and VPNs. KCE EMS systems rely on internet connections for remote monitoring, historian integration, and manual controls. A variety of redundancy, failover mechanisms, and local control features are in place to ensure continued operation during internet outages. These plans include backup communication paths, backup cellular or satellite networks, local data storage, power plant controller automation, UPS for powering critical devices, and intervention protocols to ensure the BESS remains stable and responsive even in the event of communication disruptions.

50. How will those that maintain the facility be trained in the event of an emergency?

KCE provides a wide variety of training to all of our employees based upon their roles and responsibilities to equip them with the knowledge needed to safely and appropriately respond to foreseeable situations. Similarly, our contractors are also required to have all of the necessary safety and other training to perform their roles. Additionally, KCE develops an Emergency Operations Plan (EOP) that addresses reasonably possible emergency situations and how to respond to them. The EOP addresses potential situations such as Smoke, Fire, Gas Release, Medical Emergency, Severe Weather (Extreme Heat, Extreme Cold, Winter Storm, Hurricanes, Tornados, Floods, Lightning Storms, and Drought/Water Shortage), Seismic Event, Hazardous Material Spill, Workplace Violence, Cybersecurity Threat, Bomb Threat, Pandemic, and Physical Security Breach. KCE personnel responsible for operating the site are trained on the EOP, which includes Tabletop Exercises on EOP response.

51. Will a construction and maintenance bond be obtained for the work to be performed? If yes, in what amount? If not, why not?

KCE does not typically obtain a construction bond for our projects of this size, as it is not required.

52. Will a decommissioning performance bond be obtained for the decommissioning work? If yes, explain the details of the planned decommissioning bond. If not, why not?

Please refer to Exhibit L of the petition.

53. What specific procedures would be implemented for selecting a decommissioning contractor if so used?

The decommissioning contractor will be qualified to perform general duties required to decommission large scale electrical facilities and will be chosen based on a competitive bid process. Please refer to Exhibit L of the petition.

54. Please provide the Material Safety Data Sheets ("MSDS") for all battery storage units and their contents used at the site. Additionally, provide the MSDS for any firefighting chemicals anticipated for use during a thermal runaway or those incorporated within the fire suppression systems on-site.

The information requested is marked by the manufacturer as copy written by e-Storage, "Contains Confidential information. Without prior written consent from e-Storage or its licensors, do not modify, reproduce or distribute." KCE has sent written request to the manufacturer but did not receive a response in time for the submission of this response. If permission is granted by the manufacturer to release certain information, such submission will be released to the Council under seal pursuant to KCE's Protective Order.

55. What is the volume and mass of each constituent listed in the MSDS mentioned above? Include details for both battery storage units and firefighting chemicals.

The information requested is marked by the manufacturer as copy written by e-Storage, "Contains Confidential information. Without prior written consent from e-Storage or its licensors, do not modify, reproduce or distribute." KCE has sent written request to the manufacturer but did not receive a response in time for the submission of this response. If permission is granted by the manufacturer to release certain information, such submission will be released to the Council under seal pursuant to KCE's Protective Order.

56. What site testing/cleanup work are required in decommissioning the project?

Please refer to Exhibit L of the petition.

57. How will the decommissioning plan account for technological changes that may affect disposal or recycling options for battery materials?

In typical use cases, batteries last 20 years and as technology continues to improve, they are approaching a lifetime of up to 25 years. At the end of their useful life, the batteries are removed and sent to a recycling facility where most of the valuable metals are recovered to be re-used.

KCE maintains relationships with multiple recycling companies that specialize in recycling these types of batteries. KCE can work with on lithium-ion recycling facilities, including Renewance, Li-Cycle, Redwood Materials, and Battery Recyclers of America. More recycling companies are continuing to enter the market. The entire battery can be recycled with 90-95 percent recovery rates. See, Li-Cycle- <https://li-cycle.com/blog/li-cycle-lithium-battery-recycling-efficiency-and-recoveryrates/#:~:text=Li%2DCycle's%20commercially%20proven%2C%20safe,lithium%2C%20nickel%2C%20and%20cobalt.>

New processes and technology are being developed for recycling BESS materials. The development of these processes is accelerating, and it is reasonable to expect there to be additional opportunities to recycle materials by the end of the project's life. It is impossible to predict the development of these resources over the next 20 years. KCE will take advantage of new processes that are appropriate and viable. A decommissioning plan has been developed based on known current resources. Please refer to Exhibit L of the petition.

58. How will you ensure compliance with local, state, and federal regulations in the decommissioning process, and who will be responsible for monitoring and reporting?

At the time of decommissioning, the current local, state, and federal regulations will be reviewed for any changes from current regulations. Third party subject matter experts will be contracted to perform the work with one of the contract requirements being compliance with all local, state, and federal regulations. This work will be completed by qualified people and monitored by KCE. Reporting will be completed by KCE or our third party subject matter experts as appropriate.

59. Would replacement modules be stored on-site? If so, where?

Replacement modules will not be stored on site. Replacement modules, if needed, will be purchased at the time the replacement is needed and delivered on site for immediate installation. Any defective equipment or equipment that is no longer in use will be removed at the time the maintenance is being performed.

60. Please state the specific types of insurance and extent of coverage regarding the construction, operation and decommissioning of the facility. Will the Town be named as an additional insured?

KCE objects to this interrogatory as it is beyond the scope of a petition for a declaratory ruling pursuant to Connecticut General Statutes §4-176 and §16-50k. Subject to the foregoing objection, KCE states that the project will have builders' risk coverage up to the value of the project during construction, and will have liability and property policies (10M and project value respectively) after construction is completed. The Town usually is not named as additionally insured.