

From: Roger Shinkiewicz, Chairman
Friends of the Quinebaug River

To: CT Siting Council

Subj: Petition 784, Plainfield Renewable Energy

Date: May 20, 2008

Dear Council Members:

As you may be aware, there have been some circulating issues pertaining to the above Petition. The brief background facts are as follows:

1. PRE filed their CSC application seeking to construct a facility within the Town of Canterbury.
2. The Town was noticed of this. The location of this facility was shown to be in a particular location.
3. Some time after this initial application, the location was modified with no notice given the town.
4. Until March 2008, the Town was unaware of the changes.
5. As a result, neither the host community nor the public was able to bring forth important information regarding the new site.
6. The applicant did not bring forth this important information to the CSC.

Specific examples of the omitted information include but are not limited to:

- a. the property in question was, until 1996, part of the same property containing an EPA superfund site and a to-this-day unclosed landfill site.
- b. the property in question has never been given a certificate of remediation.
- c. developing the property in question could result in the release of toxic materials into the environment (toxins documented in the immediate area of the pumphouse property include Methyl Ethyl Ketone at 25 times EPA reference concentration and Trimethylbenzene at 7,000 times the EPA risk based concentration).
- d. the property in question is significantly closer to a newly constructed public boat launch. With the new boat launch, there is now significant recreational use of this portion of the Quinebaug River.

Therefore, Friends of the Quinebaug River submits the following motion:

CONNECTICUT SITING COUNCIL

PLAINFIELD RENEWABLE ENERGY
Petition for a Declaratory Ruling
No Certificate of Environmental
Compatibility and Public Need
Is Required for the proposed
Construction, Maintenance, and
Operation of a 37.5 MW Wood
Biomass Generating Project,
Plainfield, Connecticut

May 20, 2008

Motion to Reopen Hearing to
Take Further Evidence and
Reassess original findings

The citizens group, Friends of the Quinebaug River, moves the Connecticut Siting Council to REOPEN THE EVIDENTIARY HEARING in the above captioned petition, to allow for the introduction of new information and appropriately reconsidering the findings of the CSC.

It has been noted that, under certain situations, CGS 4-181 gives the council authority the ability to reopen and reverse or modify a decision. Any party or the Council itself may make such motion. The Council has reopened other hearings (Docket 347, for example).

The matters in dispute raise the issues of:

1. Whether the record findings of fact issued by the Council are complete and accurate. If, as we believe, not, the hearing may

be reopened and new evidence be entered into the record as per CGS 4-181a(B)

2. Whether there were lapses in procedure. If, as we believe, so, the hearing could be reopened as per CGS 4-181a(A)
3. Whether the pre-hearing agreement between the CSC and the applicant was honored. If as we believe, not, the hearing may be reopened as per CGS 4-181a(C)
4. Whether application changes were openly and fully addressed. If, as we believe, not, the hearing may be reopened as per CGS 4-181b

Specific to our concerns are:

1. The Council approval of a modified pumphouse site located adjacent and downstream to an unlined Federal EPA superfund site (Yaworski Lagoon) and an unremediated landfill (Yaworski Landfill). During the era of waste disposal on this property, the proposed pumphouse parcel was part of the same contaminated parcel of land as both the Lagoon and Landfill. These facts were completely absent from the proceedings.
2. The modified pumphouse site is much closer to a recently constructed public boat launch (constructed and maintained by the State of Connecticut). Approved activities could impact the public's ability to engage in recreational activities along the Quinebaug Shetucket Heritage Corridor.

3. The modified pumphouse location was not made generally known to the public.
4. The modified pumphouse location is currently zoned RA (and enrolled in the PA 490 property tax reduction program). The approval of this use for this property results in an extension of industrial zoning. This fact was absent from the proceedings.

Wherefore, it is moved that the hearing in Petition 784 be reopened to address these points.

This motion has been reviewed by and endorsed by:

- Rivers Alliance of CT, Mrs. Margaret Miner, Executive Director
- Clean Water Action, Mr. Roger Smith, Campaign Director
- Town of Canterbury, Inland Wetland Wetlands and Watercourse Commission, Mr. John Tetreault, Chairman.

In light of the fact that these issues have been discussed with CSC staff for over 60 days with no resolution, we are asking that this matter be placed before the Council at its May 22nd regular meeting.

Sincerely,

Roger Shinkiewicz, Chairman

Friends of the Quinebaug River