



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

November 16, 2015

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 held on November 12, 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 petitioner prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Wallingford for comment and submitted to and approved by the Council prior to the commencement of facility construction and shall include:
 - A final site plan stamped by a Professional Engineer that includes generator specifications, supporting infrastructure, electrical equipment and interconnection, barrier walls, access roads, and landscaping;
 - Construction details for site clearing, site phasing, grading, water drainage, and erosion and sedimentation controls consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended;
 - A final copy of the Site Engineering and Stormwater Management Report stamped by a Professional Engineer;
 - Construction work hours and days of work;
- Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment or reapply for any continued or new use to the Council before any such use is made. The time between the filing and resolution of any appeals of the Council's decision shall not be counted in calculating this deadline. Authority to monitor and modify this schedule, as necessary, is delegated to the Executive Director. The facility owner/operator shall provide written notice to the Executive Director of any schedule changes as soon as is practicable;

- Any request for extension of the time period to fully construct the facility shall be filed with the Council not later than 60 days prior to the expiration date of this decision and shall be served on all parties and intervenors, if applicable, and the Town of Wallingford;
- Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
- 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; and
- 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 August 31, 2015.

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

Very truly yours,



Robert Stein
Chairman

RS/MP/lm

Enclosure: Staff Report dated November 12, 2015

- 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

115 John Street, Wallingford

Staff Report

November 12, 2015

On August 31, 2015, Wallingford Energy II, LLC (WEII) submitted a petition to the Connecticut Siting Council (Council) for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of two natural gas-fueled 50-megawatt (MW) electric generating units next to five existing 50 MW units at 115 John Street in Wallingford. This petition was field reviewed on September 23, 2015 by Council member Philip Ashton and Michael Perrone of the Council staff. Patricia Boye-Williams, Esq., Murtha Cullina LLP (representing WEII); Casey Carroll, Project Manager, WEII; Nathan Chubet, Facility Manager, WEII; Blake Wheatley, Assistant Vice-president, WEII; George Adair, Director, Department of Public Utilities, Town of Wallingford; and Mayor William Dickinson, Jr., Town of Wallingford, also attended the field review.

Section 16-50k of Connecticut General Statutes states the following, “Notwithstanding the provisions of this chapter or title 16a, the council shall, in the exercise of its jurisdiction over the siting of generating facilities, approve by declaratory ruling the construction of a facility solely for the purpose of generating electricity, other than an electric generating facility that uses nuclear materials or coal as fuel, at a site where an electric generating facility operated prior to July 1, 2004.”

On June 20, 2000, the Council approved five 50-MW General Electric (GE) LM6000 natural gas-fueled combustion turbine generating units (a/k/a Units 1 through 5) at the site of the Alfred Pierce Station in Wallingford in Petition No. 451. According to the most recent May 1, 2015 ISO New England Inc. (ISO-NE) 2015-214 Forecast Report of Capacity, Energy, Loads, and Transmission (2015 CELT Report), these five units were brought into service during the December 31, 2001 through February 7, 2002 time period (and currently remain in service). Thus, the proposed site qualifies as the site of an existing electric generating facility operated prior to July 1, 2004, and thus the proposed project at this site is subject to Council review and approval via declaratory ruling.

Specifically, WEII proposes to install and operate two new GE LM6000 simple cycle combustion turbine electric generating units rated at 50 MW each (or 100 MW total) directly next to or north-northeast of the existing five units on the same parcel. These new units would be designated as Units 6 and 7, respectively. The proposed generating units (like the existing generators) would be operated as “quick start” units capable of starting within ten minutes of being dispatched by ISO-NE. Quick start capacity increases the reliability of the electric system by enabling it to recover from system contingencies, such as the sudden loss of generating capacity or transmission line outages or unexpected swings in intermittent renewable generation. In addition, this project has cleared the ISO-NE Forward Capacity Auction Number Nine in February 2015.

The new units would be similar in appearance to the existing units. The exhaust stack heights would remain the same at 100 feet. Other upgrades to the site for the proposed project include but are not limited to the expansion of the existing gas compressor building to the north to accommodate an additional natural gas compressor and rooftop cooling unit. A proposed 13.8-kV to 115-kV step-up transformer would be installed directly next to (i.e. south of) the existing step-transformers. A roughly 117-foot long overhead 115-kV generating tie line would connect the transformer to the on-site Wallingford 13M substation ring bus. Two water demineralization trailers would be parked to the northwest of the substation. All work would remain on the subject property.



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Wallingford Electric Division (WED) would need to upgrade its substation and transmission system to support the additional generating capacity. This system upgrade would be the subject of a separate petition to be submitted by WED at a future time.

The proposed 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.

Fuel for the existing facility is supplied by an existing 12-inch diameter natural gas pipeline lateral connected to the 10-inch and 16-inch pipelines of the Algonquin Gas Transmission System Company. The existing natural gas pipeline lateral is sufficient to supply the additional units. An upgrade is not necessary at this time.

The incremental visual impact of the proposed project is not expected to be significant due to the similar appearance of the proposed generating units and exhaust stacks as well as equal stack heights for a uniform visual profile. In addition, WEII proposes a 50-foot tall barrier wall that extends around three sides of the facility, particularly the east side of the facility, to screen the views of the generators from the residences on the opposite side of East Street. The barrier wall would match the existing barrier wall used for the five existing units. Thus, the top 50 feet of the 100-foot stacks would be visible from across East Street (not the units themselves), similar to the views of the five existing stacks. The tallest object in the vicinity of the proposed generating units is the single existing exhaust stack from the 74 MW Pierce Unit, which is on the order of 125 feet tall.

Most existing landscaping, including the coniferous tree-lined berms predominantly screening the views from the residential area along East Street would remain intact. The existing screening trees along ThermoSpa's access road on the northern portion of the project site would be relocated, if possible, further north to allow room for the proposed project. If it is not feasible to relocate the existing trees, new evergreen trees would be planted. Grass will be planted on areas not subject to vehicle or foot traffic. The existing bituminous paved access drive located directly to the west of the existing units would be extended to curve around the proposed units on the subject property.

The site is not located within the shaded area of the Connecticut Department of Energy and Environmental Protection's (DEEP) Natural Diversity Database. The proposed project is not located in the 100-year or 500-year flood zone. The project would meet DEEP noise control standards (and equivalent local Town of Wallingford standards) due to several noise mitigation features in the design including but not limited to the following: GE's noise Mitigation Package design; additional stack exit silencing for the two new turbines; extension of the existing 50-foot barrier wall (as noted above) to accommodate the new units; and a 25-foot barrier wall for the new transformer.

There are no wetlands located within the construction area. The nearest wetland is roughly 50 feet west of the existing paved access. Construction would not occur within the 50-foot upland review area. WEII would utilize proper erosion and sedimentation controls. In addition, the Town of Wallingford Inland Wetlands and Watercourses Commission granted approval with the condition that erosion control measures are in place and meet the approval of the Environmental Planner prior to any further work being conducted onsite.

The proposed increase to impervious surface at the facility would increase a (100-year event) stormwater runoff by four percent, and no changes are necessary for the existing stormwater retention basin.

Municipal potable water would be provided by Wallingford Department of Public Utilities (WDPU) to meet emissions requirements for the units and also for evaporative coolers. (Evaporative coolers use a water mist to chill the air entering the turbines during the hot weather to optimize the power output.) Based on historic dispatch of the facility, water demand for the proposed project is estimated to average 10,000 gallons per day (gpd) or about 257,400 gallons per year (gpy). The extreme worst-case 24-hour water consumption would be 200,000 gpd for the two new units. Incremental sanitary sewer flows are expected to be negligible and based on one additional worker at the site. Wallingford Department of Public Utilities (which includes the water company) does not object to WEII's proposed water consumption and sewer flows and believes that the systems are adequate to meet the demands.

The proposed generating units would be equipped with selective catalytic reduction systems (SCR) and oxidation catalysts. The SCR system would reduce the oxides of nitrogen or NO_x emissions. The existing aqueous ammonia tanks in use at the facility are of sufficient capacity to support the two proposed turbines. The catalytic oxidation would be employed to control carbon monoxide and volatile organic compounds emissions. An air permit application has been submitted to DEEP which includes a 4,000 hours per year operational limit for each proposed combustion turbine. An air modeling analysis was performed to demonstrate the proposed project's compliance with all applicable emission regulations and air quality standards.

If approved, the proposed project would be constructed during the November 2016 through March 2018 time period with commercial operation by April 1, 2018 in order to meet WEII's ISO-NE FCA commitment date of June 1, 2018.

By letter dated July 22, 2015, the Town of Wallingford Planning and Zoning Commission ruled favorably on this project and granted a Special Permit.

Notice was provided to the Town of Wallingford (as both the host municipality and underlying property owner), abutting property owners, and required state and local officials on or about September 23, 2015. No comments have been received to date.

WEII contends that this project would not have a substantial adverse environmental effect.

Staff recommends approval with the condition that the petitioner prepare a Development and Management (D&M) Plan for this site in compliance with Sections 16-50j-60 through 16-50j-62 of the Regulations of Connecticut State Agencies. The D&M Plan shall be served on the Town of Wallingford for comment and submitted to and approved by the Council prior to the commencement of facility construction and shall include:

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Aerial View of Existing Site



Photo-simulations of the Proposed Project (viewed from the north)

