



December 3, 2024

VIA ELECTRONIC DELIVERY

Attorney Melanie Bachman
Executive Director
Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051

RE: Petitioner #1638 -- LSE Sextans LLC and LSE Sextans II LLC (“Lodestar”) for a Declaratory Ruling that No Certificate of Environmental Compatibility and Public Need is Required for the Construction, Operation and Maintenance of Solar Photovoltaic Facility in Torrington, Connecticut

Dear Attorney Bachman:

In connection with the above-captioned petition, please find the original and fifteen (15) copies of petitioner LSE Sextans LLC and LSE Sextans II LLC’s interrogatory responses to interrogatories issued by the Council on November 12, 2024. Please contact me directly if you have any questions.

Sincerely,

Carrie L. Ortolano

Carrie L. Ortolano
General Counsel

Enclosures

**STATE OF CONNECTICUT
CONNECTICUT SITING COUNCIL**

LSE Sextans LLC and LSE Sextans II 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 3.0-megawatt solar photovoltaic electric generating facility located at Parcel Nos. 221-3-1 and 222-4-26, Lovers Lane in Torrington, Connecticut, and associated electrical interconnection.

PETITION NO. 1638

December 3, 2024

PETITIONERS' RESPONSES TO COUNCIL'S INTERROGATORIES

1. Has LSE Sextans LLC and LSE Sextans II LLC (Lodestar) received any comments since the petition was submitted to the Council? If yes, summarize the comments and how these comments were addressed.

RESPONSE: Petitioner received comments from the City of Torrington, as submitted to the Siting Council. The City's submitted comments to the Siting Council expressed concerns over visibility and stormwater. The City had a separate, public meeting following the submission to the Siting Council to discuss the project, which Lodestar was not invited to or made aware of.

Prior to filing this petition, Petitioner had three (3) in-person meetings with City officials including the Planning Department and Mayor Carbone's designated Land Use Committee. The June 5, 2023 meeting consisted of Jeremy Leifert, Ray Drew, Richard Lopez, Riska Malanca, Kevin Gillette, and Paul Kundzins. The April 25, 2023 and September 6, 2023 meetings were with Jeremy Leifert and Nate Nard-Cyrus. Additionally, we have engaged in numerous telephone calls and emails. The primary concern with the City was the addition of a potential access road for the City on the Southern border to access the western side of Major Besse Park (see response to Interrogatory #48). The primary issue with the access road was line-of-sight visibility for traffic.

In addition, prior to filing the petition, the Petitioner held two (2) community outreach meetings at County Woods Condominium on July 1, 2024 and July 22, 2024. Neighbors were provided copies of the site plans and other requested information prior to those meetings. At the meeting concerns were raised about health concerns, visibility, noise, and stormwater. All these concerns were addressed in the Petition.

2. Referencing Petition p. 9, what were the City's concerns regarding layout and the process as expressed during meetings?

RESPONSE: Please see the response to interrogatory question number 1.

Project Development

3. 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 City of Torrington. Petitioners will hold all of the required permits.

4. What is the estimated cost of the project?

RESPONSE: The estimated cost of the project is \$7.6 million.

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 Non-Residential Solar Renewable Energy Solutions (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 and 2 of the program.

6. 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.

7. Referencing Petition p. 2, elaborate on the tax benefits to the City that Lodestar expects to result from the Project.

RESPONSE: As noted above, this Project is part of the NRES program and *not* part of the virtual net metering (VNM) program, which had an associated state statute that specifically exempted VNM projects from municipal personal property taxes (C.G.S. § 12-81 (57)(D)).¹ Therefore, the Project will be subject to personal property taxes by the City of Torrington and the parcels of land that host the Project will be subject to real property taxes as well. As part of that, one of the two parcels is currently subject to an agricultural designation, which reduces the real property taxes for that parcel. With development of the Project, that parcel will be removed from that designation and therefore pay market-rate real property taxes.

Proposed Site

8. What is the length of the lease agreement with the property owner? Describe options for lease extension(s), if any.

RESPONSE: The lease term is twenty-five (25) years with two (3) additional five (5) year extensions available for a total of forty (40) years.

9. Referencing Petition Attachment 4, in the lease agreement with the property owner, what are the provisions related to decommissioning or site restoration at the end of the project's useful life? Please describe and/or provide any such provisions.

RESPONSE: Petitioner is required to remove the Facility at the expiration or termination of the lease.

10. 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: No.

11. Has the State of Connecticut Department of Agriculture (DOAg) 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.

¹ The City may be under the impression that this Project would be exempt since the only operating solar facility in the City is part of the VNM program and the City's assessor has (correctly) recognized its personal property exemption pursuant to C.G.S. § 12-81 (57)(D).

12. Is the host parcel subject to any development restrictions?

RESPONSE: No.

13. If the project is sold and/or transferred to another entity, would the sale and/or transfer include management and maintenance of the agricultural co-use areas?

RESPONSE: To the extent that Petitioner proposes an agricultural co-use area (which it currently has not) and it is approved, the obligations would transfer.

14. Provide the distance, direction and address of the nearest property line and nearest off-site residence from the solar field perimeter fence.

RESPONSE: The nearest property line from the solar field perimeter fence is approximately 50 feet to the south (552 Allen Road). The nearest off-site residence is Building 7 within the Country Woods Condominium development, approximately 119 feet northwest of the solar field perimeter fence.

Proposed Facility and Associated Equipment

15. Referencing Petition Sheet SP-0, provide the length of the existing gravel access drive off Lovers Lane. Would any upgrades be necessary to this existing access (e.g. apply additional gravel)?

RESPONSE: The existing gravel access drive extends approximately 175 feet from Lovers Lane into the Property. The existing access drive would be upgraded per the detail on Sheet DN-1 of **Exhibit 1** utilizing 12" of bank run gravel.

16. Would the wiring from the panels to the inverters be 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 the 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.

Energy Output

17. Referencing Petition p. 1, has Lodestar executed two NRES Tariff Terms Agreement (TTAs) of 1 MW AC and 2 MW AC, respectively, with Eversource? Explain. Would Lodestar also sell the renewable energy certificates (RECs) to Eversource? Would the TTAs include the transfer of capacity to Eversource?

RESPONSE: Yes - Lodestar has two executed TTAs with Eversource. One is for the larger array and was awarded in Year 1 of the NRES program and the other is for the smaller array and was awarded in Year 2. The energy from the systems goes directly to Eversource's distribution system. The NRES tariff bundles

energy, capacity and RECs into a single price and therefore Petitioner has no opportunity to sell RECs or capacity independently.

18. Referencing Petition p. 2, the energy would be sold to the City of Hartford via a net metering agreement if the project is selected under the NRES Program. As a distressed municipality, is the City of Torrington eligible to participate in the NRES Program? If so, could Lodestar enter into a NRES TTA for which the energy would be sold to the City of Torrington via a net metering agreement?

RESPONSE: Petitioner first reached out to Mayor Carbone in 2015 and met with Tim Waldren and Jerry Rollett at the City of Torrington to offer the discounted energy credits from Lodestar's first two projects in Connecticut with an estimated savings of \$2.7 million. Torrington was forming an Energy Task Force and told us they were not in a position to commit at that time.

Petitioner again reached back out in 2019 and offered a new project with savings of over \$1 million. Jerry Rollett had retired at this time and Lodestar worked directly with Ray Drew. Again, there was not sufficient interest in moving forward.

For a third time, in 2020, Lodestar had several additional projects with savings of \$1.5 million and reached out again to Tim Waldren and Ray Drew. Again, the City indicated that they were not interested in moving forward with a TTA with Lodestar.

In both 2021 and separately in 2022, Lodestar reached back out to City officials (Mayor Carbone and Ray Drew) to see if there was interest in partnering on some new projects that Lodestar was developing. On both occasions, the City indicated that it was not interested.

In 2023, the City apparently ran a request for proposal for TTA agreements through attorney Paul Michaud. The City did not reach out to Lodestar to inform Lodestar of the RFP nor did the City invite Lodestar to submit/participate in the RFP. Lodestar learned that the City ultimately awarded the RFP to a company called Tritec, a German company that makes solar racking equipment. We are not aware of whether there is any additional capacity available for the City of Torrington or if any of these solar projects were ever built.

As is clear from the above, Lodestar personnel have reached out to the City of Torrington for nine (9)+ years and at least on six (6) occasions to discuss entering into a TTA with the City for this Project as well as most, if not all, of the projects Lodestar has permitted and developed in the State of Connecticut during that time. As noted in the interrogatory and various correspondence, Lodestar agrees that the City of Torrington is eligible as a distressed municipality under NRES. Based on their RFP and subsequent awarding of business in 2023, Lodestar is unsure if they have capacity to take any additional discounted credits. As has remained the case for the past decade, Lodestar is certainly willing to work with the City in the event that they do want to discuss purchasing credits associated with this Project.

19. Is the project being designed to accommodate a potential future battery storage system? If so, please indicate the anticipated size of the system, where it may be located on the site, and the impact it may have on the NRES TTAs.

RESPONSE: No.

20. 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: 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.

21. 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.

22. Referencing Petition p. 1, what electrical loss assumptions have been factored into the output of the facility? What is the output (MW AC) at the point of interconnection?

RESPONSE: The capacity factor of the system is 74.61%. 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. The AC output at the point of interconnection is 3MW AC.

23. If the facility operates beyond the terms of the NRES TTAs, 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.

24. Would Lodestar construct the facility if the solar array area footprint was 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 output and operation to the point of no longer being a viable endeavor.

Electrical Interconnection

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

RESPONSE: The larger array interconnection was reviewed and approved by ISO-NE. The smaller array does not require review from ISO-NE.

26. 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 1B12) which interconnects to the existing 1B Franklin DR substation.

27. Referencing Petition p. 9 and Sheet SP-1, six new utility poles would be installed. What are the approximate heights above grade of these poles?

RESPONSE: The average height above grade for the utility poles being installed is 30-40 feet.

28. Referencing Petition Sheet SP-1, would the southern-most pair of poles be the riser poles to convert the underground electrical interconnection lines to overhead?

RESPONSE: Yes, the southern-most pair of poles are risers to convert the underground electrical interconnection lines to overhead.

29. Referencing Petition Sheet SP-1, is three-phase available on the existing overhead distribution line where the “Proposed Interconnection Point” is located, or would it need to be upgraded from single-phase to three-phase?

RESPONSE: There will need to be approximately nine hundred (900) feet of 3-phase line extension underground from Lovers Lane to the point of interconnection. This extension will be owned by Eversource.

30. Referencing Petition p. 9, the facility would include customer-owned, pad-mounted switchgear. Referencing Petition Sheet SP-1, would the switchgear be installed on the proposed 30-foot by 20-foot equipment pad? What other equipment would be installed on this equipment pad?

RESPONSE: Yes - the switchgear will be mounted on the 30-foot by 20-foot equipment pad just south of the poles. The pad will also contain a utility lockable & 24/7 accessible load break & MV circuit breakers.

31. Has Lodestar discussed with Eversource the possibility of reducing/minimizing the number of poles required for the interconnections or utilizing one interconnection in lieu of two? Explain.

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. The two arrays were awarded two separate NRES awards and therefore require two different points of interconnections. It is not possible to consolidate them.

Public Health and Safety

32. Would the project comply with the current National Electrical Code, National Electrical Safety Code, Connecticut State Building Code, Connecticut State Fire Prevention Code, and National Fire Protection Association codes and standards, as applicable?

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: 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. Referencing Petition p. 6, 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.

35. 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: Petitioner cannot provide responses to how the local fire department would respond to a fire at the Site. 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 Petitioner prior to energization of the Project. Based on Petitioner's knowledge, there is no specialized equipment required for fire suppression at a solar project.

36. 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: The nearest municipal fire hydrant is approximately 1,246 feet north of the Site entrance, the intersection of Lovers Lane and the Country Woods Condo Complex Driveway. Two additional hydrants are located within the Country Woods Condominium property: one approximately 70 feet from the solar array electrical and interconnect tie-in; the other north of Building 7, approximately 575 feet from the Site access drive. With the presence of the hydrants, the need for alternative water sources is not anticipated.

37. 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.

38. Referencing Petition p. 16, what type of insulating oil is used within the transformers? Is it biodegradable? Do the transformers have containment systems in the event of an insulating oil leak? Would the transformers have low oil alarms?

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.

39. Referencing Petition Attachment 7, Environmental Assessment, p. 27, where is the nearest federally-obligated airport?

RESPONSE: The nearest federally-obligated airport is Robertson Airport in Plainville, Connecticut.

40. Would notice to the Federal Aviation Administration (FAA) be necessary for the temporary use of a crane during construction?

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

41. Referencing Petition, Attachment F, Noise Analysis, the noise emissions from the proposed equipment at two separate equipment pads were modeled independently to calculate the projected noise levels at the nearest abutting property lines. Would combined effects from equipment on both equipment pad areas materially affect projected noise levels at the nearest abutting property line? Explain.

RESPONSE: The combined noise from the two separate equipment pads are calculated in **Exhibit 3**. The noise level from both equipment pads combined at Point A is 51.4 dBA and at point B is 49.9 at the loudest. Both are within compliance with noise regulations.

Environmental Effects and Mitigation Measures

42. Referencing Petition p. 6, what is the length of the posts and to what depth would the posts be driven into the ground? How would the posts be driven into the ground? Are any impacts to groundwater quality anticipated? If so, how would Lodestar manage and/or mitigate these impacts?

RESPONSE: The depth of the racking posts is ten (10) feet. The posts will be pile driven. No impacts to groundwater quality are anticipated.

43. Describe the seasonal and year-round visibility of the proposed facility from the Country Woods condominium complex. Has Lodestar considered additional screening such as vegetation or fencing along the northern boundaries of the facility site?

RESPONSE: Country Woods is an 81-unit condominium facility. Of the 81 units approximately 2 units will be within two hundred (200) feet of the closest solar panels. The closest unit will be one hundred and fifty (150) feet from the nearest solar panel. One hundred (100) feet of forested buffer will remain between the array and the nearest unit. Lodestar has added a vegetative screen along the northern boundary, featuring a selection of evergreen trees. Further information about the screening is provided on sheet DN-1 of **Exhibit 1**. Therefore, Lodestar does not believe that there will be any significant visibility from the Country Woods condominium complex.

44. Could Lodestar limit or eliminate any tree removal/trimming to reduce visual impacts? Explain.

RESPONSE: See the answer above. Eliminating any more trees will reduce the solar system size and result in the project not being financially feasible. Vegetative screening has been added to even further reduce visual impact.

45. Referencing Petition, p. 5, Lodestar notes that, “The seven-foot security fence will be raised six inches off the ground to allow for animal migration.” Sheet DN-1, Black Vinyl Chain-link Fence & Gate Detail does not depict a gap at the bottom of the fence. Explain.

RESPONSE: This graphic depiction does not accurately reflect the 6-inch gap for animal migration. If this style fencing is used, the lower portion of the fence will be raised 6 inches to allow for animal migration. Lodestar would also be willing to switch to agricultural style fencing with a 6-inch gap for animal migration. This is shown in **Exhibit 1**.

46. 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: The requested documentation is attached in **Exhibit 5**.

Facility Construction

47. How would construction traffic be managed during construction?

RESPONSE: The construction period will last approximately 3 months. During construction, excess construction traffic will be limited. Workers will access the Site primarily via conventional passenger vehicles and small utility vehicles. There will be minor traffic to the site for the delivery of materials, with the most significant delivery occurring in a 2-day period for the delivery of solar modules. A traffic detail may be provided for the delivery of solar modules during this time period if necessary and coordinated with the Police Department of the City of Torrington.

48. Would the City’s easement over the host parcel for access to Major Besse Park to the east of the site remain unobstructed during construction and post-construction? What are the terms of the access easement? Submit a map clearly depicting the easement.

RESPONSE: Upon receipt of an approval of this Petition, Petitioner will work closely with the City to ensure unobstructed access during and post-construction. Petitioner has been working with the City and its officials to relocate the easement in a location that provides better sight lines for such access drive on Lover’s Lane and does not interfere with the Project. The current easement is depicted in **Exhibit 2**.

49. Referencing Petition p. 13, describe the jack and bore process from setup to completion/restoration including the location of wastewater discharge. Approximately how long would this process take?

RESPONSE: The jack and bore process is a trenchless construction method used to install underground conduits without the need for extensive surface excavation.

Step 1: Site Preparation

- Two Pits are excavated: a launch pit (where the equipment is set up) and a receiving pit (where the conduit will emerge).
- These pits are strategically located to minimize disruption and align with the planned underground path.

Step 2: Equipment Setup

- A boring machine is placed in the launch pit.

- A jacking frame is installed to push the casing pipe through the soil.

Step 3: Boring and Jacking

- A cutting head or auger attached to the front of the casing pipe removes soil as the pipe is pushed forward.
- Hydraulic jacks apply force to the casing, advancing it through the soil while the auger removes the excavated material back to the launch pit.

Step 4: Pipe Installation

- Once the boring head reaches the receiving pit, the casing is in place and the conduit can be pushed or pulled through the installed casing.

Step 5: Finishing

- The pits are backfilled and the site is restored to its original condition.

The length between the two pits is approximately 305'. The proposed work is anticipated to take 1 - 2 weeks.

50. Referencing Petition Sheet EC-5, could the proposed tracking pad at the construction entrance be increased from 50 to 100 feet due to slopes at the site? If yes, provide an updated sheet to depict this change.

RESPONSE: Yes, Lodestar agrees to increase the construction entrance tracking pad from fifty (50) feet to one hundred (100) feet. This has been updated in **Exhibit 1**.

51. Would all perimeter controls such as swales and basins be installed and stabilized before work commences on the panel installation? Would machinery used to install posts and panel racks be low-impact to avoid impacting the existing vegetation?

RESPONSE: Yes - all perimeter controls will be installed in compliance with Appendix I of the Stormwater Guidelines and stabilized before work commences on panel installation. All machinery used to install racking and posts will be low-impact.

52. How many acre-feet of storage would each proposed stormwater basin have? Has Lodestar consulted with DEEP Dam Safety program regarding permitting requirements, if any, for the proposed stormwater basins?

RESPONSE: Basin B-1 has been designed to hold approximately 0.071 acre-feet of water before beginning to discharge from a 3" orifice, one foot from the bottom elevation of the basin. Total capacity before releasing from the emergency spillway is 0.276 acre-feet, three feet up from the bottom elevation of the basin.

Basin B-2 has been designed to hold approximately 0.212 acre-feet before beginning to discharge from a 3" orifice, one foot from the bottom. Total capacity before releasing from the emergency spillway is 0.735 acre-feet, 3' up from the bottom elevation of the basin.

A Pre-Application Meeting took place with various members of CT DEEP. The response provided from the DEEP Dam Safety group is as follows: "If a permanent stormwater basin is proposed to have 3 acre-foot of storage above ground level, then a Dam Safety construction permit is required...." As detailed above, both basins are well under 3.0 acre-feet.

53. Referencing Petition Sheet T-1, there would be a net cut of 6,881 cubic yards. Would this material be removed from the site property or deposited on the site property? Explain.

RESPONSE: As indicated in Exhibit 7 of the original petition, the Environmental Assessment, page 29, excess material will be redistributed within the Property to the extent possible. At this time, it is anticipated that some material will be removed; the amount required to be removed will be determined during construction.

54. Has a comprehensive geotechnical study been completed for the site to determine if site conditions support the overall Project design? If so, summarize the results. Was any tree clearing necessary to perform the geotechnical study? If so, where?

RESPONSE: Geotechnical analysis has not been performed yet.

55. Referencing Petition p. 14, blasting is not expected to be required. How would racking posts be installed if bedrock or ledge is encountered?

RESPONSE: Blasting would not be performed to construct the site. Should bedrock be encountered, pilot holes will be pre-drilled prior to driving posts or ground screws will be utilized in place of driven piles.

Facility Maintenance/Decommissioning

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: No, there are no plans to store 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. 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: Petitioner has confirmed that it will be utilizing ZNShine, Item/Model Number: ZXM7-SHLDD144 Module Size: 540 for the Project. Attached hereto as Exhibit 4 is a copy of the passing TCLP test results from the manufacturer, verifying that the panels comply with TCLP requirements.