



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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www.ct.gov/csc

CERTIFIED MAIL RETURN RECEIPT REQUESTED

May 1, 2015

Richard Procanik
Core States Group
58 Mount Bethel Road, Suite 301
Warren, NJ 07059

RE: **PETITION NO. 1146** – Bloom Energy Corporation, as an agent for Home Depot USA, Inc., petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the location and construction of a Customer-Side 200-Kilowatt Fuel Cell to be located at the Home Depot store at 1580 Litchfield Turnpike, New Hartford, Connecticut.

Dear Mr. Procanik:

At a public meeting held on April 30, 2015, the Connecticut Siting Council (Council) considered and ruled that the above-referenced proposal would not have a substantial adverse environmental effect, and pursuant to Connecticut General Statutes § 16-50k would not require a Certificate of Environmental Compatibility and Public Need, with the following conditions:

- The facility owner/operator shall remit timely payments associated with annual assessments and invoices submitted by the Council for expenses attributable to the facility under Conn. Gen. Stat. §16-50v.
- This Declaratory Ruling may be transferred, provided the facility owner/operator/transferor is current with payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v and the transferee provides written confirmation that the transferee agrees to comply with the terms, limitations and conditions contained in the Declaratory Ruling, including timely payments to the Council for annual assessments and invoices under Conn. Gen. Stat. §16-50v.
- If the facility owner/operator is a wholly owned subsidiary of a corporation or other entity and is sold/transferred to another corporation or other entity, the Council shall be notified of such sale and/or transfer and of any change in contact information for the individual or representative responsible for management and operations of the facility within 30 days of the sale and/or transfer.

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 March 4, 2015, and in compliance with Public Act 11-101, An Act Adopting Certain Safety Recommendations of the Thomas Commission.

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

Very truly yours,



Robert Stein
Chairman

RS/RM/lm

Enclosure: Staff Report dated April 30, 2015

- c: The Honorable Daniel V. Jerram, First Selectman, Town of New Hartford
- Steve Sadlowski, Zoning Enforcement Officer, Town of New Hartford
- The Honorable Elinor C. Carbone, Mayor, City of Torrington
- Martin Connor, City Planner, City of Torrington
- Amy Shanahan, Bloom Energy Corporation



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Petition No. 1146

Bloom Energy Corporation

New Hartford, Connecticut

Staff Report

April 30, 2015

On March 10, 2015, the Connecticut Siting Council (Council) received a petition from Bloom Energy Corporation (Bloom), as an agent for Home Depot USA, Inc., for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 200-kilowatt (kW) fuel cell facility at the Home Depot store at 1580 Litchfield Turnpike, New Hartford, Connecticut.

The Home Depot store is located on a 25.4-acre parcel zoned as Business (B) and a portion of the site is in the MDC Nepaug Watershed District according to the Town of New Hartford zoning regulations. The western boundary of the Home Depot property borders the City of Torrington municipal boundary. Land uses to the west are residential and commercial. Properties to the south are zoned industrial. Properties to the north and east of the Home Depot property are residential. The nearest structure to the proposed fuel cell is a residence on Harrison Road that is approximately 293 feet to the east.

Bloom proposes to install the fuel cell within a concrete and asphalt area on the northwest side of the Home Depot building.

The facility would be a 200-kW Bloom solid oxide fuel cell customer-side distributed resources project. The overall dimensions of the fuel cell would be approximately 32 feet 8 inches long, 8 feet 7 inches wide, and 6 feet 9 inches high. The facility would be interconnected to the existing switchgear inside the electrical room near the north central side of the Home Depot building. The facility would be fueled by natural gas supplied by Yankee Gas Company via a new gas meter assembly adjacent to the existing meter. A gas shut-off valve would also be provided. The new gas service line would branch off of the existing Yankee Gas Company line within the sidewalk area near the building.

Visual impact from the proposed project would be minimal due to intervening vegetation and an existing retaining wall that allows the fuel cell location to be lower than Harrison Road and the property owners on the west side of the Home Depot store. The fuel cell facility would comply with all applicable Department of Energy and Environmental Protection (DEEP) air and water quality standards. The facility would meet DEEP noise regulations without the need for sound remediation.

The facility would be remotely monitored by Bloom using software and hardware safety circuits that can detect abnormalities in operation. The fuel cell facility is designed in accordance with American National Standards Institute and Canadian Standards Association (ANSI/CSA) America FC 1-2004 for stationary fuel cell power systems and includes extensive safety control systems, including both automatic and manual shutdown mechanisms that comply with pertinent engineering standards.

The Connecticut Public Utilities Regulatory Authority (PURA), in its Final Decision in Docket No. 12-02-09, determined that Bloom's Energy Server qualifies as a Class I renewable energy source as defined in Conn. Gen. Stat. § 16-1(a)(26)(A).

Bloom's engineering consultant discussed the proposed project with New Hartford's Zoning Enforcement Officer, Steve Sadlowski, in February 2015. Bloom mailed notification of the project to abutting property owners, Town of New Hartford officials, and required state agencies on March 4, 2015. Notice was provided to the City of Torrington, which is within 2,500 feet of the proposed facility, on March 18, 2015. On March 23, 2015, Bloom resent the notice to abutting property owners clarifying the location of the proposed fuel cell on the Home Depot property. The Council has not received any comments.

The proposed installation of the fuel cell is not expected to have any substantial adverse environmental impacts. It would reduce the emission of air pollutants that contribute to smog, acid rain, and global climate change. It would also contribute to the state's use of renewable energy.

Aerial view of Home Depot property.

