DOCKET NO. 110 - AN APPLICATION OF RILEY ENERGY SYSTEMS OF LISBON CORPORATION, REGIONAL DISPOSAL SYSTEMS OF LISBON, INC., AND PHILIP C. ARMETTA FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED FOR THE LISBON RESOURCE RECOVERY FACILITY, WHICH WOULD GENERATE ELECTRICITY BY MASS BURNING MUNICIPAL SOLID WASTE IN THE TOWN OF LISBON, CONNECTICUT.	:	Connecticut Siting Council
	:	February 5, 1990

O P I N I O N

Riley Energy Systems of Lisbon Corporation (RESOL), Regional Disposal Systems of Lisbon, Inc. (RDSL), and Philip C. Armetta applied to the Connecticut Siting Council (Council) for a Certificate of Environmental Compatibility and Public Need (Certificate) for the construction of a facility to generate electricity from the mass burning of municipal solid waste (MSW) in the Town of Lisbon, Connecticut, on March 15, 1989. The proposed facility would generate 13 MW (net) of electricity which would be sold to the Connecticut Light and Power Company (CL&P), displacing the reliance upon approximately 180,000 barrels of oil per year. The project would reduce dependence on imported fuels and utilize a renewable domestic energy resource.

To balance public need and environmental stewardship, the Council must weigh the potential environmental effects of a proposed facility against the need for its construction and operation. This proposed facility is a Qualifying Facility as determined by the Federal Energy Regulatory Commission (FERC), and electricity from such small incremental additions will be necessary to prevent an energy deficit in the future. The exact date of need is subject to uncertainties influenced by economic variables, unpredictable weather, changing commitments of electric supply from Canada, reliability and stability of foreign oil supply, and the State's heavy reliance on four large nuclear generators.

State policy supports development of indigenously-fueled, small, and diversified electrical generating facilities which would increase the stability of the electrical supply system of the State. Reducing the State's reliance on oil-fueled electrical generation makes Connecticut less dependent on foreign energy supplies, less susceptible to fuel price increases, and less threatened by fuel shortages; and also reduces the risk of oil spills along the New England, New York, and New Jersey coasts. The incremental development of small power producers would also help meet the electric needs of the State in a timely and continual way, avoiding large deficits and expensive surpluses of capacity.

As a resource recovery facility, the proposed project might protect the environment by helping to meet the critical solid waste management needs of Connecticut. It is consistent with state wide solid waste management policy, which rests in part on a long-term integrated plan to manage solid waste through source reduction, recycling, resource recovery, and landfilling. However, the Department of Environmental Protection (DEP) must make a finding of need before any such project can go forward.

In addition, the Council supports the cooperation of the applicant to develop a drop-off site for recycling, and further encourages the applicant to develop plans in cooperation with participating communities, the DEP, and others for a recycling center for all participants.

In its effort to protect the environment, public health, and safety, the Council held five days of hearings and one evening hearing for the convenience of the public during which these and many other issues were raised. The Council has studied extensive written and oral testimony regarding this proposed facility's potential effects including those on the air; water; traffic; noise; natural environment; ecological balance; public health and safety; recycling and resource recovery; scenic, historic, and recreational values; forest and parks; and fish and wildlife in Connecticut.

The applicants' air emissions modeling has shown that the MSW can be safely burned. The Department of Environmental Protection (DEP) would regulate air pollutants by the application of emission and ambient air quality standards of the Connecticut Regulations for the Abatement of Air Pollution, the Connecticut State Implementation Plan for Air Quality, and Connecticut regulations governing dioxins and furans.

Although the applicants have not located a user of waste heat from the facility, the Council will order that they remain receptive to any economically reasonable proposal that may develop in the future if the adjoining industrial park is developed. Such a use of waste heat would increase the efficiency of the facility and further the goals of State energy policy to use energy in an efficient and productive manner.

The Town of Lisbon has zoned this site for industry. The site is adequately accessible and suitable for industrial use. Although controversial with respect to roads, traffic, and noise, this facility would be consistent with the local zone and surrounding land use. The applicants have testified that noise levels would be within DEP limits. Nonetheless, the Council will order the owner of the facility to develop a mechanism for communications with townspeople to help solve complaints in a constructive atmosphere.

It appears possible that ash from the facility would not have to be shipped off-site for 13 years of operation, which would ease the traffic burden on nearby roads, and reduce the cost of disposing of ash created by the facility. This might result in lower tip fees for participating communities and reduce pollution caused by transporting these ash wastes to an as yet undetermined Connecticut MSW ash landfill site.

Because statements of intent or interest to dispose of waste at the proposed facility by municipalities are not binding, prior to commencement of construction the Council will order the Certificate holder to submit confirmation of executed contracts for acquisition of MSW totalling 425 tons per day with participating communities that have been identified as having submitted letters of intent or letters of interest to the applicant through the course of the proceeding. To help reduce hauling distances and fulfill the proposed facility as a regional solution to a solid waste problem, the Council will order that communities that are members of the Northeastern Connecticut Regional Resource Recovery Authority (NECRRRA) be given first consideration to execute contracts with the applicant.

We regret the use of potable water to cool the facility, however, the Norwich Department of Public Utilities is a willing party to the project and consequently the Council will not interfere with this water supply arrangement. Nonetheless, the Council will require the Certificate holder to develop contingency plans to cool the plant through on-site wells and/or a dry cooling process which would save potable water for domestic consumption.

The Council is concerned with potential impacts on wetland areas, removal of trees, leveling, grading, and possible erosion as a result of construction activities. The Council believes that a strict development and management (D&M) plan should confirm compliance with Council orders to minimize such impacts.

Based on the foregoing, the Council concludes that a Certificate of Environmental Compatibility and Public Need is warranted for the proposed facility, and hereby directs that such a Certificate be issued subject to the terms, limitations, and conditions of the Decision and Order that accompanies this Opinion.

3984E