STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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October 24, 2018

TO: Parties and Intervenors

FROM: Melanie Bachman, Executive Director MAB

RE: **PETITION NO. 1350** – EIP Investment LLC petition for a declaratory ruling, pursuant to Connecticut General Statutes §4-176 and §16-50k, for the proposed construction, maintenance and operation of a 19.98-megawatt combined heat and power fuel cell facility and associated equipment to be located within Building 107 on the corner of Curtis Street and the Pan Am Southern, LLC railroad tracks at the Stanley Black & Decker Campus, 480 Myrtle Street, New Britain, Connecticut.

Comments have been received from the Connecticut Department of Energy and Environmental Protection, dated October 23, 2018. A copy of the comments is attached for your review.

MB/MP/lm

c: Council Members

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

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October 23, 2018

Robert Stein, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: 19.98 MW Fuel Cell Facility
EIP Investment LLC
New Britain, Connecticut
Petition No. 1350

Dear Chairman Stein:

Staff of this department has reviewed the above-referenced petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need will be required for the proposed 19.98 MW fuel cell electric generating facility proposed to be located in Building 107 of the Stanley Black and Decker campus in New Britain. No site review was conducted in connection with this review.

The Department of Energy and Environmental Protection's (DEEP) Commissioner selected the Energy and Innovation Park New Britain (EIP) project in DEEP's recent Request for Proposals (RFP) pursuant to Section 8 of Public Act 13-303, *An Act Concerning Connecticut's Clean Energy Goals*, as amended by Section 10 of Public Act 17-144, *An Act Promoting the Use of Fuel Cells for Electric Distribution System Benefits and Reliability and Amending Various Energy-Related Programs and Requirements* as amended by Section 31 of Public Act 18-50, *An Act Concerning Connecticut's Energy Future*. In making its selections pursuant to this RFP, the Commissioner was required to consider ten factors: (1) whether the proposal is in the interest of ratepayers, including, but not limited to, the delivered price of such sources, (2) the emissions profile of a relevant facility, (3) any investments made by a relevant facility to improve the emissions profile of such facility, (4) the length of time a relevant facility has received renewable energy credits, (5) any positive impacts on the state's economic development, (6) whether the proposal is consistent with requirements to reduce greenhouse gas emissions in accordance with section 22a-200a, including, but not limited to, the development of combined heat and power systems, (7) whether the proposal is consistent with the policy goals outlined in the Comprehensive Energy Strategy adopted pursuant to section 16a-3d, (8) whether the proposal promotes electric distribution system reliability and other electric distribution system benefits, including, but not limited to, microgrids, (9) whether the proposal promotes the policy goals outlined in the state-wide solid waste management plan developed pursuant to section 22a-241a, and (10) the positive reuse of sites with limited development opportunities, including, but not limited to, brownfields or landfills. (*See* Conn. Gen. Stat. 16a-3h.)

The EIP project would be powered by Doosan fuel cells, which are manufactured in Connecticut, with a significant portion of the supply chain located in Connecticut. The project is expected to avoid over 300 tons of SO_2 and 500 tons of NO_X, providing significant benefits toward meeting the state's criteria pollutant targets while producing nearly 175,000 RECs a year. The EIP project will supply combined heat and power for heating and cooling the surrounding businesses including the Stanley Black & Decker manufacturing in the area. EIP has committed to employing carbon capture hydrogen generation for some of the modules being employed and hopes to achieve a net neutral carbon footprint relative to the Connecticut grid. The EIP project is expected to participate in the Forward Capacity Market helping to meet the regional installed requirements as well as Connecticut's local sourcing requirement.

This project will be located on a brownfield in a legacy industrial complex in the core of New Britain. The developer has worked with, and is supported by, Stanley Black & Decker and the City of New Britain to use this project to redevelop the industrial campus upon which it will be located. This project, intended to power a high performance computing center, is the first phase of multi-phase economic development project that has the potential to create a significant number of jobs. In addition to the jobs created, the project will provide substantial tax revenues to the City of New Britain and the State of Connecticut.

Air Permits

In DEEP's comments on the Beacon Falls Energy Park (Petition No. 1184), we noted a requirement for that facility to obtain Title V and New Source Review Permits for the carbon dioxide emissions from that proposed 63.3 MW fuel cell facility. We wish to note to the Council that, subsequent to the time of the Beacon Falls Energy Park petition, the United States Supreme Court overturned the regulatory requirements for CO2 permits and DEEP subsequently eliminated the invalid CO2 permit requirements from our New Source Review and Title V programs, so this former requirement would not be applicable to the fuel cell facility proposed by EIP Investment.

Thank you for the opportunity to review this petition and to submit these comments to the Council. Should you, other Council members or Council staff have any questions, please feel free to call me at (860) 424-4110.

Respectfully yours,

Frederick L. Riese
Senior Environmental Analyst