



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

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Paul Aresta
Executive Director

VIA ELECTRONIC MAIL

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Melanie Bachman, Executive Director
Connecticut Siting Council
Ten Franklin Square
New Britain, CT 06051
Melanie.Bachman@ct.gov

PETITION NO. 1663 – VFS, LLC (Petitioner) petition for a declaratory ruling for the proposed construction, maintenance and operation of a customer-side 920-kilowatt fuel cell facility collocated with a 1.99-megawatt AC battery energy storage facility and associated equipment to be located at the Quinnipiac University York Hill Campus, 305 Sherman Avenue, Hamden, Connecticut, and associated electrical interconnection.

Dear Attorney Bachman,

The Council on Environmental Quality (Council) offers the following comments regarding Petition 1663.

Environmental Information

The Council notes that the materials submitted in connection with the subject Petition failed to include certain information that would assist the Council and the Siting Council to review the potential environmental impacts of the proposed project. While the petition materials include some information for the proposed fuel cells, there is limited information regarding the proposed battery energy storage system (BESS) equipment. The Council recommends that the Petitioner provide more information regarding the potential environmental impacts of the entire project (fuel cell and BESS), and the environmental protection measures for the proposed project including, but not limited to, erosion and sedimentation control; spill prevention; and emergency response for the proposed facility.

Noise

The Petitioner states that “the nearest residential properties are over 870’ to the North of the proposed Facility”, but the noise study indicates that “the closest residence is only about 45 meters” northwest of the proposed facility at 125 Kimberly Avenue. Further, the Petitioner states that “the noise level of the Facility will not exceed local and state noise level ordinance levels.” However, the noise study performed by the Petitioner indicates that “the expected airborne noise level at 125 Kimberly Avenue, the closest property at 45 meters, is 56.4 dBA and requires 12 dB of noise mitigation to meet the night time noise limit.” The Council notes that the noise study included the two proposed fuel cells, but there is no mention of the proposed BESS equipment, which, according to the proposed site plan, would be located as close as eleven feet from the proposed fuel cells. It is also unclear what noise mitigation measures would be employed to ensure compliance with applicable noise standards for the proposed facility. The Council recommends that the Petitioner provide additional information regarding 1) the total projected noise from the proposed facility (BESS equipment and fuel cells) at full operation at the nearest

residences and all adjacent noise zones, and 2) the noise mitigation measures that would be employed to ensure compliance with applicable noise standards.

Public Water Supply

The Council notes that the proposed site is within a public water supply watershed of the Regional Water Authority (RWA).¹ The Council recommends that the Petitioner 1) review and incorporate the protective measures identified in the Department of Public Health's "General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area"² guidance document, and 2) notify the RWA and the Quinnipiac Valley Health District prior to the commencement of construction.

The Council's comments above address only certain elements of the materials provided by the Petitioner at the time of the filing. Additional information can become evident through comments offered by other parties and during the Siting Council's administrative hearing process. The absence of comment(s) by this Council about any Petition or Application, or any aspects thereof, may not be interpreted as an endorsement of a proposed project, or its components or that this Council might not have comments or concerns on more specific issues raised during the hearing process.

Thank you for your consideration of the Council's comments.

Sincerely,



Paul Aresta
Executive Director

¹ Connecticut Department of Public Health, Public Drinking Water Map Viewer, accessed 5-7-2025;
<https://maps.ct.gov/portal/apps/experiencebuilder/experience/?id=1a8bf90b37b24affaeb41a41d71c9417&draft=true>

² Connecticut Department of Public Health; https://portal.ct.gov/-/media/Departments-and-Agencies/DPH/dph/drinking_water/pdf/BMPFactSheetpdf.pdf