

# Schacht & McElroy

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September 12, 2017

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


Re: Invenegy 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 3 copies of the Town of Burrillville's 37<sup>th</sup> Set of Data Requests to Invenegy 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 37<sup>th</sup> SET OF DATA REQUESTS TO  
INVENERGY THERMAL DEVELOPMENT LLC**

- 37-1 Mr. Feinblatt's rebuttal testimony on pages 12 – 13 states that the Army Corps of Engineers is preparing an Environmental Assessment to determine whether an Environmental Impact Statement would be required for the project, and, if required, the Environmental Impact Statement would be the responsibility of the Army Corps of Engineers. Please provide an update on the current status of the Army Corps of Engineers Environmental Assessment and its evaluation of whether an Environmental Impact Statement will be required. Please provide an estimated date with regard to when the Environmental Assessment will be made available.
- 37-2 If the Army Corps of Engineers determines that an Environmental Impact Statement is required, would you agree that the Energy Facility Siting Board should, as it did in the Ocean State Power case, wait to render a decision as to whether the plant would cause unacceptable harm to the environment until after the Environmental Impact Statement is prepared and made available to the Energy Facility Siting Board and the parties. If you do not agree, please explain why.

Respectfully submitted,  
Town of Burrillville  
By its attorneys



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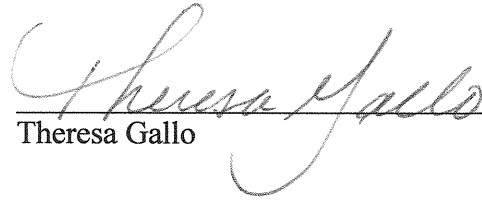


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Date: September 12, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of September, 2017, I sent a copy of the foregoing to the attached service list.

  
\_\_\_\_\_  
Theresa Gallo

**SB-2015-06 Invenergy CREC Service List as of 07/11/2017**

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