



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF LEGAL SERVICES
235 Promenade Street, 4th Floor, Providence, RI 02908-5767

401-222-6607

TDD 401-222-4462

FAX 401-222-3378

FIRST CLASS MAIL

May 27, 2016

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 Mr. Bianco:

Enclosed for filing in this matter are an original and 10 copies of the Rhode Island Department of Environmental Management's First Set of Data Requests to Invenergy Thermal Development, LLC. Electronic copies have been sent to the service list

Should you need any further information, do not hesitate to contact me at (401) 222-4700 ext. 2023. Thank you for your time and attention to this matter.

Best regards,

A handwritten signature in purple ink, appearing to read "Christina Hoefsmit".

Christina A. Hoefsmit, Esq.

enc: RIDEM's First Set of Data Requests

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD

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

**THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S
FIRST SET OF DATA REQUESTS TO
INVENERGY THERMAL DEVELOPMENT, LLC**

For the purpose of this data request the definition of "oil" is the same as contained in the *Rhode Island Oil Pollution Control Regulations* ("OPC Regulations"), and means petroleum, gasoline, tar, asphalt, or any product or mixture thereof, or any substance refined from petroleum or crude oil.

- 1-1 Please explain in detail the aboveground storage tank (AST) construction standards for all tanks that will store oil over 500 gallons and ensure that they meet or exceed one of the following design and manufacturing standards: *See OPC Regulations Section 10(a) and 10(i)(1)*.
 - A. UL No. 142;
 - B. UL No. 58;
 - C. API Standards No. 650;
 - D. API Standards No. 620; or
 - E. CAN4-S630-M84.

- 1-2 Please provide a diagram that details any boiler rooms that contain oil pipelines and floor drains. *See OPC Regulations Section 9(a)*.

- 1-3 Please provide a diagram for any remote filled ASTs with a capacity of greater than 500 gallons that details the high level alarm warning system. *See OPC Regulations Section 9(b)*.

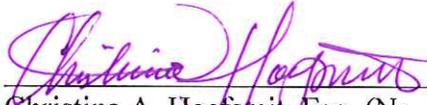
- 1-4 Please provide a diagram that shows all regulated ASTs, fuel gages, piping connections and all appurtenances from the tank to the equipment burning the oil. *See OPC Regulations Section 10(b)(4)*.

- 1-5 Please provide a diagram showing all check valves or equivalent device that provides automatic protection against backflow from the receiving tanks. *See OPC Regulations Section 10(b)(5)*.

- 1-6 Please provide a diagram showing all operating valves for each tank connection through which oil can flow. A valve that meets the standards set forth in NFPA No. 30 meets this requirement. *See OPC Regulations Section 10(b)(6).*
- 1-7 Please provide in detail groundwater monitoring plan for the facility to detect a release of hydrocarbon product from ASTs, pumping facilities, manifolds and other appurtenances. *See OPC Regulations Section 10(h).*
- 1-8 Please provide a detail description and diagram for ground water monitoring wells including construction standards. *See OPC Regulations Section 10(h)(1)*
- 1-9 Please provide a locus map and site plan with locations of the monitoring wells, casing elevations and the location of all significant site structures. *See OPC Regulations Section 10(h).*
- 1-10 Please provide a diagram for cathodic protection for tank bottoms that rest on or in the ground. If required, the cathodic protection system must be designed to provide a minimum of 30 years of protection and installation must be supervised by a qualified engineer or corrosion specialist. The cathodic protection system also must have a monitor which enables the owner or operator to check on the adequacy of the cathodic protection. *See OPC Regulations Section 10(i)(2).*
- 1-11 Please provide a detail description for the painting of all exterior tank surfaces. *See OPC Regulations Section 10(i)(3).*
- 1-12 Please provide a detail description and diagram for impermeable barriers under tank bottoms for tanks that are designed to rest on the ground and are required to have double bottoms or an impervious barrier such as a concrete pad or cutoff barrier. *See OPC Regulations Section 10(i)(4).*
- 1-13 Please provide a detail description and diagram for secondary containment systems for ASTs at the facility. *See OPC Regulations Section 10(i)(5).*
- 1-14 Please provide a diagram and detailed description for the monitoring system between the tank bottom and the impermeable barrier. *See OPC Regulations Section 10(i)(6).*
- 1-15 Please provide a detail description to show that the tank is supported on a well-drained stable foundation which prevents movement, rolling or settling of the tank and is designed to minimize corrosion of the tank bottom. *See OPC Regulations Section 10(i)(7).*
- 1-16 Please provide a detail description or diagram to illustrate that the ASTs are not exposed to traffic hazards. *See OPC Regulations Section 10(i)(8).*

1-17 Please provide a detail description to ensure that ASTs are tested for tightness before placing them in service and inspected in accordance with the requirements outlined in API 650. See *OPC Regulations Section 10(i)(9)*.

Respectfully submitted,
RHODE ISLAND DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT
By its attorney,



Christina A. Hoefsmit, Esq. (No. 8979)
Office of Legal Services
235 Promenade St., Fourth Floor
Providence, RI 02908
401.222.6607/Fax: 401.222.3378
christina.hoefsmit@dem.ri.gov

Dated: May 27, 2016

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2016, I sent a true copy of the following to the Energy Facilities Siting Board via first class mail, postage pre-paid and electronic mail, and to the parties on the attached service list via electronic mail.



Christina A. Hoefsmit

SB-2015-06 Invenergy CREC Service List as of 05/02/2016

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</p>	<p>Todd.Bianco@puc.ri.gov; Patricia.lucarelli@puc.ri.gov; Margaret.Curran@puc.ri.gov; janet.coit@dem.ri.gov; kimberly.Crabill@doa.ri.gov; susan.forcier@dem.ri.gov; rayna.maguire@dem.ri.gov; Parag.Agrawal@doa.ri.gov;</p>	<p>401-780-2106</p>
<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>	<p>ashoer@apslaw.com; rberetta@apslaw.com; enoonan@apslaw.com; nverdi@apslaw.com;</p>	<p>401-274-7200</p>
<p>John Niland, Dir. Of Business Development Tyrone Thomas, Esq., Asst. General Counsel Invenergy Thermal Development LLC One South Wacker Drive, Suite 1900 Chicago, IL 60600</p>	<p>jniland@invenergylc.com; Tthomas@invenergylc.com;</p>	<p>312-224-1400</p>
<p>Town of Burrillville Michael McElroy, Esq., Special Counsel Leah Donaldson, Esq., Special Counsel Schacht & McElroy PO Box 6721 Providence, RI 02940-6721</p>	<p>Michael@mcelroylawoffice.com; leah@mcelroylawoffice.com;</p>	<p>401-351-4100</p>
<p>Oleg Nikolyszyn, Esq., Town Solicitor 155 South Main St., Suite 303 Providence, RI 02903</p>	<p>Nikolyszyn@gmail.com;</p>	<p>401-474-4370</p>
<p>Conservation Law Foundation Jerry Elmer, Esq. Max Greene, Esq. 55 Dorrance Street Providence RI, 02903</p>	<p>Jelmer@clf.org; Mgreene@clf.org;</p>	<p>401-351-1102</p>
<p>Ms. Bess B. Gorman, Esq. Assistant General Counsel and Director Legal Department, National Grid 40 Sylvan Road Waltham, MA 02451</p>	<p>Bess.Gorman@nationalgrid.com;</p>	<p>781-907-1843</p>

Office of Energy Resources Andrew Marcaccio, Esq. Nick Ucci, Chief of Staff Chris Kearns, Chief Program Development One Capitol Hill Providence, RI 02908	Andrew.Marcaccio@doa.ri.gov ;	401-222-3417
	Nicholas.Ucci@energy.ri.gov ;	401-574-9100
	Christopher.Kearns@energy.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
Persons with pending motions to intervene (Electronic Service Only)		
Abutter David B. Harris Michael Sendley, Esq. 600 Putnam Pike, St. 13 Greenville, RI 02828	mSENDLEY@cox.net ;	401-349-4405
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers) 945 Wallum Lake Road Pascoag, RI 02859	edaigle4@gmail.com ;	401-473-5798
Interested Persons (Electronic Service Only)		
Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881	divest@fossilfreeeri.org ;	401-789-7649
Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	mpendergast@mercyne.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	proseli@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
Thomas J. Kravitz, Town Planner Town of Burrillville 144 Harrisville Main Street Harrisville, RI 02830	tkravitz@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 ;	401-941-4500
	Alan.nault@puc.ri.gov ;	
Division of Public Utilities and Carriers	john.spirito@dpuc.ri.gov ;	401-941-4500

John J. Spirito, Esq., Chief of Legal Steve Scialabba, Chief Accountant Tom Kogut, Chief of Information	steve.scialabba@dpuc.ri.gov ; thomas.kogut@dpuc.ri.gov ;	
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 ;	
Ambar Espinoza	aespinoza@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	jared.rhodes@doa.ri.gov ;	
Jennifer Sternick Chief of Legal Services RI Department of Administration	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 ;	