



Daniel F. Caruso
Chairman

STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

Internet: ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

June 12, 2007

Kenneth C. Baldwin, Esq.
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103-3597

RE: **PETITION NO. 813** – Kimberly-Clark Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, maintenance, and operation of a combined heat and power electric generating facility, located at 58 Pickett District Road, New Milford, Connecticut.

Dear Attorney Baldwin:

At a public meeting held on June 7, 2007, the Connecticut Siting Council (Council) considered and ruled that this proposal would not have a substantial adverse environmental effect, and pursuant to General Statutes § 16-50k would not require a Certificate of Environmental Compatibility and Public Need.

This decision is under the exclusive jurisdiction of the Council and is not applicable to any other modification or construction. All work is to be implemented as specified in the petition, dated May 15, 2007.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

Daniel F. Caruso
Chairman

DFC/RDM/laf

Enclosure: Staff Report dated

c: The Honorable Patricia A. Murphy, Mayor, Town of New Milford

Well done, Ken!

LIST OF PARTIES AND INTERVENORS
SERVICE LIST

Status Granted	Status Holder (name, address & phone number)	Representative (name, address & phone number)
Applicant	Kimberly-Clark Corporation	Kenneth C. Baldwin, Esq. Robinson & Cole LLP 280 Trumbull Street Hartford, CT 06103-3597 (860) 275-8200 (860) 275-8299 fax kbaldwin@rc.com Charles L. Smith Maintenance & Engineering Team Leader New Milford Facility 58 Pickett District Road New Milford, CT 06776 cxsmith@kcc.com

Petition No. 813
Kimberly-Clark Corporation
New Milford, Connecticut
Staff Report
June 7, 2007

Introduction

On June 6, 2007 Council members Dr. Barbara Bell and Colin Tait and Council staff member Robert Mercier met Kimberly Clark Corporation (K-C) representatives Charles Smith and Dan Lachmann and Town of New Milford representative Tammy Reardon at the K-C New Milford manufacturing and distribution plant to review this petition. K-C submitted the petition to the Council on May 15, 2007.

K-C is proposing to install a 34-megawatt natural gas-fired Combined Heat and Power generating facility at the plant, to make its own power and provide extra energy and capacity for the regional transmission grid, via a connection with The Connecticut Light & Power Company. The project would assist K-C in controlling electrical costs to maintain the economic competitiveness of the plant. The Department of Public Utility Control awarded a 17.3 million dollar capital grant to K-C for the project in January 2007.

Proposed Project

K-C proposes to install two natural gas-fired turbine generators, each with a rating of 15 MW (nominal). One of the turbines would be designed to operate as a combined-cycle unit using heat to generate additional electricity through a 4 MW steam turbine. A heat recovery boiler would be installed to provide all of the plant's steam requirements. The plant would use approximately 17 MW of generated electricity, with the remaining 17 MW distributed to the southwest Connecticut transmission grid. Excess heat generated from the turbines would be used for the plant's tissue drying process.

All existing improvements would be located in previously developed areas on the north side of the main plant building. No additional clearing or vegetation removal would be required. The turbines would be enclosed within a 70-foot by 125-foot turbine building. Other improvements include an electrical switchyard, a 64-foot high cooling tower, and two 78-foot high exhaust stacks. The project would require the removal of an oil storage tank, the expansion of the existing boiler house and the removal of the existing 103-foot boiler house exhaust stack. Isolation switchgears and isolation transformers would be added to the existing electrical infrastructure to facilitate the export of electricity.

A dedicated high-pressure natural gas line emanating from an existing gas line on the property would supply the turbines, eliminating the need for on-site gas compressors. The gas line and an associated metering facility would be installed by Yankee Gas in paved and grassy areas north of the main plant building.

As outlined above, construction would require the removal of one existing storage building to accommodate the proposed turbine building and associated exhaust stack. An electrical transformer and switchgear would be installed to the north of the turbine building in an open area. A cooling tower would be constructed between the existing boiler house and a water storage tank. New driveways extending from existing paved areas would access the facility.

Other improvements include the removal of the following: an abandoned ash silo, one oil-fired boiler, the boiler house stack, and a 150,000-gallon oil storage tank and associated fuel oil supply line. A second boiler would be decommissioned. The existing boiler house would be expanded to accommodate the facility's control room.

Environmental Impact

The project site is over a half-mile from any known state endangered, threatened or special concern species. A natural diversity database review by the Department of Environmental Protection (DEP) is pending. The project would have no effect on historic or archeological resources. No vegetation would be removed to develop the facility. No wetlands would be impacted by the project. Aviation lighting and/or marking of the proposed 78-foot exhaust stacks would not be required.

The project would use an added 140,000 gallons of water per day from the Housatonic River. This diversion would be allowed under an existing water diversion permit. The current water diversion permit allows for the withdrawal of 6 million gallons per day; however, current plant operations have a maximum consumption of 3.8 million gallons per day.

K-C submitted an Air Permit Application for New Source Review to the DEP on March 1, 2007. New Milford is located in a severe ozone non-attainment area, which will require K-C to employ Best Available Control Technology to minimize air emissions of nitrogen oxides, a precursor pollutant for ozone. The DEP intends to issue a "Draft Permit" for K-C's review prior to public notice of a permit public comment period. Issuance of a final DEP permit is expected in early July.

The plant is in a mixed-use area, east of Route 7 and adjacent to the Housatonic River. The nearest residence is approximately 800 feet northeast of the proposed facility. The John Pettibone Elementary School is located approximately 1,200 feet northwest of the proposed facility. Noise control measures would be employed to comply with state regulatory criteria.

Visibility

Visual impacts of the facility would be minimal, since it would be built in among the existing plant buildings, at the same scale. The two proposed 78-foot exhaust stacks would have a lower visual profile than the existing 103-foot boiler house stack that is scheduled for removal. Most views of the facility would be blocked by topography, vegetation, and existing off-site and on-site structures, with the exception of the area north of the plant where recreation fields and the Pettibone School are located. (The recreation fields are on land owned by K-C but are utilized by the Town of New Milford). There would be direct views of the proposed facility from the fields and the south side of the Pettibone School and adjacent schoolyard. A line of shrubs presently exists at the south edge of the recreation field areas.

Community Outreach

K-C commenced a community outreach program in beginning in January 2007 by meeting with the following state and local officials, community leaders, and local organizations: State Senator Andrew Roraback, State Representative Clark Chapin, New Milford Mayor Patricia Murphy, New Milford Economic Development Commissioner Vincent Nolan, the New Milford Chamber of Commerce, the Principal of the Pettibone School, the New Milford Economic Development Commission, the Housatonic Valley Association, and the New Milford Rotary Club.

K-C conducted a public information meeting on March 14, 2007 that was attended by state and local representatives and approximately 165 residents. Notice of the meeting was published in five papers that serve the New Milford area. Additionally, the project was reported in the press on several occasions. State and local representatives publicly support the project.