

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**Petition of DWW Solar II, LLC for a  
Declaratory Ruling that no Certificate of  
Environmental Compatibility and Public  
Need is Required for a 26.4 Megawatt AC  
Solar Photovoltaic Electric Generating Facility  
In Simsbury, Connecticut**

**Petition No. 1313**

**November 2, 2017**

**DWW SOLAR II, LLC'S AMENDED RESPONSE TO THE CONNECTICUT SITING  
COUNCIL'S SECOND SET OF INTERROGATORIES**

The petitioner, DWW Solar II, LLC ("DWW") respectfully submits this amended response to the Connecticut Siting Council's Second Set of Interrogatories in the above-referenced Petition. In response to the Siting Council's Interrogatory 84, DWW states as follows:

**Q84 At the public hearing on September 12, 2017, several public comments pertained to concerns about driving piles into the ground and displacing residual pesticides that may be present further into the ground, either into local wells or the underlying aquifer:**

- a. Please describe the possibility of a situation like this occurring.**
- b. Would the petitioner be willing to test the wells of abutting property owners, both pre and post-construction, to verify any potential well impacts?**
- c. Of the 5 test pits conducted on site, the results indicate test pits #2 and #5 show water at any elevation in the test pit 80 inches and 96 inches, respectively. Would the driven rack posts come in contact with a "high" water table? What is the probability that such an activity would have an adverse impact on local private wells or aquifers?**

A84: a) After the September 12, 2017 public hearing, the Petitioner contacted its environmental consultant, GZA, to discuss this matter in greater detail. This resulted in GZA issuing an opinion letter, dated October 3, 2017 and entitled "Tobacco Valley Solar, Simsbury, CT." A copy of that document is attached hereto as Exhibit D. Based on the findings in that opinion letter, it does not appear likely that any potential pesticide residues located on the Project site would impact nearby wells or the aquifer as a result of Project construction.

- b) As a result of the Town of Simsbury's supplemental disclosure, dated October 6, 2017, and the Town's responses to DWW's Interrogatories, dated October 26, 2017, representatives of DWW had occasion to review additional files in the Connecticut Department of Energy and Environmental Protection's (DEEP) file room on October 31, 2017 and November 1, 2017. As a result of that review, and as partially indicated in the Zuvic-Carr report dated October 5, 2017, representatives from DWW noted that DEEP investigated the disposal of pesticides in Simsbury in an area that is not located on the Project Site, but is located adjacent to the Project Site. Files related to this investigation are attached to this revised Response as Exhibit 1.

As can be seen in Exhibit 1, DEEP first learned of this potential issue in 1986, and by 1989 had issued an order to the Culbro Corporation (Order # WC-4772) to remediate the pesticide disposal site. Culbro Corporation successfully remediated the site and had the area tested. As a result of Culbro's remediation, DEEP issued a letter on July 6, 1994 revoking Order # WC-4772. A copy of that revocation letter is also included in Exhibit 1.

The October 5, 2017 Zuvic-Carr report also raises potential issues associated with possible pesticide contamination in surrounding drinking water wells. This concern is based on test data from the 1980s and from a 1991 map that is referred to in the Zuvic-Carr report. Zuvic-Carr indicates that the DEEP tested the wells of various residences in the area in 2003 and 2004, including residences on County Road, Gordon Street, Centerwood Road, Knollwood Circle, Hoskins Street, and Howard Street; however, they indicate that no results were present in the files reviewed. There is no indication in the Zuvic-Carr report of more recent test data.

As a result of DWW's review of the DEEP files, testing data for area wells, from as recently as 2012, was obtained and reviewed. Copies of the most recent test result for each residence in the area for which there were records in the DEEP file room are attached to this revised Response as Exhibit 2. Other test results are available in the DEEP file room, however, for space considerations, only the most recent test data are included with this Response. As can be seen from the attached test results, the vast majority of the residences that were tested have not been affected by pesticide contamination. For those residences that were so affected, the DEEP provided homeowners with water filtration systems.

- c) It is possible that driven rack posts may come in contact with "high" water tables in certain areas of the Project Site. However, as addressed more fully in the GZA Report (discussed in the response to subsection a) above, it appears unlikely that the anticipated construction activities will have an adverse impact on local wells or aquifers.

Respectfully Submitted,  
DWW Solar II, LLC

By:   
Lee D. Hoffman  
Pullman & Comley, LLC  
90 State House Square  
Hartford, CT 06103-3702  
Juris No. 409177  
860-424-4300 (p)  
860-424-4370 (f)  
[lhoffman@pullcom.com](mailto:lhoffman@pullcom.com)  
Its Attorneys

**Certification**

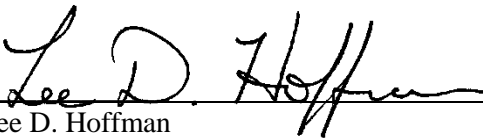
This is to certify that a copy of the foregoing has been mailed via U.S. Mail, first class postage prepaid, and/or electronically mailed on November 2, 2017 to all parties and intervenors of record, as well as all pending parties and intervenors as follows:

Jesse A. Langer  
Robert M. DeCrescenzo  
Updike, Kelly & Spellacy, P.C.  
One Century Tower  
265 Church Street  
New Haven, CT 06510  
Counsel for the Town of Simsbury

Alan M. Kosloff  
Alter & Pearson, LLC  
701 Hebron Avenue  
P.O. Box 1530  
Glastonbury, CT 06033

Krista Trousdale  
Connecticut Office of the Attorney General  
PO Box 120  
Hartford, CT 06141-0120  
Counsel for the CT Dept. of Agriculture

Jason Bowsza  
Connecticut Department of Agriculture  
450 Columbus Blvd.  
Hartford, CT 06103

  
\_\_\_\_\_  
Lee D. Hoffman