



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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September 30, 2016

Mark R. Sussman, Esq.
Patricia L. Boye-Williams, Esq.
Murtha Cullina LLP
City Place I, 29th Floor
185 Asylum Street
Hartford, CT 06103-3469

RE: **PETITION NO. 1183** - Wallingford Energy II, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction and operation of two natural gas fired 50 megawatt peaking units and associated equipment at an existing electric generating facility located at 115 John Street, Wallingford, Connecticut.

Dear Attorneys Sussman & Boye-Williams:

At a public meeting of the Connecticut Siting Council (Council) held on September 29, 2016, the Council considered and approved the Development and Management (D&M) Plan submitted for this project on September 7, 2016, with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel; and
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes.

This approval applies only to the D&M Plan submitted on September 7, 2016. Requests for any changes to the D&M Plan shall be approved by Council staff in accordance with Regulations of Connecticut State Agencies (RCSA) §16-50j-62(b). Furthermore, the project developer is responsible for reporting requirements pursuant to RCSA §16-50j-62.

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 Council's decision on the petition dated November 16, 2015 and in the D&M Plan dated September 2, 2016.

Enclosed is a copy of the staff report on this D&M Plan, dated September 29, 2016.

Thank you for your attention and cooperation.

Sincerely,

Robert Stein
Chairman

RS/MP/lm



Enclosure: Staff Report dated September 29, 2016

c: The Honorable William W. Dickinson, Jr., Mayor, Town of Wallingford
Kacie Costello, Town Planner, Town of Wallingford
Blake Wheatley, Wallingford Energy II, LLC



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Petition No. 1183

Wallingford Energy II, LLC

Wallingford, Connecticut

Development and Management Plan

Staff Report

September 29, 2016

On November 12, 2015, the Connecticut Siting Council (Council) approved Petition No. 1183 from Wallingford Energy II, LLC (WEII or Petitioner) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of two additional natural gas-fueled 50 MW simple-cycle combustion turbine generating units and associated equipment at 115 John Street, Wallingford. These units will be identified as Units 6 and 7. The Council required the submittal of a Development and Management Plan (D&M Plan) for review and approval prior to commencement of construction.

On August 4, 2016, in Petition No. 1240, the Council approved modifications to the existing Wallingford 13M Substation and certain transmission modifications to accommodate the additional generating capacity and ensure transmission reliability. A D&M Plan is not required for Petition No. 1240.

On September 7, 2016, WEII submitted its D&M Plan for Petition 1183. A copy of the D&M Plan was provided to the Town of Wallingford on or about September 15, 2016. The Council has not received any comments to date.

Updates in the D&M Plan as compared to the Petition include revised locations of the balance-of-plant (BOP) switchgear building, wastewater tank, auxiliary transformers, a fire hydrant, and standpipe connections for the fire department. The BOP switchgear building and wastewater tank locations have been modified to accommodate the required clearances and access requirements for the facility. For this reason, the two auxiliary transformers have been located outside of the approved 50-foot barrier wall. However, this modification is not expected to materially affect noise emissions. The revised location of the fire hydrant and standpipe connection are intended to address comments that WEII received from the Town of Wallingford's Fire Protection Bureau. In addition, the filter/separator and low flow meter run at the natural gas metering station, which currently feeds the existing facility and will supply the new facility, will be replaced.

The project site is zoned industrial, designated by the Town of Wallingford as Industrial District I-40. Land uses to the north, south, and west of the proposed site also lies within the Industrial District and is mostly developed for industrial uses such as manufacturing, the Town of Wallingford wastewater treatment plant, and the Town's capped landfill. Directly to the southwest of the proposed site is the re-powered natural gas-fueled 74 MW (summer rating) Pierce Generating Unit. Properties to the east of the project site, across East Street, are zoned residential.

No clearing of vegetation is anticipated at the project site. The limited amount of existing vegetation at the site is associated with existing landscaped areas. Most existing landscaping around the site, including coniferous tree-lined berms, will remain intact. An existing landscaping berm along the ThermoSpa access road will be shifted northward to facilitate the installation of the additional generating units. Existing landscaping that can be retained will be re-planted to the north. If the existing trees cannot be relocated, new plantings of same type will be used.

The existing bituminous concrete access drive located directly to the west of the existing units would be extended to curve around the new, approved units on the subject property. The area surrounding the new generators would be process aggregate. No new fence is proposed because the subject property is already secured by existing fencing.



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No work would occur within wetlands or the 50-foot upland review area. Erosion control measures such as silt fences and hay bales will be placed around the perimeter of the construction area. All erosion and sedimentation control measures have been designed in accordance with the *2002 Connecticut Guidelines for Erosion and Sedimentation Control*.

Consistent with the Council's Decision dated November 12, 2015, WEII has included a final copy of the Stormwater Pollution Control Plan stamped by a Professional Engineer duly licensed in the State of Connecticut. This plan also serves as the stormwater management plan.

The Allegheny Ludium Steel Corporation property immediately to the north-northeast will serve as the laydown/storage area for the project.

WEII's D&M Plan includes a number of different plan components intended to help ensure that WEII abides by the most current best management practices for its construction project. Among the components included are the soil erosion and sedimentation control plan, landscaping plan, grading and utility plan, stormwater pollution control plan, and procedures for notice and reports consistent with Section 16-50j-62 of the Regulations of Connecticut State Agencies.

WEII expects that construction will commence in November 2016 and will be completed by the end of March 2018. This schedule allows WEII to meet its commitment to ISO New England Inc. (ISO-NE) for the June 2018 start of the capacity commitment period. Typical construction hours and days of the week would be Monday through Friday, 6:00 a.m. to 10:00 p.m. However, non-standard work hours might be necessary due to outage-related time constraints. Any noise related to construction will be exempt per DEEP noise regulations. Operation of the (completed) project is expected to meet the DEEP noise standards at the property boundaries.

Staff finds that WEII's D&M Plan for this project conforms to the Council's declaratory ruling and that it addresses the environmental issues likely to be encountered during this project.

Council staff recommends approval of the D&M Plan with the following conditions:

1. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel; and
2. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes.