



# 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](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

November 10, 2016

Lee D. Hoffman, Esq.  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103

**RE: PETITION NO. 1184** - Beacon Falls Energy Park, LLC declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed construction, operation, and maintenance of a 63.3 Megawatt AC fuel cell facility located on Lopus Road, Beacon Falls, Connecticut. Development and Management Plan.

Dear Attorney Hoffman:

The Connecticut Siting Council (Council) is in receipt of the Development and Management (D&M) Plan for the above referenced facility, dated October 7, 2016. Given the volume of material, the Council respectfully requests an extension of time to February 7, 2017 to complete review and render a decision on this matter.

In furtherance of its review, the Council requests responses to the enclosed interrogatories no later than December 14, 2016.

Please forward an original and 15 copies to this office, as well as send a copy via electronic mail. In accordance with the State Solid Waste Management Plan and in accordance with Section 16-50j-12 of the Regulations of Connecticut State Agencies the Council is requesting that all filings be submitted on recyclable paper, primarily regular weight white office paper. Please avoid using heavy stock paper, colored paper, and metal or plastic binders and separators. Fewer copies of bulk material may be provided as appropriate.

Yours very truly,

Melanie Bachman  
Acting Executive Director

cc: William J. Corvo, Manager, Beacon Falls Energy Park

MB/rdm/lm



# 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](mailto:siting.council@ct.gov)

[www.ct.gov/csc](http://www.ct.gov/csc)

### Petition 1184

#### Beacon Falls Energy Park (BFEP)

#### Development and Management Plan Interrogatories

1. Is BFEP requesting partial approval of the D&M Plan, specific only to the Lopus Road fuel cell installation component of the Project? If not, provide site plans and details for the natural gas, water and 115-kV transmission line components of the Project.
2. Please indicate whether a copy of the D&M Plan was provided to the Town of Beacon Falls for comment.
3. The General Arrangement Site Plan indicates one access point into the fuel cell compound. How will BFEP access the stormwater detention and infiltration basins for periodic maintenance if there is no defined access to the basins or an access gate on the south or west ends of the fuel cell compound?
4. Are there provisions for the maintenance and replacement of landscaping beyond one year?
5. On page 7 of the D&M Plan narrative, it states temporary vegetative cover will be established on all unprotected areas that produce sediment where the estimated period of bare soil is less than 12 months. This statement should be modified to state "where the estimated period of bare soil is less than 30 days".
6. On page 7 of the D&M Plan narrative, it states erosion control blankets would be installed on critical slopes. Please define critical slopes. Modify Sheet SE and SD-1 to include locations of critical slopes and related erosion control blanket specifications. Can 100 percent natural fiber erosion blankets be used in these areas?
7. Please identify proposed 2:1 slopes on the site plans. Can 3:1 slopes be used in these areas?
8. Referring to Sheet SD-1, a table is given showing frequency of erosion and sediment control inspections. Please explain why erosion and sediment control measures are not checked after each rain event.
9. Can coir rolls or silt socks be used as erosion and sediment control measures at the south end of the construction area to provide additional protection to the adjacent pond?
10. Sheet SD-1 shows detail for a "diversion berm and swale". In what areas would this feature be used?
11. Sheet SD-1 shows detail for a "riprap lined drainage swale". In what areas would this feature be used? When would the grade of the swale side slopes be determined and under what factors? Would the swale be able to support vegetation? Would erosion control blankets on the outer surface be required for swale slopes greater than 3:1?
12. Referring to Sheet EX-1, was a reverse bench slope considered in the re-graded area to reduce potential stormwater erosion on the new embankment?

13. Was the Town of Beacon Falls consulted regarding traffic improvements to Lopus Road prior to final design?
14. Would BFEP install additional HEFC units in lieu of DFC3000 units if they are available at the time of construction?
15. The D&M Plan shows a new layout for the HEFC units. Does the new layout require less space and/or utilize common equipment?
16. Is exterior lighting proposed for the facility? If so, submit an exterior lighting plan, including identification of lights operated continuously and as necessary.
17. Revise Sheet C-501 to include the fence mesh size.
18. What are the dimensions of the Ormat heat recovery unit? Does use of the heat recovery unit negate the possibility of utilizing waste heat as a low-grade heating source for potential nearby customers, as discussed during the November 5, 2015 evidentiary hearing for this Project?
19. Page 14 of the D&M Plan narrative refers to sound wall details on Drawing MDS-21. Please submit the drawing.
20. Was a noise analysis conducted without the sound wall, utilizing only the low noise feature of the fuel cell units? If so, what was the result?
21. How was the location and height of the wood sound barrier determined?
22. Would the existing embankment on the west side of the site serve to reduce noise to acceptable levels without the need for a sound barrier? If not, would installing the sound barrier at the base of or at the midpoint of the embankment effectively reduce noise from the facility?
23. In the initial Noise Assessment (August 2015), the noise contour map (Figure 3) shows the 51 dBA sound contour extending along the sound barrier. In the subsequent assessment (January 2016) the 51 dBA sound contour varies noticeably on each side of the barrier. What is the reason for the change in the mapped contour? Why doesn't the map depict a definitive linear contour along the sound barrier?
24. Section 5.3 of the Noise Assessment refers to a "Table 6" which was not provided in the report. Please provide.
25. The initial Noise Assessment (August 2015) included analysis of 16 DFC3000 units and 5 HEFC units whereas the subsequent Noise Assessment (January 2016) included an analysis of 15 DFC3000 units, 5 HEFC units and the Ormat heat recovery unit. How did the noise model change with the new Project layout?
26. Is there a low-noise feature on the Ormat heat recovery unit?
27. Table 3 and Table 5 of the Noise Assessment have different existing minimum measured nighttime levels for Gruber Road. Please clarify. What value was used in the projected noise model?

28. The Noise Assessment discusses rain as a factor that is discounted in the noise model. Please explain. Does the sound of rain become the dominant noise at a receptor or does rain amplify noise emissions from a nearby source?
29. Does the orientation of a fuel cell unit influence the emitted noise profile? If so, does the design of the Project use an orientation that reduces noise to the greatest extent possible at the residential boundary?
30. The D&M Plan narrative discusses the increase of Route 8 traffic noise as a result of the sound barrier but this information is lacking in the January 2016 Noise Assessment. Please revise the assessment to include a discussion with appropriate modeling to demonstrate conformance to Council Decision and Order Item 1e.