

July 12, 2016

Via Federal Express/Electronic Mail

Todd Anthony Bianco, EFSB Coordinator
RI Energy Facilities Siting Board
89 Jefferson Blvd.
Warwick, RI 02888

Re: Invenergy Docket No. SB-2015-06

Dear Mr. Bianco:

On behalf of Invenergy Thermal Development LLC (“Invenergy”), enclosed please find an original and ten copies of Invenergy’s Responses to the Rhode Island Department of Environmental Management’s 2nd Set of Data Requests.

Please let me know if you have any questions.

Very truly yours,



ALAN M. SHOER
ashoer@apslaw.com

Enclosures

cc: Service List

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
ENERGY FACILITY SITING BOARD**

**IN RE: INVENERGY THERMAL DEVELOPMENT LLC :
APPLICATION TO CONSTRUCT AND :
OPERATE THE CLEAR RIVER ENERGY : SB-2015-06
CENTER, BURRILLVILLE, RHODE ISLAND :**

**INVENERGY THERMAL DEVELOPMENT LLC's RESPONSES TO
THE RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT'S
SECOND SET OF DATA REQUESTS**

2-1 The Application states: "To meet the water supply requirements for the Facility, Invenergy and PUD will execute a water supply agreement that PUD will, on an exclusive basis, provide water treated to an industrial standard to the Facility from PUD's contaminated well water supply (well #3A): Define what "industrial standard" you are referencing.

RESPONSE: 2-1 The term "industrial standard" that was used in the Energy Facility Siting Board ("EFSB") application was meant to distinguish that the treatment would not be to a drinking water level standard. Since the application was submitted Invenergy Thermal Development LLC ("Invenergy") has refined the treatment design which will be treating the water for MTBE to a non-detect level prior to leaving the treatment system.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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2-2 Who will be responsible for the remediation of the well #3A?

RESPONSE: 2-2 Pascoag Utility District ("PUD") and Invenergy will be responsible for the remediation. Invenergy will be providing the financial support necessary to design, install and operate the system and PUD will operate the system in accordance with the commitments that are expected to be included in the well operating permit.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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2-3 Are the costs associated with the remediation system included in the agreement with the PUD or are they separate?

RESPONSE: 2-3 They are included.

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2-4 Provide a scope of work for the remediation and explain any additional costs that could arise from plume movement, including but not limited to.

RESPONSE: 2-4 The scope of work includes the cleaning, testing and re-activation of the well, the design and construction of the treatment system and the operating costs associated with operation of the well, monitoring water quality in the well discharge and the surrounding monitoring wells, and carbon filter treatment system maintenance and periodic carbon change out. Additionally, the scope will include a contingency plan that has the necessary financial assurance to cover environmental liabilities associated with plum movement.

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2-5 Explain how any additional cost not covered by the above referenced agreement between Invenergy and the PUC will handled.

RESPONSE: 2-5 A detailed water supply agreement will be prepared between Invenergy and PUD which will identify costs associated with well 3A and treatment system operations. This agreement is expected to identify all costs associated with the activation of the well, installation of the treatment system, operations of the treatment system and costs associated with any permit requirements associated with the well and its operation.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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2-6 The Application states "Water from the PUD's well will be treated at the wellhead by an activated carbon treatment process (similar to carbon treatment on home faucets for taste improvement) to remove the existing contamination to levels that will meet the needs of the Project." What are the contamination levels that will meet the needs of the Project?

RESPONSE: 2-6 The water will be treated to a non-detect level. CREC is proposing to use two activated carbon treatment vessels in series to ensure that any gasoline contaminants that might break through the first vessel will be treated by the second. Upon the detection of breakthrough on the first vessel a carbon change out will be performed to ensure sufficient treatment capacity is maintained.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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2-7 With respect to Table 6.2-2 in the Application:
(a) Are the PUD Well Water Supply before or after treatment numbers?
(b) Explain what (Note 2) and (Note 3) are in the Parameters column?
(c) What does * represent next to the ND in the last column?

RESPONSE: 2-7 a) Before treatment
 b) Note 2 – MTBE and Benzene PUD Well Water Supply
 concentrations are averaged values from 2012 well sampling
 data. Note 3 – Additional water quality data is required to
 confirm this value.
 c) ND*= This constituent is not expected to be present in the
 CREC wastewater stream.

RESPONDENT: William Ahlert HDR Inc.

DATE: July 12, 2016

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2-8 Identify the Woods Operator who will be responsible for the cutting of trees, shrubs and vegetation at the proposed site and provide their contact information.

RESPONSE: 2-8 A Woods Operator has not been identified or selected at this time.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

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2-9 Are there wetlands present on the property that will be cut or sawn? If yes please identify the type and location on a site map.

RESPONSE: 2-9 Yes, see Figure 1 (attached) showing wetlands within the Project LOD. Please note that this figure identifies both biological wetland areas and associated buffer zones (perimeter and riverbank wetlands) within the Project Area. Nearly all anticipated impacts would occur within palustrine forested wetland. This figure was generated based on a design plan that has been further optimized to avoid wetland impacts since the EFSB application was filed.

RESPONDENT: Mike Feinblatt ESS Group Inc.

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2-10 Provide the approximate acreage that is to be cut or sawn as part of this proposed project.

RESPONSE: 2-10 Using the data shown in Figure 1, the LOD includes approximately 51.8 acres of total land clearing. This includes the project site, the parking and laydown area and the overhead transmission line between the project site and the National Grid ROW that runs through Algonquin's property.

RESPONDENT: Mike Feinblatt ESS Group Inc.

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2-11 Provide the approximate volume of wood products to be remove in
thousand board feet (MBF) or cords.

RESPONSE: 2-11 Dendrology data sufficient to calculate the volume of merchantable
lumber within the proposed Limits of Disturbance has not been collected.

RESPONDENT: Mike Feinblatt ESS Group, Inc.

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2-12 Describe the Best Management Practices that will be implemented during the cutting of trees, shrubs and vegetation at the property to reduce and minimize impacts at the site.

RESPONSE: 2-12 Cutting and removal of vegetation will be limited to those areas necessary for construction of the proposed facility, to facilitate safe equipment passage, to provide safe work sites for construction personnel, and to maintain safe clearances between vegetation and facility components for reliable operation. All clearing will be conducted in accordance with approved limits of disturbance and permit requirements.

Prior to vegetation removal, the boundaries of wetlands will be clearly marked to minimize unauthorized vehicular encroachment into wetland areas. Existing access routes throughout the property will be used by tree removal equipment operators to the extent practicable. The use of temporary swamp mats will be required in some locations to gain access to and across forested wetlands, to minimize wetland disturbance, and to provide a stable platform for equipment operation. All swamp mat and/or corduroy (log) roads will be placed, used for vegetation removal, and then removed by the clearing contractor.

To further avoid and minimize impacts, clearing will be conducted in accordance with RIDEM Division of Forestry's Best Management Practices for Rhode Island Water Quality Protection and Forest Management Guidelines.

Following vegetation removal activities, proper soil erosion and sediment control devices such as silt fencing, hay bales and straw waddles will be installed based on site-specific conditions, in accordance with the approved plans and permit requirements. The soil erosion and sediment control program for the Project will follow the procedures identified in the Rhode Island Soil Erosion and Sediment Control Handbook. Installation of sediment control devices will be periodically inspected and monitored by Invenergy's Environmental Monitor, whose findings will be reported regularly to Invenergy's Construction Supervisor. Erosion and sediment controls will be installed between the approved work area

and all environmentally sensitive areas such as wetlands, watercourses, roads and adjacent properties, and will also serve as a physical boundary to delineate resource areas and to contain construction activities within approved areas.

RESPONDENT: Mike Feinblatt ESS Group, Inc.

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2-13 Describe the activities that will be taken to minimize disturbance and impacts to stream crossings and the remaining forest at the site.

RESPONSE: 2-13 Crossing streams will be avoided whenever possible. At any required stream crossings, existing culverts will be used where possible. Stream crossings will be sited where the stream is narrow and banks/bed are stable. All crossings will be made at 90 degrees to the stream and in a manner that will cause the least possible amount of disturbance. Trails approaching and leaving riparian areas will be well planned and maintained. Hay mulch will be used to temporarily stabilize any disturbed stream banks during clearing. Hay bales, silt fence, and/or straw waddles will be installed downstream from the crossing to limit excessive amounts of debris from entering the watercourse. Any debris resulting from logging operations will be removed from streams as soon as possible.

An existing crossing at the unnamed intermittent stream west of Iron Mine Brook will be utilized and a new crossing of the same stream may be installed within a right of way west of the existing crossing. Additional stream crossings will be necessary to construct the electric interconnect.

Stream crossings will be installed and managed in accordance with RIDEM Division of Forestry's Best Management Practices for Rhode Island Water Quality Protection and Forest Management Guidelines. Response 2-12 above discusses how disturbance to the remaining forest outside of the Project limits will be minimized.

RESPONDENT: Mike Feinblatt ESS Group, Inc.

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2-14 Provide DEM with contact information of the individual to arrange a site visit to the property of the proposed facility.

RESPONSE: 2-14 All site visits must be notified and approved in advance by Algonquin. Please contact John Niland, Director Business Development at Invenergy via email at jniland@invenergyllc.com.

RESPONDENT: John Niland, Invenergy Thermal Development LLC

DATE: July 12, 2016

INVENERGY THERMAL DEVELOPMENT LLC
By its Attorneys,

/s/ Alan M. Shoer

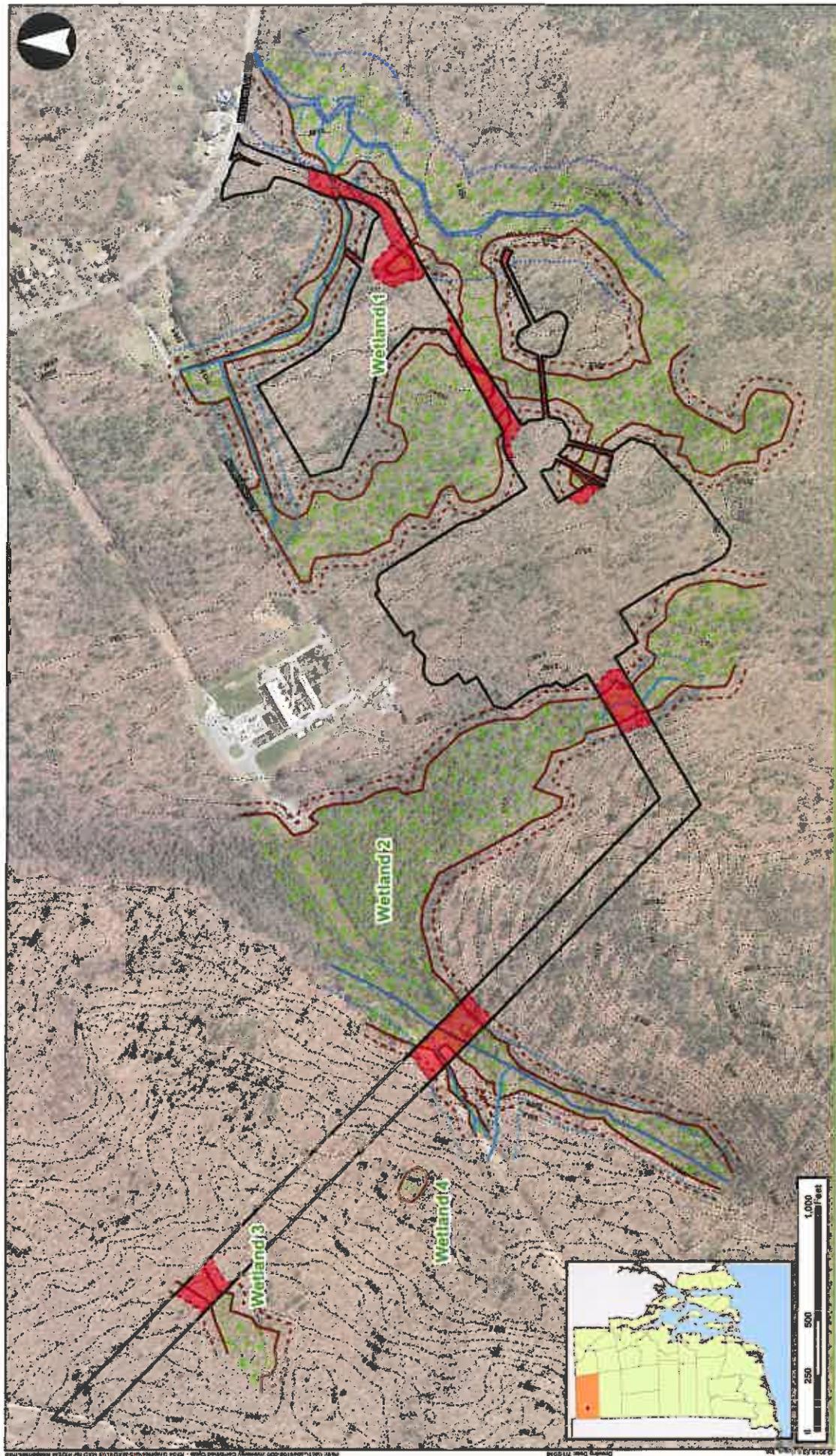
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Tel: 401-274-7200
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Dated: July 12, 2016

CERTIFICATE OF SERVICE

I hereby certify that on July 12, 2016, I delivered a true copy of the foregoing responses to the Energy Facilities Siting Board via electronic mail to the parties on the **attached service list**.

/s/ Alan M. Shoer



Wetland Resource Areas Within
CREC Limit of Disturbance

- Wetland Edge
- 60' Footmeter Wetland
- Wetland Area
- Perennial Stream Centerline
- Perennial Stream Bank
- 200' Riverfront Wetland
- Intermittent Stream Centerline
- 100' Riverbank Wetland
- CREC Limit of Disturbance (LOD)
- Wetlands Within LOD

Invenery, LLC
Clear River Energy Center
Burrillville, Rhode Island
1 inch = 400 feet
Source: 1) USGS, 8th Aerial Inventory, 2011
2) EES, Wetland Wetlands 2016
3) RCEM1, Road Centerline, 2011



Figure 1

SB-2015-06 Invenenergy 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>
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<p>John Niland, Dir. Of Business Development Tyrone Thomas, Esq., Asst. General Counsel Invenenergy Thermal Development LLC One South Wacker Drive, Suite 1900 Chicago, IL 60600</p>	<p>jniland@invenenergyllc.com; Tthomas@invenenergyllc.com;</p>	<p>312-224-1400</p>
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<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>
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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 ;	
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	oatyssl@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)		
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Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	mpendergast@mercynes.org ;	401-724-2237

<p>Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833</p>	<p>Patfontes167@gmail.com;</p>	<p>401-516-7678</p>
<p>Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906</p>	<p>marc@ronmarkoff.com;</p>	<p>401-272-9330</p>
<p>Paul Roselli, President Burrillville Land Trust PO Box 506 Harrisville, RI 02830</p>	<p>proseli@cox.net;</p>	<p>401-447-1560</p>
<p>Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906</p>	<p>andrew@andrewaleman.com;</p>	<p>401-429-6779</p>
<p>Fighting Against Natural Gas and Burrillville Against Spectra Expansion Jillian Dubois, Esq. The Law Office of Jillian Dubois 91 Friendship Street, 4th Floor Providence, RI 02903</p>	<p>jillian.dubois.esq@gmail.com;</p>	<p>401-274-4591</p>
<p>Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830</p>	<p>lphaneuf@burrillville.org;</p>	<p>401-568-4300</p>
<p>Thomas J. Kravitz, Town Planner Town of Burrillville 144 Harrisville Main Street Harrisville, RI 02830</p>	<p>tkravitz@burrillville.org;</p>	<p>401-568-4300</p>
<p>Joseph Raymond, Building Official</p>	<p>jraymond@burrillville.org;</p>	
<p>Michael C. Wood, Town Manager Town of Burrillville 105 Harrisville Main Street Harrisville, RI 02830</p>	<p>mcwood@burrillville.org;</p>	<p>401-568-4300 ext. 115</p>
<p>Mr. Leo Wold, Esq. Department of Attorney General 150 South Main Street Providence, RI 02903</p>	<p>LWold@riag.ri.gov;</p>	<p>401-274-4400</p>
<p>Public Utilities Commission Cynthia Wilson Frias, Esq., Dep. Chief of Legal Alan Nault, Rate Analyst</p>	<p>Cynthia.Wilsonfrias@puc.ri.gov;</p> <p>Alan.nault@puc.ri.gov;</p>	<p>401-941-4500</p>
<p>Division of Public Utilities and Carriers</p>	<p>john.spirito@dpuc.ri.gov;</p>	<p>401-941-4500</p>

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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 ;	
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Sally Mendzela	salgalpal@hotmail.com ;	
Keep Burrillville Beautiful Paul LeFebvre	paul@acumenriskgroup.com ;	401-714-4493
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Kaitlin Kelliher	Kaitlin.kelliher@yahoo.com ;	
Joe Piconi, Jr.	jiggzy@hotmail.com ;	
Hon. Aaron Regunberg Representative of Providence, District 4	Aaron.regunberg@gmail.com ;	