

Schacht & McElroy

Michael R. McElroy
Leah J. Donaldson

Attorneys at Law

Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Members of the Rhode Island
and Massachusetts Bars

21 Dryden Lane
Post Office Box 6721
Providence, RI 02940-6721

(401) 351-4100
fax (401) 421-5696

June 14, 2017

Todd Anthony Bianco
Coordinator
Rhode Island Energy Facility Siting Board
89 Jefferson Boulevard
Warwick, RI 02888

Re: Invenergy Thermal Development LLC – Clear River Energy Center
Docket No. SB-2015-06

Dear Dr. Bianco:

Enclosed for filing in this matter are an original and 10 copies of the Town of Burrillville's 28th Set of Data Requests to Invenergy Thermal Development LLC. Electronic copies have been sent to the service list.

If you have any questions, please feel free to call.

Very truly yours,



Michael R. McElroy

MRMc:tmg

cc: Service List

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

IN RE: INVENERGY THERMAL DEVELOPMENT LLC's :
APPLICATION TO CONSTRUCT THE CLEAR RIVER : DOCKET No. SB-2015-06
ENERGY CENTER IN BURRILLVILLE, RHODE ISLAND :

**THE TOWN OF BURRILLVILLE'S 28th SET OF DATA REQUESTS TO
INVENERGY THERMAL DEVELOPMENT LLC**

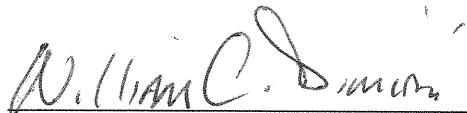
Major Source Permit Application Addendum (MSPAA)

- 28-1 The Algonquin Compressor Station (ACS) apparently intends to retire at least 2 of the 3 compressor engines at the site. Therefore, it appears that CREC only modeling is completed in the MSPAA, i.e., no multisource modeling was performed. At the time, of the MSPAA, no firm commitment from the ACS was documented. What is the current status?
- 28-2 A revised property and fence line are now included. Is the property line supported by a Class I survey?
- 28-3 Page 3 of the MSPAA notes that the Siemens and MHI gas turbine models are no longer being considered for the project. GE Model 7H.02 Model turbines appear to be selected for installation at CREC. Please verify the values and model input data included in the MSPAA to determine if up to date equipment information was utilized.
- 28-4 The revised Figure 6 (Maximally Impacted Receptors) of the Health Risk Assessment Report (HRA) of the MSPAA indicates significantly fewer Maximally Impacted Receptors than was identified in original HRA Figure 6. The basis of this reduction or the methodology of the receptor analysis is not adequately explained. Please explain/clarify.
- 28-5 The revised Table 1, Facility Potential Emission Summary, contains an additional column for Gas Turbines/HRSG/Duct Burner Steady State Operations, identified as "N.Gas w/DB." It is likely this represents natural gas firing with duct burners. It is not clear if this scenario was not considered in previous permit application materials, or if this was the previous application assumption. Additional clarification is needed to distinguish this from other "N.Gas" column, to determine what scenario was previously considered in 2015 application, and what facility information triggered this additional column/information. Please explain/clarify.
- 28-6 Based on the CREC Class II Areas Significant Impact determination included in the MSPAA, Significant Impact Area (SIA) now includes an annual NO₂ significant area up to 0.375 km from the proposed facility. This annual SIA was not previously identified in the original permit submission. Additionally, the maximum distances from the CREC wat which the modeled facility impacts were greater than Class I Significant Impact Level (SIL) have increased (refer to page 4 of MSPAA and page 13 of the original Air Dispersion Modelling Report, 10/30/15). Please explain/clarify.

MSMA


28-7 The MSMA states that changes to the Algonquin Compressor Station will take effect prior to the commencement of CREC operations. Therefore, new multisource modeling was undertaken to reflect the proposed changes to the Algonquin facility. What is the status of this? It is also not clear if there is a contractual or legal requirement relating to the noted changes to the Algonquin facility. Please explain/clarify.

Respectfully submitted,
Town of Burrillville
By its attorneys



William C. Dimitri, Esq. #2414

Town Solicitor
462 Broadway
Providence, RI 02909-1626
Tel: (401) 474-4370
Fax: (401) 273-5290
dimitrilaw@icloud.com



Michael R. McElroy, Esq. #2627

Leah J. Donaldson, Esq. #7711
Special Counsel
21 Dryden Lane
P.O. Box 6721
Providence, RI 02940-6721
Tel: (401) 351-4100
Fax: (401) 421-5696
Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Date: June 14, 2017

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2017, I sent a copy of the foregoing to the attached service list.



Theresa Gallo

SB-2015-06 Invenergy CREC Service List as of 05/26/2017

Name/Address	E-mail	Phone/FAX
<p>File an original and 10 copies with EFSB: Todd Bianco, Coordinator Energy Facility Siting Board 89 Jefferson Boulevard Warwick, RI 02888</p> <p>Margaret Curran, Chairperson Janet Coit, Board Member Assoc. Dir., Div. of Planning Parag Agrawal Patti Lucarelli Esq., Board Counsel Susan Forcier Esq., Counsel Rayna Maguire, Asst. to the Director DEM Catherine Pitassi, Asst. to. Assoc. Dir. Plann. Margaret Hogan, Sr. Legal Counsel</p>	Todd.Bianco@puc.ri.gov ; 	401-780-2106
	Kathleen.Mignanelli@puc.ri.gov ; 	
	Patricia.lucarelli@puc.ri.gov ; 	
	Margaret.Curran@puc.ri.gov ; 	
	janet.coit@dem.ri.gov ; 	
	Catherine.Pitassi@doa.ri.gov ; 	
	Margaret.hogan@puc.ri.gov ; 	
	susan.forcier@dem.ri.gov ; 	
	rayna.maguire@dem.ri.gov ; 	
	Parag.Agrawal@doa.ri.gov ; 	
<p>Parties (Electronic Service Only, Unless by Request)</p>		
<p>Invenergy Thermal Development LLC Alan Shoer, Esq. Richard Beretta, Esq. Elizabeth Noonan, Esq. Nicole Verdi, Esq. Adler, Pollock & Sheehan One Citizens Plaza, 8th Floor Providence, RI 02903</p>	ashoer@apslaw.com ; 	401-274-7200
	rberetta@apslaw.com ; 	
	enoonan@apslaw.com ; 	
	nverdi@apslaw.com ; 	
<p>John Niland, Dir. Of Business Development Tyrone Thomas, Esq., Asst. General Counsel Mike Blazer, Esq., Chief Legal Officer Invenergy Thermal Development LLC One South Wacker Drive, Suite 1900 Chicago, IL 60600</p>	jniland@invenergylc.com ; 	312-224-1400
	Tthomas@invenergylc.com ; 	
	mblazer@invenergylc.com ; 	
	generalcounsel@invenergylc.com ; 	
<p>Town of Burrillville Michael McElroy, Esq., Special Counsel Leah Donaldson, Esq., Special Counsel Schacht & McElroy PO Box 6721 Providence, RI 02940-6721</p>	Michael@mcelroylawoffice.com ; 	401-351-4100
	leah@mcelroylawoffice.com ; 	
<p>William Dimitri, Esq., Acting Town Solicitor</p>	dimitrilaw@icloud.com ; 	401-273-9092
<p>Conservation Law Foundation Jerry Elmer, Esq. Max Greene, Esq. 55 Dorrance Street Providence RI, 02903</p>	Jelmer@clf.org ; 	401-351-1102
	Mgreene@clf.org ; 	
<p>Ms. Bess B. Gorman, Esq. Assistant General Counsel and Director Legal Department, National Grid</p>	Bess.Gorman@nationalgrid.com ; 	781-907-1834

40 Sylvan Road Waltham, MA 02451 Mark Rielly, Esq. Senior Counsel	Mark.rielly@nationalgrid.com ;	
Office of Energy Resources Andrew Marcaccio, Esq. Nick Ucci, Chief of Staff Chris Kearns, Chief Program Development One Capitol Hill Providence, RI 02908 Ellen Cool Levitan & Associates	Andrew.Marcaccio@doa.ri.gov ;	401-222-3417
	Nicholas.Ucci@energy.ri.gov ;	401-574-9100
	Christopher.Kearns@energy.ri.gov ;	
	egc@levitan.com ;	
	Brenna.McCabe@doa.ri.gov ;	
Rhode Island Building and Construction Trades Council Gregory Mancini, Esq. Sinapi Law Associates, Ltd. 2374 Post Road, Suite 201 Warwick, RI 02886	gmancinilaw@gmail.com ;	401-739-9690
Residents of Wallum Lake Road, Pascoag, RI Dennis Sherman and Kathryn Sherman Christian Capizzo, Esq. Shechtman Halperin Savage, LLP 1080 Main Street Pawtucket, RI 02869	ccapizzo@shslawfirm.com ;	401-272-1400
	kags8943@gmail.com ;	
Residents of Wallum Lake Road, Pascoag, RI Paul Bolduc and Mary Bolduc Joseph Keough Jr., Esq. 41 Mendon Avenue Pawtucket, RI 02861 Paul and Mary Bolduc 915 Wallum Lake Road Pascoag, RI 02859	jkeoughjr@keoughsweeney.com ;	401-724-3600
	oatyss1@verizon.net ;	401-529-0367
Abutter David B. Harris Michael Sendley, Esq. 600 Putnam Pike, St. 13 Greenville, RI 02828	mSENDLEY@cox.net ;	401-349-4405
Interested Persons (Electronic Service Only)		
Harrisville Fire District Richard Sinapi, Esq. Joshua Xavier, Esq. 2347 Post Road, Suite 201 Warwick, RI 02886	ras@sinapilaw.com ;	401-739-9690
	jdx@sinapilaw.com ;	
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers) Nicholas Gorham, Esq. P.O. Box 46 North Scituate, RI 02857	nickgorham@gorhamlaw.com ;	401-647-1400
	edaigle4@gmail.com ;	

Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881	divest@fossilfreeri.org ;	401-789-7649
Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	mpendergast@mercycne.org ;	401-724-2237
Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833	Patfontes167@gmail.com ;	401-516-7678
Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906	marc@ronmarkoff.com ;	401-272-9330
Paul Roselli, President Burrillville Land Trust PO Box 506 Harrisville, RI 02830	proselli@cox.net ;	401-447-1560
Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906	andrew@andrewaleman.com ;	401-429-6779
Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4 th Floor Providence, RI 02903	jillian.dubois.esq@gmail.com ;	401-274-4591
Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830	lphaneuf@burrillville.org ;	401-568-4300
Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Harrisville, RI 02830	clanglois@burrillville.org ;	401-568-4300
Joseph Raymond, Building Official	jraymond@burrillville.org ;	
Michael C. Wood, Town Manager Town of Burrillville 105 Harrisville Main Street Harrisville, RI 02830	mcwood@burrillville.org ;	401-568-4300 ext. 115

Mr. Leo Wold, Esq. Department of Attorney General 150 South Main Street Providence, RI 02903	LWold@riag.ri.gov ;	401-274-4400
Public Utilities Commission Cynthia Wilson Frias, Esq., Dep. Chief of Legal Alan Nault, Rate Analyst	Cynthia.Wilsonfrias@puc.ri.gov ; Alan.nault@puc.ri.gov ;	401-941-4500
Division of Public Utilities and Carriers John J. Spirito, Esq., Chief of Legal Steve Scialabba, Chief Accountant Tom Kogut, Chief of Information	john.spirito@dpuc.ri.gov ; steve.scialabba@dpuc.ri.gov ; thomas.kogut@dpuc.ri.gov ;	401-941-4500
Matthew Jerzyk, Deputy Legal Counsel Office of the Speaker of the House State House, Room 302 Providence RI, 02903	mjerzyk@rilin.state.ri.us ;	401-222-2466
Hon. Cale Keable, Esq., Representative of Burrillville and Glocester	Cale.keable@gmail.com ;	401-222-2258
Nick Katkevich	nkatkevich@gmail.com ;	
Avory Brookins	abrookins@ripr.org ;	
Joseph Bucci, Acting Administrator Highway and Bridge Maintenance Operations RI Department of Transportation	joseph.bucci@dot.ri.gov ;	
Jared Rhodes, Chief Statewide Planning Program Jennifer Sternick Chief of Legal Services RI Department of Administration	jared.rhodes@doa.ri.gov ; Jennifer.sternick@doa.ri.gov ;	
Doug Gablinske, Executive Director TEC-RI	doug@tecri.org ;	
Tim Faulkner ecoRI News 111 Hope Street Providence, RI 02906	tim@ecori.org ;	401-330-6276
Robert Tormey Conanicut Energy, LLC	rjtormey@conanicutenergy.com ;	617-306-1601
Sally Mendzela	salgalpal@hotmail.com ;	
Keep Burrillville Beautiful Paul LeFebvre	paul@acumenriskgroup.com ;	401-714-4493
Mark Baumer	everydayyeah@gmail.com ;	
Nisha Swinton Food & Water Watch New England	nswinton@fwwatch.org ;	
Kaitlin Kelliher	Kaitlin.kelliher@yahoo.com ;	

Joe Piconi, Jr.	jiggzy@hotmail.com ;	
Hon. Aaron Regunberg Representative of Providence, District 4	Aaron.regunberg@gmail.com ;	
Paul Ernest	paulwernest@gmail.com ;	
Skip Carlson	scarlson@metrocast.net ;	
Kathryn Scaramella	kscaramella@outlook.com ;	
Diana Razzano	Dlrazzano13@verizon.net ;	
David Goldstein	tmdgroup@yahoo.com ;	
Douglas Jobling	djobling@cox.net ;	
Claudia Gorman	corkyhg@gmail.com ;	
Curt Nordgaard	Curt.nordgaard@gmail.com ;	
Colleen Joubert	Colleenj1@cox.net ;	
Matt Smith Food & Water Watch	msmith@fwwatch.org ;	
Christina Hoefsmit, Esq. Senior Legal Counsel RI Department of Environmental Management	Christina.hoefsmit@dem.ri.gov ;	
Steven Ahlquist, RIFuture	atomicsteve@gmail.com ;	
Pascoag Utility District William Bernstein, Esq. Michael Kirkwood, General Manager Robert Ferrari, Northeast Water Solutions, Inc.	mkirkwood@pud-ri.org ;	
	Wlblaw7@gmail.com ;	
	rferrari@nwsj.net ;	
Ben Weilerstein Toxics Action Center	ben@toxicsaction.org ;	
Russ Olivo Woonsocket Call	rolivo232@gmail.com ;	
Celine Schmidt	celine_schmidt@brown.edu ;	
Suzanne Enser	svetromile@gmail.com ;	
Rhode Island Student Climate Coalition	risccl@brown.edu ;	