



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

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CERTIFIED MAIL RETURN RECEIPT REQUESTED

August 5, 2016

Philip M. Small, Esq.
Brown Rudnick LLP
185 Asylum Street
Hartford, CT 06103

RE: **PETITION NO. 1239** – Iroquois Gas Transmission System, L.P. petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the planned addition of an impressed current cathodic protection system to the Iroquois pipeline located parallel to Webb Circle, Monroe, Connecticut.

Dear Attorney Small:

At a public meeting held on August 4, 2016, the Connecticut Siting Council (Council) considered and ruled that Federal agencies have exclusive jurisdiction over the proposed project, and therefore, pursuant to Connecticut General Statutes § 16-50k(d), the Council lacks jurisdiction to issue a Certificate of Environmental Compatibility and Public Need for the Project. The Council also finds that notwithstanding federal preemption, Federal Energy Regulatory Commission (FERC) regulations provide for the participation of interested parties in FERC certification proceedings and State agencies, such as the Council, may intervene as a matter of right.

Consistent with FERC's encouragement to cooperate with state and local officials, Iroquois has filed with the Council detailed information regarding the proposed project to provide the Council with the opportunity to make recommendations to FERC and Iroquois regarding siting, environmental mitigation measures and construction procedures. The Council has reviewed such materials and will be submitting recommendations to FERC as noted in the staff report.

Enclosed for your information is a copy of the staff report on this project.

Very truly yours,

Robert Stein
Chairman

RS/FOC/cm

Enclosure: Staff Report dated August 4, 2016

c: Secretary of the State (via e-mail service)
Honorable Stephen Vavrek, First Selectman, Town of Monroe
William Agresta, AICP, Planning & Zoning Administrator, Town of Monroe

Petition No. 1239
Iroquois Gas Transmission System L.P.
Monroe, Connecticut
Staff Report
August 4, 2016

Introduction

On June 22, 2016, the Connecticut Siting Council (Council) received a petition from Iroquois Gas Transmission System, L.P. (Iroquois) for a declaratory ruling (Petition) that no Certificate of Environmental Compatibility and Public Need is required for the addition of an impressed current cathodic protection system (CP system) to the Iroquois pipeline located at Webb Circle, Monroe, Connecticut. The project is under the exclusive jurisdiction of the Federal Energy Regulatory Commission (FERC). Iroquois filed the petition to the Council in accordance with a FERC policy requiring applicants to cooperate with state and local agencies in siting pipeline facilities.

Iroquois also provided a copy of the petition to the Town of Monroe. No comments have been received to date.

The proposed CP system is defined by FERC as an "auxiliary installation" and would require no additional approvals from FERC.

Proposed Project

To protect against pipeline corrosion, Iroquois is required by the federal Department of Transportation to maintain polarization on the pipeline, which can be achieved by installation of impressed ground beds. The proposed CP system would be installed north of and parallel to Webb Circle west of the Iroquois right of way. The CP system consists of two anode beds totaling 250 linear feet and 550 linear feet of interconnecting cable to the pipeline. An 800 foot by 1.5 foot wide by 4 foot deep trench would be excavated to install the CP system. The anode beds consist of a total of fifteen; seven-foot long anodes installed vertically into the trench. A 10-foot by 10-foot area excavated above the pipeline would allow cables to be welded to the pipe. A new electric service would be installed from an adjacent utility pole to power a rectifier. The location of rectifier is yet to be determined but would be located within the permanent Iroquois right of way.

The trench area crosses Means Brook. Such excavation would be above the existing culvert. Also stone walls, wood fencing, and stone headwalls are in vicinity of construction but Iroquois would take precautions to not disturb these features; however, if these features are impacted Iroquois would restore to "as found" conditions. All of the work would be within an upland review area of a wetland. An environmental inspector would determine proper erosion and sediment controls. Once the project is complete contours would be restored, seeded and mulch. Construction is expected to take ten weeks.

Surrounding land uses include undeveloped water company land and residences. One residence is 625 feet north of the Iroquois ROW and one residence is 515 feet southeast of the CP system.

Staff Recommendations

Staff recommends providing the following recommendations to FERC:

1. Implement erosion and sedimentation control measures (E&S controls) in accordance with the *2002 Connecticut Guidelines for Soil Erosion and Sediment Control*;
2. Use of off-road construction equipment that meets the latest EPA or California Air Resources Board standards, or in the alternative, equipment with the best available controls on diesel emissions, including, but not limited to, retrofitting with diesel oxidation catalysts, particulate filters and use of ultra-low sulfur fuel; and
3. Compliance with the provisions of Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies that limit the idling of mobile sources to 3 minutes.