

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

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

**ORDER**

Whereas, on June 2, 2016, the Energy Facility Siting Board (Board) held an Open Meeting;  
and

Whereas, at the Open Meeting, the Board discussed its request for an Advisory Opinion  
from the Department of Environmental Management issued in its Preliminary Order dated March  
10, 2016; and

Whereas, the Board directed the Department of Environmental Management to render an  
Advisory Opinion as to:

- (i) whether the proposed fuel oil storage facilities would conform to its Oil  
Pollution Control Regulations and, if not, whether a waiver is justified;
- (ii) the impact of the Facility's withdrawal of groundwater on the remediation  
of the Pascoag well;
- (iii) the impact on fish and wildlife that will be caused by disruption of the  
habitat;
- (iv) how the Facility will affect compliance with the Regional Greenhouse Gas  
Initiative annual emission cap and the Federal Clean Power Plan; and
- (v) whether the Facility will present an unacceptable harm to the environment;  
and

Whereas, after hearing public comment, the Board requests the Department of Environmental Management to include the following information in its Advisory Opinion:

(vi) The impact of the proposed facility on state conservation priorities and plans, fish and wildlife habitats, and rare species, including those identified in the Rhode Island Natural Heritage database;

(vii) The impact the proposed Facility would have on public recreation on state conservation lands and the Department's nearby Parks and Management Areas;  
and

(viii) The cumulative environmental impacts of the proposed Facility given the relative proximity of the proposed Facility to the existing Ocean State Power Plant and the Algonquin Compressor Station.

Accordingly, it is hereby

( 95 ) ORDERED:

The Preliminary Order is modified to reflect the request for additional information from the Department of Environmental Management.

EFFECTIVE AT WARWICK, RHODE ISLAND JUNE 2, 2016. WRITTEN ORDER ISSUED  
JULY 1, 2016.

ENERGY FACILITY SITING BOARD



Margaret E. Curran, Chairperson

Janet Coit, Member

Parag Agrawal, Member