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September 19, 2017

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

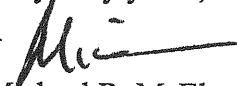
Re: Invenergy Thermal Development LLC – Clear River Energy Center
Docket No. SB-2015-06

Dear Dr. Bianco:

Enclosed for filing in this matter are an original and 3 copies of the Town of Burrillville's 38th 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 38th SET OF DATA REQUESTS TO
INVENERGY THERMAL DEVELOPMENT LLC**

38-1 With regard to any and all meetings, conferences, emails, letters, memoranda, notes, or other communications between Invenergy and the U.S. Army Corps of Engineers:

(1) Please summarize what occurred in each of those meetings (i.e., emails, calls, or other exchanges of information).

(2) Please provide copies of all documents related in any way to said meetings, (i.e., emails, calls, or other exchange of information or documentation of any kind), including, but not limited to, minutes of any meetings (formal or informal), notes from any meetings (formal or informal), emails, or correspondence.

38-2 Has Invenergy asked the U.S. Army Corps of Engineers (formally or informally), whether an environmental assessment and/or environmental impact statement might be required? If so:

(1) Please identify and describe each such request (formal or informal).

(2) Provide any and all documents related to such request and any response to the same.

(3) Please summarize what the U.S. Army Corps of Engineers has told Invenergy (formally or informally), in writing or otherwise, regarding whether an environmental assessment and/or environmental impact statement might be required for the project. Please also provide any and all documents, including correspondence, memoranda, emails, notes, or otherwise with respect to any such request and any such response to the request.

If you have not made such a request (formally or informally), of the Army Corps of Engineers, please explain why you have not made such a request.

38-3 With regard to all data responses from Invenergy, please identify each witness who will be sponsoring each data response at the EFSB hearings, and making himself or herself available for cross examination with regard to each such data response.

38-4 With regard to each section of the Invenergy EFSB application, please identify each witness who will be sponsoring each section of the application and making himself or herself available for cross examination on each section of the application, including any supplemental responses or sections related to the application.

- 38-5 With regard to the Benn Water & Heavy Transport letter dated January 6, 2017 included as part of Invenergy's revised water supply plan, please describe Benn Water's source water, water chemistry, whether the volumes are adequate, and Benn Water's ability to deliver the required volumes on a daily basis, both in the summer and the winter seasons. Please also identify if Invenergy has performed the due diligence set forth in paragraph 4 of the January 6, 217 memorandum of agreement and set forth the results of the due diligence. If the due diligence has not been performed, please explain why the due diligence has not been performed.
- 38-6 Please provide any and all available information regarding Benn Water & Heavy Transport Corp, including, but not limited to, the number and type of vehicles available to transport the water, the number or employees, the number of drivers with appropriate CDL licenses necessary to drive the vehicles, available insurance coverages, and any other information that would determine the suitability of Benn Water to provide the water services described in the January 6, 2017 memorandum of agreement.
- 38-7 Please explain in detail which of the EC4 GHG Plan's 10 mitigation options siting the CREC in Burrillville would fulfill and which it would fail to fulfill in whole or in part.

Respectfully submitted,
Town of Burrillville
By its attorneys



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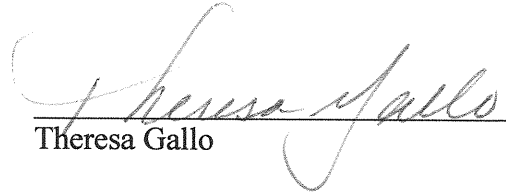


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Date: September 19, 2017

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of September, 2017, I sent a copy of the foregoing to the attached service list.



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