



# STATE OF CONNECTICUT

## CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

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

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### CERTIFIED MAIL RETURN RECEIPT REQUESTED

January 22, 2016

Jennifer D. Arasimowicz, Esq.  
Vice President-Managing Counsel  
FuelCell Energy, Inc.  
3 Great Pasture Road  
Danbury, CT 06810

RE: **PETITION NO. 1202** – FuelCell Energy, Inc. petition for a Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 1.4 MW fuel cell combined heat and power electric generating facility located at Pepperidge Farm, Inc., 1414 Blue Hills Avenue, Bloomfield, Connecticut.

Dear Attorney Arasimowicz:

At a public meeting held on January 21, 2016, 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:

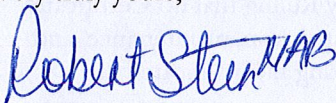
1. Unless otherwise approved by the Council, if the facility authorized herein is not fully constructed within three years from the date of the mailing of the Council's decision, this decision shall be void, and the facility owner/operator shall dismantle the facility and remove all associated equipment 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;
2. 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 Bloomfield;
3. Within 45 days after completion of construction, the Council shall be notified in writing that construction has been completed;
4. 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;
5. 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

6. 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 December 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/RDM/lm

Enclosure: Staff Report dated January 21, 2016

- c: The Honorable Joan A. Gamble, Mayor, Town of Bloomfield
- Philip K. Schenck, Jr., Town Manager, Town of Bloomfield
- Jose Giner, Director of Planning, Town of Bloomfield
- The Honorable Donald Trinks, Mayor, Town of Windsor
- Eric Barz, Town Planner, Town of Windsor
- Peter Souza, Town Manager, Town of Windsor
- Craig Stevenson, Project Manager, FuelCell Energy, Inc.
- S. Derek Phelps, FuelCell Energy, Inc.



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**Petition No. 1202  
FCE Fuel Cell  
Pepperidge Farm, Inc.  
Bloomfield, Connecticut  
Staff Report  
January 21, 2016**

On December 7, 2015, the Connecticut Siting Council (Council) received a petition from FuelCell Energy Inc. (FCE), as an agent for Pepperidge Farm Inc. (PF), for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of an 1.4 megawatt (MW) fuel cell facility at the PF bakery located at 1414 Blue Hills Avenue, in Bloomfield, Connecticut. A field review of the project site occurred on January 14, 2016. Council member Daniel Lynch, Council staff member Robert Mercier, FCE representative S. Derek Phelps, Town of Bloomfield Mayor Joan Gamble, Harry Pettit of PF, and other FCE and PF representatives, attended the field review.

FCE discussed the project with the Town of Bloomfield Building Official on December 1, 2015. FCE mailed notification of the project to abutting property owners, Town of Bloomfield officials, and required state agencies and officials on or about December 4, 2015. The Council has not received any written comments to date. Honorable Mayor Gamble spoke in favor of the project at the field review.

The PF bakery is located in an industrial and commercial area of Bloomfield. PF and FCE have entered into an agreement whereby FCE would install, operate and maintain an FCE DFC1500 fuel cell unit at the PF bakery. The project was selected by Eversource as the winning bidder in Eversource's request for proposal for the Low and Zero Emission Renewable Energy Credit Programs established under Public Act 11-80. The Connecticut Public Utilities Regulatory Authority, in its Final Decision in Docket No. 11-12-06, approved the contract under the Class I Renewable Energy program.

The Council previously approved two separate fuel cells at the site; a 250 kilowatt fuel cell approved in 2005 under Petition 711 that has since been removed and a 1.2 MW fuel cell installed in 2008 under Petition 847.

The proposed fuel cell uses non-combustion molten carbonate technology that consumes natural gas as fuel and uses water for fuel processing to generate electrical power. The fuel cell would be interconnected to the building's electrical system via an underground connection to the rear of the building, providing a portion of the building electrical needs. Any surplus electricity, which may be available during periods of less demand, would feed into Eversource's distribution system via a net metering arrangement. PF intends to incorporate a fuel cell heat recovery unit within two years to utilize fuel cell waste heat in the building's chiller units.

The proposed fuel cell facility would consist of a water treatment skid, a process skid, a DFC module, a desulfurization skid and an electrical component skid. The main components of the fuel cell would be approximately 13-20 feet high with an exhaust stack that would extend to the roof of the building, interconnecting with existing exhaust infrastructure. The fuel cell facility would be installed within a 79-foot by 50-foot compound enclosed by an eight-foot fence that would match existing on-site fencing.

The fuel cell facility would comply with all applicable Department of Energy and Environmental Protection (DEEP) water quality standards. The project would require a DEEP Miscellaneous Sewer Compatible Discharges general permit for the discharge of wastewater resulting from fuel cell operations. The Department of Public Health Water Drinking Water Section provided comment to the Council indicating the project is not within a public water supply source.

Air emissions produced during fuel cell operation would be below the DEEP applicable limits, as shown in the table below – thus, no air permit is required.

Comparison of the Fuel Cell Facility with RCSA Criteria *		
Compound	Fuel Cell Facility (lbs/MWh)	Emissions standards (lbs/MWh)
NO <sub>x</sub>	0.01	0.15
PM <sub>10</sub>	0.00002	0.03
CO <sub>2</sub>	520-680 With waste heat recovery	1,650
CO <sub>2</sub>	980 Without waste heat recovery	1,650

\* Regulations of Connecticut State Agencies Section 22a-174-42(b)(3)(C); 22a-174-42(d)(2)(B)(ii) & Table 42-2

Visual impact from the proposed project would be minimal as it is located to the rear of the building and is adjacent to an existing fuel cell. The facility would meet DEEP noise regulations without the need for sound remediation. The State Historic Preservation Office submitted comments on January 4, 2016 indicating the project would have no effect on historic or archeological resources. DEEP noted the presence of eastern box turtles in the vicinity of the project site. Although the fuel cell construction site is in a paved parking lot devoid of any vegetation, FCE would implement DEEP recommended construction practices.

The facility would be remotely monitored by FCE on a 24/7 basis to 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. An Emergency Response Plan has been developed that includes consultation with the Bloomfield Fire Department.

The proposed installation would not have any substantial adverse environmental effect. It would reduce the emission of air pollutants that contribute to smog and acid rain, and to a lesser extent, global climate change.

