

PETITION NO. 757A - An application by Algonquin Gas Transmission, LLC submitted to the Federal Energy Regulatory Commission. Algonquin proposes to construct a Natural Gas Compressor Station at one of two locations in Oxford, Connecticut, and a Natural Gas Meter Station off High Meadow Road, Brookfield, Connecticut. } Connecticut
Siting
Council

June 27, 2006

Opinion and Recommendations

Introduction

On February 15, 2006, Algonquin Gas Transmission, LLC (Algonquin), petitioned the Connecticut Siting Council (Council) for a declaratory ruling that the Council does not have jurisdiction over a new natural gas compressor station proposed for one of two sites in Oxford, Connecticut, and a new natural gas meter station proposed off High Meadow Road in Brookfield, Connecticut.

At a public meeting held on February 22, 2006, the Council ruled that the Federal Energy Regulatory Commission (FERC) has exclusive jurisdiction over the proposed project under the Natural Gas Act, 15 U.S.C. § 717 *et. seq.* The Council further stated its intention to develop a record in this matter, develop findings of fact based on this record and make recommendations to the FERC and Algonquin regarding siting, environmental mitigation measures and construction procedures. The Council also does not have jurisdiction over the safety standards of the proposed project, which is regulated by the United States Department of Transportation.

On March 1, 2006, Algonquin filed an application with the FERC for a Certificate Public Convenience and Necessity under the Natural Gas Act for natural gas pipeline modifications, known as the Ramapo Expansion Project, in New York, New Jersey and Connecticut. The Oxford Compressor Station and Brookfield Meter Station are two components of the multi-component Ramapo Expansion Project, a project designed to increase natural gas capacity to Consolidated Edison of New York and KeySpan Energy Delivery.

The proposed Oxford Compressor Station would maintain flow and pressure downstream to the existing Cromwell, Connecticut Compressor Station and to existing shippers in New England, thus enhancing operational reliability and supply security. The proposed Brookfield Meter Station is designed to measure and regulate natural gas delivered from the Algonquin mainline to the Iroquois mainline.

Project Description

Oxford Compressor Station

Algonquin proposes to construct a 37,000 horsepower (nominal) compressor station at one of two sites in Oxford, referred to as Site A and Site F. Algonquin initially preferred to construct the compressor station at Site A; however, the property owner, Pilot's Mall LLC, declined to sell the property to Algonquin. Additionally, the town was opposed to this site, stating it was a non-conforming use in an Corporate Office Zone. To avoid condemnation proceedings, Algonquin evaluated Site F, a town-owned parcel in a proposed industrial park, for potential use and declared that Site F would now be the preferred site. This preference was based on favorable site selection criteria, the availability of Site F, and the town's preference for this location.

The Site A location consists of a 216-acre undeveloped parcel located on the north side of Airport Road in Oxford. The Waterbury-Oxford Airport is approximately 0.25 miles to the east. The compressor station would be constructed within a 17.8-acre development area. The area is centered in an overgrown field area immediately north of an existing Algonquin right-of-way that traverses the property in an east-west direction. Sixteen residences are located within a half-mile of the station site, the nearest of which is 1,400 feet from the proposed compressor building.

The Site F location consists of a town-owned 70-acre undeveloped parcel located in the proposed Woodruff Hill Industrial Park. The site is immediately east of the proposed Towantic Energy site, a power plant approved by the Council in Docket 192, 0.8 miles east of the Waterbury-Oxford Airport, and approximately 1.5 miles east of Site A. The Algonquin gas pipeline right-of-way traverses the northern portion of the parcel in an east-west direction. The Middlebury town line comprises the northern boundary of the site. Algonquin would construct the station within a 16.8-acre development area in the west central portion of the property immediately south of the Algonquin right-of-way. Approximately 45 residences are located within 0.5 miles of the station site, the closest of which is approximately 1,700 feet from the proposed compressor building.

The compressor station would consist a compressor building, an office/warehouse building, a control auxiliary building, a garage/maintenance building, a domestic gas building, and a product storage building. Collectively, the buildings total approximately 22,510 square feet. The compressor building would contain three new turbine-compressors with each turbine having an associated 38 to 40-foot exhaust stack. Additional equipment would include suction and discharge piping, gas cooler units, intake scrubbers, discharge silencers, and air inlet and exhaust systems. Roads and parking areas would be installed within the station grounds to connect the buildings and provide access to the piping system. Security fencing will be installed around the perimeter of the station.

Brookfield Meter Station

Algonquin proposes to construct a meter station off High Meadow Road in Brookfield, Connecticut, on a 68.3-acre parcel owned by Iroquois Gas Transmission System L.P. (Iroquois). The southern area of the parcel is developed with an existing Iroquois Meter Station and existing pipeline right-of-way containing the Algonquin and Iroquois mainlines. The remainder of the parcel is currently undeveloped although historic uses included agriculture, cement-mixing operations, and sand and gravel operations. Iroquois proposes to construct a natural gas compressor station on the parcel.

The proposed meter station would consist of a meter building, a data acquisition and control building, and a shelter over the control valves. The station would occupy approximately 0.8 acres, surrounded by a chain-link fence.

Environmental Considerations

Oxford Compressor Station

No state or federally listed threatened or endangered species are known to occur at either proposed site. Both sites are within the population range of the bog turtle, a threatened species; however, assessments determined that the wetlands at each site were unsuitable to support turtle populations.

Two state endangered species, the sharp-shinned hawk and the pied-billed grebe, occur in the vicinity of proposed Oxford Site F. The hawk listing was based on a single bird observation in 2001. The pied-billed grebe requires quiet wetlands and ponds for nesting. Nesting occurs from April through June. The

Connecticut Department of Environmental Protection (CT DEP) recommended placing the compressor station as far away as possible from the southern property boundary, an area that contains steep wooded slopes and wetlands that drain into Towantic Pond, suitable habitat for the pie-billed grebe. The preliminary location of the station mostly avoids the steep slopes on the southerly side of the site and the adjacent wetlands. The CT DEP also recommends conducting all site construction or clearing operations outside of the nesting period. Algonquin would consult with the DEP regarding impact-mitigation measures for the pied-billed grebe. The Council will recommend adherence to CT DEP comments regarding siting of the facility and appropriate construction schedules.

The access road for the Site A station would permanently disturb approximately 0.1 acres of wetland. Additionally, the station layout would encroach upon an adjacent wetland to the west. Construction would occur within a 50-foot town designated wetland buffer zone in several locations. The Site F station would affect approximately 0.8 acres of an intermittent watercourse on the parcel. The Council believes the impact of water resources would be slightly less at Site F due to the absence of wetlands and associated buffer zones in the development area. The Council will recommend strict adherence to Connecticut Guidelines for Soil Erosion and Sediment Control.

Development of either Oxford site would have no effect on historic, architectural, or archaeological resources listed in or eligible for the National Register of Historic Places. Additionally, development of either site would have no effect of Connecticut's archaeological heritage.

Neither site is expected to have a significant visual impact on the surrounding area. The Site A facility would be visible from Airport Road. To mitigate views from the road, Algonquin would construct earthen berms to shield valves and associated piping from view. Site F is located in an industrial park in a heavily wooded, remote area with rolling topography. Although more residences are located within a half-mile of Site F than Site A, a majority of the residences are on the periphery of the half-mile radius. The nearest residence to the Site A station is 1,400 feet. The nearest residence to the Site F station is 1,700 feet. The Council finds that Site F would have less of a visual impact than Site A due to presence of heavily wooded terrain, rolling topography, and the greater distance to surrounding residences.

Air emissions associated with the proposed compressor station would comply with all applicable federal and state air quality regulations. Algonquin would obtain a Minor New Source Review Air Permit from the CT DEP. Algonquin proposes to use dry premixed combustion technology to meet CT DEP Best Available Control Technology nitrogen oxide emission requirements. Construction related air impacts would be minimized using standard dust suppression techniques.

The compressor station at either site would not exceed any state or federal noise standards if constructed using noise suppression techniques. The Council will recommend the use of such techniques in the construction and operation phases of the project. Additionally, the Council will recommend a post-construction noise survey. If operation of the compressor station exceeds applicable noise standards, then Algonquin should employ noise mitigation measures to meet applicable noise standards as soon as practical.

Algonquin would construct the station in accordance with all applicable safety standards, including the Federal Department of Transportation Minimum Federal Safety Standards. The station would be monitored by on-site personnel as well as a Supervisory Control and Data Acquisition (SCADA) system that monitors and controls various station parameters from a remote location. An Emergency Shutdown System would also be installed to shut off or disconnect certain station components from the gas supply in the event of an emergency.

Algonquin would provide emergency responder training to local emergency response teams at a minimum of every three years. A site specific Emergency Plan would be developed once the station is designed. The Council will recommend that Algonquin consult with the Town of Oxford during development of the plan.

Brookfield Meter Station

The proposed site contain no known existing populations of federal or state endangered, threatened or special concern species. Development of the site would have no effect upon Connecticut's archeological heritage. Construction of the meter station will not impact any wetlands on the site parcel.

The proposed site is located within a locally designated "Primary Recharge Zone of the Town of Brookfield Aquifer Protection District". The proposed meter station is a permitted use. Although hazardous materials would be collected within gas filter equipment at the site, the materials would be within a contained area, and removed and disposed of in accordance with applicable state and federal regulations. The Council believes there will be no impact to the aquifer through construction and operation of the meter station.

The proposed meter station is expected to have a minimal visual effect on the surrounding area due to its location adjacent to the existing Iroquois Meter Station, an aboveground facility consisting of several buildings, valves and regulators, and the low elevation of the proposed site in relation to High Meadow Road. The height of the proposed meter station is approximately 12 feet. The existing vegetative buffer that exists along High Meadow Road would be maintained during construction activities. The Council will recommend Algonquin retain the existing vegetation to the greatest extent possible.

The Brookfield Meter Station would be an unmanned facility. Pipeline pressures and flows would be monitored continuously through a SCADA system. Personnel would be dispatched from the Oxford Compressor Station or a station in southeast New York to respond to any ongoing problem. The Council will recommend consultation with the Town of Brookfield to determine what SCADA system parameters that should be reported to the town. Additionally, the Council will recommend Algonquin consult with the Town of Brookfield in the development of an Emergency Plan and frequency of emergency responder training.

Recommendations

The Council does not have jurisdiction to rule whether or not there is a need for the proposed facility. The project is under the exclusive jurisdiction of the FERC. The FERC encourages the applicants to cooperate with agencies, such as the Council, regarding the siting of pipeline facilities, environmental mitigation, and construction procedures. The FERC alone will decide whether there is a need for the proposed projects, and whether this project or another one can best provide that service.

Oxford Compressor Station

Based on the record in this proceeding, the Council finds Site F preferable. The site is more geographically remote and has greater vegetative screening than Site A to mitigate noise and visibility impacts to area residents. The site is zoned industrial, appropriate for such use, and is favored by the town. The Council believes the environmental impact would be minimal as long as Algonquin adheres to CT DEP recommendations regarding preferred development areas and construction time periods.

If the project is approved by the FERC, the Council offers the following recommendations for construction and operation of the proposed Site F compressor station:

1. Algonquin should consult with the CT DEP to minimize any impact to populations of the pied-billed grebe. Siting of the facility should be in the northern portion of the parcel to the greatest extent possible. Construction and site clearing activities should avoid the bird's nesting period of April through June.
2. Final site design should avoid, to the greatest extent possible, the intermittent watercourse on the property. Algonquin should perform all construction work in strict accordance with Connecticut Guidelines for Soil Erosion and Sediment Control.
3. Algonquin should incorporate noise control measures into the construction phase and operation design of the compressor station. Post-construction noise measurements should be recorded from the surrounding neighborhood as soon as the station is in normal operation. The survey should include blowdown events as well as normal station operations. The results of the survey should be provided to the Council and the Towns of Oxford and Middlebury. If the operation of the compressor station exceeds applicable noise standards, then Algonquin should install additional noise control measures.
4. Algonquin should consult with the Town of Oxford during development of the site specific Emergency Plan to inform the town of possible emergency scenarios and to allow for input regarding the town's response to such emergencies.
5. Algonquin should evaluate the 'dissipation array' proactive lightning protection system as an additional means of facility lightning protection beyond the requirements contained within Lightning Protection Code.
6. Algonquin should provide pre-construction estimates of the emissions generated strictly from construction activities once the final station design and construction phasing aspects of the project are complete. The estimates should be applied to all regulatory criteria. The results of the analysis should be provided to the Council upon completion.

Brookfield Meter Station

The Council finds the proposed site of the Brookfield Meter Station appropriate. The proposed meter station site is immediately adjacent to an existing meter facility owned by Iroquois. Visibility of the meter station would be insignificant due to the low profile of the meter station buildings, site topography in relation to High Meadow Road and the presence of existing screening at the site. Hazardous materials collected during operation of the site would be handled and disposed of in accordance with state and federal regulations. There would be no impact to wildlife, water resources, and archeological resources.

If the project is approved by the FERC, the Council offers the following recommendations for construction and operation of the proposed Brookfield Meter Station:

1. Algonquin should prepare an Emergency Plan, in consultation with the Town of Brookfield, specific for the meter station facility. Emergency response procedures should be a key component of the plan.
2. Algonquin should provided emergency responder training to applicable local emergency response personnel.

3. Algonquin should consult with the Town of Brookfield to determine what SCADA system parameters, and type of emergency information that should be reported to the town.
4. Algonquin should incorporate noise control measures into the construction design of the station. This proactive approach will eliminate or minimize the need for noise control retrofit or a permanent noise impact to the surrounding residences. Post-construction noise measurements should be recorded from the surrounding neighborhood within six-months of the in-service date of the meter station. The results of the survey should be provided to the Council and the Town of Brookfield. If the operation of the meter station exceeds applicable noise standards, then Algonquin should install additional noise control measures as soon as practical.