

Mulcahy, Carriann

From: Steve Orlomoski [sorlomoski@charter.net]
Sent: Thursday, July 31, 2008 8:29 PM
To: Caruso, Daniel; Phelps, Derek
Cc: CSC Carmody Law Golden, Robert; CSC Carmody Law Saunders, Corey; Wagener, Karl; CSC CL&P Cochran, Jeffrey; CSC CL&P Gibelli, Stephen ; CSC CL&P Morissette, John ; CSC Marconi Robert ; Mercier, Robert; Mulcahy, Carriann; CSC PRE Donovan, Dan ; CSC PRE Wiggin Venora Daniel; CSC Wiggin McDermott, Bruce; 'Rivers Alliance of CT'; Noiseux, Bob & Carolyn; Shinkiewicz Roger; Canterbury Sadlowski, Steven; Canterbury Sear, Brian; Canterbury Tetreault, John ; Plainfield Sweet, Paul
Subject: Submission of Interrogatories, Petition Number 784MR (Friends of the Quinebaug River)

July 31, 2008

Re: Petition No. 784MR – Plainfield Renewable Energy (PRE), LLC petition

Subject: Submission of Interrogatories, Petition Number 784MR (Friends of the Quinebaug River)

To: Chairman Caruso, Executive Director Phelps, Connecticut Siting Council (CSC) Members, and Service List:

The Friends of the Quinebaug River (FQR), in accordance with the schedule agreed upon during the pre-hearing conference on Monday, July 28, 2008, respectfully submits the following interrogatories for the applicant's timely response:

1. Was PRE aware of pollution or contamination issues associated either with the Man-Burch pumphouse property or the immediate vicinity of this property?
2. If so, what was PRE's knowledge of these issues?
3. Was any of this information shared with the CSC?
4. Why was the presence of significant area industrial pollution not included as part of the pumphouse Site Survey and Habitat Assessment as filed with the CSC?
5. How and when were the Town of Canterbury and the public noticed when the pumphouse location changed to the Man-Burch property ?
6. When the Man-Burch pumphouse property was sold by Aspinook LLC (Mr. Denis Yaworski signatory) to Man-Burch, LLC in 2006 for \$10,000, a disclosure was signed by the buyer and filed with the property deed. This disclosure identified a series of issues associated with this entire portion of the Packerville section of Canterbury . Did PRE have to sign a similar document to obtain a purchase option?
7. Through the course of researching this parcel, was PRE aware of this document?
8. Did PRE do, as the Man-Burch signed document advises, research the issues raised (the document specifically mentioned researching at the Canterbury library as this is an official repository facility for Yaworski lagoon and landfill information)?
9. If so, who did it and when?
10. If not, why not?
11. Did PRE evaluate the impact of the construction, operation, and ongoing presence of physical intake piping and associated structures with recreational uses of the river?
12. When seeking the Army Corp of Engineers input, did PRE bring any of the pollution related issues forward?
13. Is PRE aware that DEP is in the process of declaring this section of the river impaired? This impairment will be listed in their 2008 305b water impairment report.
14. Can PRE comment on how this diversion would impact the impairment?
15. In the CSC finding of fact, as number 122 this chart is cited:

Pollutant	<u>PM/PM</u>	<u>NO</u>	<u>SO</u>	<u>CO</u>	<u>VOC</u>	<u>Lead</u>	<u>HCL</u>	<u>MERCURY</u>
Emissions from Project (tpy)	46.5	174.2	81.3	240.0	26.6	0.3	30.4	0.006
Major Source thresholds (tpy)	100	50	100	100	50	10	-	100
PSD Significant Emission Rate Thresholds (tpy)	25/15	40	40	100	N/A	0.6	-	0.1

(PRE 1, pp. 29, 36, 43)

Yet PRE filed with the DEP this chart:

Metal	Estimated Worst-Case, Based On 100% C&D, ppm	Uncontrolled lb/MMBtu ¹	Uncontrolled lb/hr	Uncontrolled TPY	% Removal in Scrubber / Baghouse	Controlled lb/MMBtu ¹	Controlled lb/hr	Controlled TPY
As	50	6.32E-03	3.30E+00	1.45E+01	95%	3.16E-04	1.65E-01	7.24E-01
Cd	5	6.32E-04	3.30E-01	1.45E+00	95%	3.16E-05	1.65E-02	7.24E-02
Cr	200	2.53E-02	1.32E+01	5.79E+01	95%	1.26E-03	6.61E-01	2.89E+00
Pb	250	3.16E-02	1.65E+01	7.24E+01	95%	1.58E-03	8.26E-01	3.62E+00
Ni	25	3.16E-03	1.65E+00	7.24E+00	95%	1.58E-04	8.26E-02	3.62E-01
Hg	0.2	2.53E-05	1.32E-02	5.79E-02	90%	2.53E-06	1.32E-03	5.79E-03
Se	1	1.26E-04	6.61E-02	2.89E-01	95%	6.32E-06	3.30E-03	1.45E-02
Ag	5	6.32E-04	3.30E-01	1.45E+00	95%	3.16E-05	1.65E-02	7.24E-02
Ti	300	3.79E-02	1.98E+01	8.68E+01	95%	1.89E-03	9.91E-01	4.34E+00
Zn	200	2.53E-02	1.32E+01	5.79E+01	95%	1.26E-03	6.61E-01	2.89E+00
S ²	2000	5.05E-01	2.64E+02	1.16E+03	93%	3.54E-02	1.85E+01	8.10E+01
Cl ³	1500	1.95E-01	1.02E+02	4.46E+02	93%	1.36E-02	7.13E+00	3.12E+01
PCB ⁴	2	2.53E-07	1.32E-04	5.79E-04		2.53E-07	1.32E-04	5.79E-04

Can you explain the substantial discrepancies regarding plant emissions? As an example, why was the CSC told lead would not exceed .3 tpy, but then seeking an air permit for 3.6 tpy(a 1200% increase) ?

16. Is PRE aware of what the Man-Burch property was used for since the original Aspinook Company purchased it?
17. When recently filing objections to FQR's motion to reopen the CSC process, PRE indicated that one of the nearby contaminated areas the site of the former Packer Plastic mill. Some research has indicated that this parcel is directly adjacent to the proposed pipeline excavation on Mill Rd (close to Mill Brook). Did PRE previously disclose this to the CSC and has PRE evaluated the impact of excavation to any buried contamination?
18. The Man-Burch pumphouse property is located approximately across the street from an additional landfill site (operated perhaps 40 years ago). For clarity, this site was located on the E side of Packer Rd. This property does not appear on the above referenced list of contaminated sites. Is PRE aware of this site and has PRE evaluated its impacts on the proposed Man-Burch property activities?

Any questions may be addressed to me.

Thank you,

/s/ Steven F. Orlomoski

STEVEN F. ORLOMOSKI
Secretary, Friends of the Quinebaug River

CERTIFICATION

I hereby certify that a copy of the foregoing Submission of Interrogatories, Petition Number 784MR (Friends of the Quinebaug River) was sent via Email this 31st day of July, 2008 to:

CEQ – Karl Wagner
CL&P – Jeffery Cochran, Stephen Gibelli, John Morissette
CSC – Daniel Caruso, Fred Cunliffe, Robert Marconi, Robert Mercier, Carriann Mulcahy, Derek Phelps
Carmody Law – Robert Golden, Corey Saunders
Friends of the Quinebaug River – Carolyn Noiseux, Robert Noiseux, Roger Shinkiewicz
PRE and Counsel – Dan Donovan, Bruce McDermott, Daniel Venora
Rivers Alliance of Connecticut – Margaret Miner
Town of Canterbury – Steven Sadlowski (ZEO), Brian Sear (First Selectman), John Tetreault (IWWC)
Town of Plainfield – Paul Sweet (First Selectman)

Mailed through the US Postal Service:

Per Mr Phelps' direction, twelve (12) hard copies of this document will be mailed to his attention to the Connecticut Siting Council, Ten Franklin Square, New Britain, CT 06051

/s/ Steven F. Orlomoski

STEVEN F. ORLOMOSKI
Secretary, Friends of the Quinebaug River