

No. 5507 P. 1



STATE OF CONNECTICUT
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SITING COUNCIL

fax transmittal:

to: PETITION 831 ANALYST (BOB MENCIEN, I believe).

fax # 827-2950

from: FRED RIESE

date: JANUARY 7, 2008

pages: 4, including this cover sheet

RE: WATERBURY GENERATING LLC

Message: Sorry to be so last minute.

Will put original copy in the mail today.

fred

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STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



January 7, 2008

Daniel F. Caruso, Chairman
Connecticut Siting Council
10 Franklin Square
New Britain, Connecticut 06051

RE: 96-MW Electric Generating Facility
Waterbury Generating LLC
Waterbury, Connecticut
Petition No. 831

Dear Chairman Caruso:

Staff of this department have reviewed the above-referenced petition for a Declaratory Ruling for the construction of a generating facility at 725 Bank Street in Waterbury and the associated transmission line to tie the facility into the Baldwin Street Substation. Based upon this review and a visit to the proposed site, the following comments are offered to the Council for your use in this proceeding.

Waterbury Generating LLC proposes to construct a 96-MW dual-fueled combustion turbine peaking facility on property leased from Ansonia Copper and Brass on the north side of Washington Street, just west of the Naugatuck River. Natural gas will be the primary fuel with ultra-low sulfur fuel oil as the secondary fuel.

Site Description

Although the project address is 725 Bank Street, the project site, which is the southernmost 2.25 acres of the Ansonia Copper and Brass property, is actually on Washington Street. The site is a derelict parking lot with deteriorated pavement. Several grey birch, tree-of-heaven and black locust have established themselves on and at the margins of the property. An abandoned rail siding abuts the parcel to the west, with a small informal brush dump on that property. The active operations of Ansonia Copper and Brass abut the site to the north, while an oil dealership occupies the property to the east between the project parcel and the Naugatuck River. The rear (northeast) corner of the parcel where the 364,000 gallon fuel oil tank will be sited abuts a concrete retaining wall which separates the Ansonia Copper and Brass property from the floodplain of the Naugatuck River.

The proposed site is in an industrial area surrounded by other industrial uses and well separated from residential areas. The Waterbury Branch of Metro-North and the Route 8

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highway separate the site from the Brooklyn neighborhood to the west, while the Naugatuck River and its floodplain and other industrial uses separate the site from residential areas to the east. The site is an appropriate one for the proposed use.

The nearest residential parcel referred to on page 6 of the petition and in the Council's Interrogatory No. 1 as 1,000 feet southwest of the site is vacant and is not a buildable lot. It is a very narrow strip butting up against Route 8 and a noise barrier. The occupied residential property that appears to be the closest to the site is a four story brick apartment building at the corner of Washington Street and South Main Street, due east of the plant site. This building is separated from the plant site by the B&H Oil Company property, the Naugatuck River, a vacant industrial building, and the Mad River.

The gas line interconnection to serve the plant will be placed in or along Railroad Hill Street, which should entail minimal impacts. The proposed transmission line interconnection will follow the Metro-North Waterbury Branch rail line from the plant southward to the existing Connecticut Light and Power 115-kV transmission line at the location of the City of Waterbury transfer station, then east across the Naugatuck River and South Main Street to the Baldwin Street Substation. The petition mentions the need to expand the width of the transmission line right-of-way by 65 feet for the final leg of this route. Given the industrial land uses and the availability of undeveloped land along this route, this should not present any difficulties.

Air Permit

A New Source Review Permit application for this project was submitted to the department on September 4, 2007. The application is currently undergoing technical review.

The permit application does not include any limits on total hours of operation even though the facility is intended to operate as a peaking facility. Operation on distillate oil will be limited to 720 hours (30 days) annually.

It is our understanding that there has been some public comment concerning the visibility of the 213' exhaust stack of the plant. As an element of the air modeling analysis to be performed during the application review, DEP will check the applicant's PM_{2.5} analysis to verify whether the full 213' stack height is necessary or if there may be an opportunity to reduce the stack height.

Site Remediation

Page 11 of the petition states that the site will be remediated in accordance with DEP's Remediation Standard Regulations in conjunction with the facility construction. No plans for the remediation of the site are currently before this department. The most recent report DEP has received on this property is a 2000 Phase II Site Assessment performed under the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS).

Noise Analysis Report

The Noise Analysis Report contained in Exhibit 14 of the petition was reviewed and found to be satisfactory in methodology, but the applicant should provide the Council with the projected noise levels expected after the installation of the stack silencer. The conclusion of

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Exhibit 14 is vague as to whether the stack silencer will be the mitigation measure chosen, and what noise levels are anticipated at the modeled noise receptor locations. Absent mitigation measures, the noise analysis indicates that violations of the 51dBA nighttime noise standard are expected at four of the five modeled receptor locations (see Table 5).

Water Use

The proposed facility will operate as a peaking plant during its first ten years of operation. According to information presented by the applicant at a pre-application meeting at DEP, only very limited hours of operation, perhaps several days per year, are anticipated during this time. However, as stated on page 1 of Exhibit 10, the proposed facility may operate more frequently after the original ten year contract terminates. The estimated 440,000 gallons per day of cooling water required by the plant is not an insignificant amount of potable water. The currently proposed very limited hours of operation of the facility do not create a concern regarding cooling water volumes. If operation of the plant for intermediate electric loads or greater is anticipated to occur in the future, DEP would prefer to see other options for cooling water investigated including the use of treated effluent from the Waterbury water pollution control facility, or perhaps the incorporation of a dry cooling system.

Miscellaneous Petition Commentary

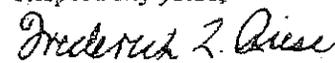
Page 16 of Exhibit 18 states that the proposed facility layout was designed to avoid and minimize direct impacts to wetland systems. This is potentially ambiguous in view of the statement on page 19 of the petition that there are no wetlands on the site.

Exhibit 2 lists Conrail and the New York, New Haven and Hartford Railroad Company as abutters to the project site. The New York, New Haven and Hartford Railroad was acquired by Penn Central Corporation, which was later merged into the Consolidated Railroad Corporation (Conrail). The ownership of the right-of-way of the Waterbury Branch was acquired by the Connecticut Department of Transportation in October 1985. We realize that Waterbury Generating LLC has been in contact with ConnDOT and Metro-North regarding the transmission line tie-in along the railroad, but the abutter's list in Exhibit 2 does not reflect the current ownership.

On page 3 of Exhibit 10, it is not clear what facility is referred to in Table 2 under the label Borough of Naugatuck. Is this the Naugatuck water pollution control facility perhaps?

Thank you for the opportunity to review this petition and to submit these comments to the Council. Should you, other Council members or Council staff have any questions, please feel free to call me at (860) 424-4110.

Respectfully yours,



Frederick L. Riese
Senior Environmental Analyst

cc: Commissioner Gina McCarthy

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