

<p>DOCKET NO. 189 - An application by Lake Road Generating Company L.P. for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance, and operation of a proposed electric generating facility located off of Lake Road in Killingly, Connecticut.</p>	<p>} } }</p>	<p>Connecticut Siting Council December 7, 1998</p>
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Decision and Order

Pursuant to Connecticut General Statutes (CGS) § 16-50p, the application submitted by Lake Road Generating Company, L.P. (Lake Road Generating) to construct, operate, and maintain a 792 MW natural gas-fired combined cycle facility off of Lake Road in Killingly, Connecticut is hereby approved. A Certificate of Environmental Compatibility and Public Need (Certificate) as required by CGS 16-50k, shall be issued, subject to the following conditions and requirements.

1. Conditions

- a) The facility shall be constructed and operated substantially as specified by the Certificate Holder in the application and record, except where otherwise ordered by the Council.
- b) The three exhaust stacks, either separately or combined into a single stack, shall be no higher than necessary, consistent with air emission modeling conducted by the Department of Environmental Protection (DEP).
- c) The project shall operate on natural gas, except during curtailment of natural gas when the project may operate on low sulfur (0.05 percent) distillate fuel oil as permitted by the DEP.
- d) Submittal of a petition, amendment, or application pursuant to CGS section 16-50g et seq., for the electrical interconnection of the facility to the existing electric transmission grid with sufficient detail to determine the jurisdiction, route, type and location of support structures, effect on and changes necessary to existing transmission facility components, visual effects, health effects consistent with the Council’s Best Management Practices for Electric and Magnetic Fields, and possible alternative configurations and routes for the proposed interconnection.
- e) Submittal of a petition, amendment, or application pursuant to CGS 16-50g et seq., for extension of a natural gas pipeline to the facility with sufficient detail to determine the jurisdiction, route, type and location of equipment, effect on and changes necessary to existing infrastructure, health and safety effects, and possible alternative configurations and routes for the proposed pipeline.
- f) The Certificate Holder shall abide by the Town of Killingly’s (Town Council, Planning and Zoning Commission, and Inland and Wetlands and Watercourse Commission) stipulations and regulations as submitted in the record, except where otherwise ordered by the Council.

2. Development and Management Plan

To ensure compliance with the Council’s Decision and Order, the Certificate Holder shall not commence construction until it has secured Council approval of a Development and Management Plan (D&M Plan) which includes the following elements:

- a) A final site plan showing all roads, structures and other improvements on the site. The final site plan shall, to the maximum extent possible, preserve the existing natural vegetation on the site,

establish open space buffer areas, and shall minimize impacts on inland wetlands. No construction or improvement shall take place within 25 feet of any regulated inland wetland.

- b) Detailed project schedules for all work activities with weekly work plans.
 - c) Adequate oil storage, unloading, and pumping facilities including tanker queuing and turn-around areas sufficient to allow for the arrival of six trucks per hour, to ensure continuous burn on oil for up to 720 hours per year during a natural gas curtailment.
 - d) Landscaping, to include preservation of the existing natural vegetation, and planting of new coniferous vegetation to provide ecological habitat, visual screening, and acoustical buffers.
 - e) Architectural treatment of all building components which can be seen from off-site locations, to minimize visual effects on scenic resources.
 - f) Engineering of the three exhaust stacks into one combined stack for Council consideration to determine which configuration is acceptable.
 - g) A detailed erosion and sedimentation control plan including construction fencing around the inland wetlands and intermittent watercourse.
 - h) A stormwater management plan with provisions for inspection, enforcement, and revision.
 - i) A Spill Prevention Control and Countermeasure Plan.
 - j) A pre-construction blasting survey.
3. Noise Emissions
To ensure compliance with State Noise Regulations, the Certificate Holder shall provide to the Council a pre- and post-construction noise survey and, if necessary, mitigation measures to ensure compliance with regulatory requirements.
4. Operations Plan
To ensure compliance with the Council's Decision and Order, the Certificate Holder shall not commence operation of the facility until it has secured approval of an Operations Plan with components to include base line testing, performance objectives, pre- and post-construction operations monitoring, enforcement protocol, the development of mitigation measures to ensure compliance with regulatory requirements and/or performance objectives for each of the following components:
- a) water use during power augmentation;
 - b) water discharges;
 - c) air and water vapor emissions;
 - d) odors;
 - e) plant lighting;
 - f) traffic management; and
 - g) physical plant and site management.

5. Notification

The Certificate Holder shall provide the Council notification of the following events not less than two weeks in advance of their occurrence:

- a) commencement of facility construction;
- b) commencement of facility testing;
- c) commencement of commercial operation; and
- d) permanent termination of any operation of the project.

6. Reporting

The Certificate Holder shall provide the Council the following reports:

- a) Quarterly progress reports, starting with the commencement of construction and ending with the commencement of commercial operation; and
 - b) A first year operating report, to be submitted to the Council within three months after the conclusion of the first year of operation, to include:
 1. The number of hours when operation on natural gas was curtailed and fuel oil was burned, capacity and availability, and the number of and reasons for any interruption in electric generation; and
 2. Overall condition and reliability of the facility.
7. The Certificate Holder shall provide to the Council, when available, the final DEP air emission and water discharge permits.
8. Unless otherwise approved by the Council, this Decision and Order shall be void if all construction authorized herein is not completed within four years of the effective date of this Decision and Order or within four years after all appeals to this Decision and Order have been resolved.

We hereby direct that a copy of the Findings of Fact, Opinion, and Decision and Order be served on each person listed below, and notice of issuance published in The Hartford Courant and the Norwich Bulletin.

By this Decision and Order, the Council disposes of the legal rights, duties, and privileges of each party named or admitted to the proceeding in accordance with Section 16-50j-17 of the Regulations of Connecticut State Agencies.

The parties and intervenors to this proceeding are:

Applicant

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Its Representatives

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