



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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ORIGINAL

February 1, 2008

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

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FEB 1 - 2008

CONNECTICUT
SITING COUNCIL

RE: 30 MW Biomass Gasification Generation Facility
Watertown Renewable Energy LLC
Watertown, Connecticut
Petition No. 834

Dear Chairman Caruso:

Staff of this department has reviewed the above-referenced petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need will be required for the proposed facility. A site visit was undertaken during the department's review of this petition. The following comments are offered to the Council for your use in this proceeding.

The Connecticut Solid Waste Management Plan, as amended and adopted in December 2006, sets out the State's strategy to manage and reduce the volume of solid waste generated within the state of Connecticut through increased use of strategies including source reduction, reuse, recycling and composting. Part of Connecticut's long range vision is to view and treat solid waste as a valuable resource and to seek beneficial uses for it rather than to treat it solely as a waste to be disposed of. The proposed Tamarack Energy facility would be consistent with this strategy as it diverts clean wood waste material, such as land clearing debris, pallets, spools, silvicultural thinnings and mill residues, from the waste stream and puts them to a beneficial use.

DEP Forestry staff reviewed text contained on page 7 of the petition regarding Tamarack's potential to create additional jobs in Connecticut's forestry industry. The assessment of Tamarack producing 'nearly one hundred additional jobs' in the regional wood supply industry was viewed as being probably an overestimate. However, the ability of the Tamarack Energy facility to provide a market for low value forestry products is seen as beneficial. Two examples of this effect would be that tops and limbs which might otherwise be left in the forest after a logging job would be more likely to be cleaned up with the presence of a market for this material, and silvicultural thinnings to improve the quality of forest stands by removing trees of poor form and health will be more likely to occur and will be performed in a more thorough fashion because of the market for the resulting materials.

Site Description

The proposed 33-acre project site on the north side of Echo Lake Road in Watertown is a mixture of forested land to the west of Turkey Brook and reverting cleared land east of this watercourse. The biomass generating power plant would be located east of Turkey Brook on land which slopes upward from the brook toward the property line of Mattatuck State Forest to the east. Grey birch and goldenrod are the dominant species in this portion of the property with lesser amounts of red oak, red maple, black locust, black oak and white pine. An east-west trending outcrop ridge occurs in the southern portion of the site. An unmaintained but still marginally passable woods road crosses the eastern portion of the property from north to south. Turkey Brook, which bisects the property, is generally 5'-10' in width as it flows from north to south before exiting the site under Echo Lake Road. Visually, the water quality of the stream appears to be excellent.

Turkey Brook Fisheries Issues

DEP has not previously sampled Turkey Brook for fisheries population data. However, stream surveys have been done on several occasions in Jericho Brook located in Mattatuck State Forest approximately one mile north of the proposed Tamarack Energy site. Jericho Brook supports a robust brook trout population. The population is of such large size that it allowed for the collection and transport of brook trout to the Mill River in Easton several years ago to reestablish an extirpated brook trout population there. Given the proximity of Jericho Brook and the somewhat similar physical characteristics, DEP anticipates that Turkey Brook would likewise support a native brook trout population.

Therefore, to protect water quality and fisheries resources, a 100-foot wide riparian buffer should be maintained along both banks of Turkey Brook. This will not be difficult along the forested western bank, which is not proposed to be developed, but may be difficult in the areas closest to the boiler building. However, the site plan in Appendix D shows that even in this area, close to 100' of buffer may be able to be maintained. The stormwater management system should avoid direct discharge of stormwater from paved or cleared areas into Turkey Brook so as to avoid the potential for thermal loading and the release of contaminants from stormwater. The proposed detention pond shown in the site plan appears to address this concern.

Easement from DEP for Transmission Line

Appendix F contains a letter from DEP, dated July 31, 2007, setting forth the conditions under which this department is willing to enter into an easement agreement with the applicant for the right-of-way necessary to tie the proposed plant with one of the two 115-kV transmission lines running through Mattatuck State Forest just to the north of the plant site. DEP remains willing to abide by the terms of this letter.

On January 14 of this year, DEP received a letter from Tamarack asking the department to consider an amended easement agreement for a slightly shorter crossing of DEP land but employing an overhead crossing rather than an underground one. This amended request arose from the stated preference of Connecticut Light and Power for an overhead crossing due to reliability and maintenance concerns. The need for a switchyard of approximately 210' x 160' dimensions was also included in this latter request. This amended easement request is being reviewed through DEP's Property Management Review Process and in fact has just been

distributed today to the various resource units for consideration. We cannot at this point provide any guidance to the Council as to what the outcome of this review will be.

New Source Review Permit and Solid Waste Facility Permit

An application for a New Source Review Permit has been received by DEP and is currently undergoing technical review and modeling. The required emissions reduction credits for NO_x must be acquired by the applicant before issuance of the New Source Review Permit. As indicated in Table 9 on page 89, filing of applications for the Title V Operating Permit and Title IV Acid Reign Permit are expected to occur at a later date.

Appendix M of the petition contains a letter written by legal counsel for the applicant expressing the opinion that a Solid Waste Facility Permit will not be required for the Tamarack Energy Facility. DEP has reviewed this letter and met with the applicant to discuss the applicability of this permit requirement. DEP concurs with the conclusion of the letter in Appendix M that a Solid Waste Facility Permit will not be required as long as only clean, untreated wood is used to fuel the plant. A letter to the applicant to confirm this determination will be forthcoming shortly.

Site Design Request

The forester who has jurisdiction for Mattatuck State Forest has reviewed the site plan in Appendix D and has requested that, if possible, the proposed retaining wall shown as being directly on the State Forest/ Tamarack Energy property line be pulled back off the property boundary. This would minimize damage to trees and root systems in the State Forest and provide a minimal buffer. It appears from the site plan that the wall could be pulled in 20'-30' from the property line without impacting any elements of the Tamarack facility.

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