

# Schacht & McElroy

Michael R. McElroy  
Leah J. Donaldson

Attorneys at Law

Michael@McElroyLawOffice.com  
Leah@McElroyLawOffice.com

Members of the Rhode Island  
and Massachusetts Bars

21 Dryden Lane  
Post Office Box 6721  
Providence, RI 02940-6721

(401) 351-4100  
fax (401) 421-5696

March 3, 2017

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

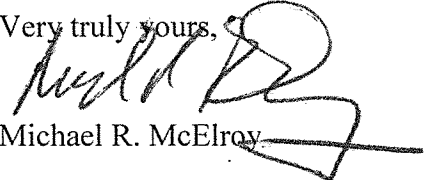
Re: Invenergy Thermal Development LLC – Clear River Energy Center  
Docket No. SB-2015-06

Dear Dr. Bianco:

Enclosed for filing in this matter are an original and 10 copies of the Town of Burrillville's 25<sup>th</sup> 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

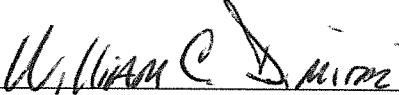
IN RE: INVENERGY THERMAL DEVELOPMENT LLC's :  
APPLICATION TO CONSTRUCT THE CLEAR RIVER : DOCKET No. SB-2015-06  
ENERGY CENTER IN BURRILLVILLE, RHODE ISLAND :

**THE TOWN OF BURRILLVILLE'S 25<sup>th</sup> SET OF DATA REQUESTS TO  
INVENERGY THERMAL DEVELOPMENT LLC**

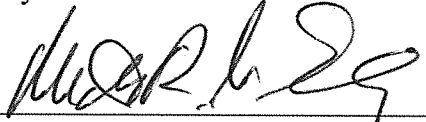
- 25-1 Please state whether Invenegy is planning to implement a reporting procedure to track the number of trucks to and from the facility that includes the daily/weekly/monthly maximum number of trucks. If not, please explain.
- 25-2 In the Revised Water Supply Plan, (page 4) 2.2.1 paragraphs 5 and 6, please clarify where the general housekeeping, floor/equipment drains, and general maintenance water discharges. Please clarify the location of the discharge.
- 25-3 Please clarify the following regarding the demineralization trailers:
- a. Is there redundancy in the demineralization trailers to handle an oil fired event? Appendix C, Sheet 4 appears to show an additional Mobile Ion-Exchange Demineralization Trailer in use during an oil burning event. Please clarify the number of demineralization trailers on site.
  - b. The equipment cut sheets shown in Appendix B, the demineralization trailer, require a minimum flow rate of 50 GPM. However, the flowrates in Appendix C Water Balance Diagrams show flows through the demineralization trailers below this rate. Please advise if the design intent is to run at this low flowrate or to run as a batch process at the higher required GPM for a shorter amount of time.
  - c. Please advise if there is a reason as to why regenerating on site is not being considered (e.g. to avoid trucking regen liquid).
- 25-4 Please clarify the following about the evaporative cooling process.
- a. Please provide the anticipated conditions (dry bulb temperature, wet bulb temperature, and/or relative humidity) at which evaporative cooling will be used.
  - b. Figure 2.3 Water Source Capacity (page 13) in the Revised Water Supply Plan evaluated the "use to supply" capability assuming 8 hours per day and presents that this water source is more than adequate, but also that the use of the evaporator use is discretionary. Please provide the anticipated annual number of hours in evaporative cooling.

- c. If the make-up water for the evaporative cooling flow requires the maximum flow of 4,600 GPH for 8 hours per day, that would increase the truck traffic by 4.6 trucks per day. Please clarify if this is correct or provide the anticipated duration and increase in daily truck traffic related to replenishing over time (similar to Table 2.5).
  - d. The conceptual flow models shown in Appendix C do not include any cases where the evaporative cooling is shown. The evaporative cooling is only mentioned in a note. Please include a revised mass balance diagram showing the case where the evaporative cooling is at a maximum, 4,600 GPH.
- 25-5 Please confirm that the design conditions stated in Appendix C are the worst case scenarios (e.g. Is the evaporative cooling designed for the ASHRAE maximum temperature?).

Respectfully submitted,  
Town of Burrillville  
By its attorneys

  
\_\_\_\_\_  
William C. Dimitri, Esq. #2414  
Town Solicitor  
462 Broadway  
Providence, RI 02909-1626  
Tel: (401) 474-4370  
Fax: (401) 273-5290  
[dimitrilaw@icloud.com](mailto:dimitrilaw@icloud.com)

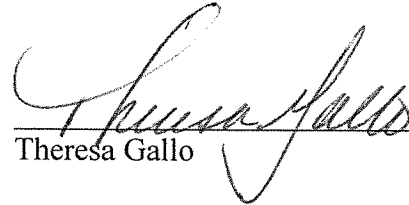
*(by MKK)*

  
\_\_\_\_\_  
Michael R. McElroy, Esq. #2627  
Leah J. Donaldson, Esq. #7711  
Special Counsel  
21 Dryden Lane  
P.O. Box 6721  
Providence, RI 02940-6721  
Tel: (401) 351-4100  
Fax: (401) 421-5696  
[Michael@McElroyLawOffice.com](mailto:Michael@McElroyLawOffice.com)  
[Leah@McElroyLawOffice.com](mailto:Leah@McElroyLawOffice.com)

Date: March 3, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that on the 3<sup>rd</sup> day of March, 2017, I sent a copy of the foregoing to the attached service list.

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

**SB-2015-06 Invenergy CREC Service List as of 02/13/2017**

Name/Address	E-mail	Phone/FAX
<p><b>File an original and 10 copies with EFSB:</b>            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            Catherine Pitassi, Asst. to. Assoc. Dir. Plann.</p>	<a href="mailto:Todd.Bianco@puc.ri.gov">Todd.Bianco@puc.ri.gov</a> ;	401-780-2106
	<a href="mailto:Patricia.lucarelli@puc.ri.gov">Patricia.lucarelli@puc.ri.gov</a> ;	
	<a href="mailto:Margaret.Curran@puc.ri.gov">Margaret.Curran@puc.ri.gov</a> ;	
	<a href="mailto:janet.coit@dem.ri.gov">janet.coit@dem.ri.gov</a> ;	
	<a href="mailto:Catherine.Pitassi@doa.ri.gov">Catherine.Pitassi@doa.ri.gov</a> ;	
	<a href="mailto:susan.forcier@dem.ri.gov">susan.forcier@dem.ri.gov</a> ;	
	<a href="mailto:rayna.maguire@dem.ri.gov">rayna.maguire@dem.ri.gov</a> ;	
	<a href="mailto:Parag.Agrawal@doa.ri.gov">Parag.Agrawal@doa.ri.gov</a> ;	
<p><b>Parties (Electronic Service Only, Unless by Request)</b></p>		
<p>Invenergy Thermal Development LLC            Alan Shoer, Esq.            Richard Beretta, Esq.            Elizabeth Noonan, Esq.            Nicole Verdi, Esq.            Adler, Pollock &amp; Sheehan            One Citizens Plaza, 8<sup>th</sup> Floor            Providence, RI 02903</p>	<a href="mailto:ashoer@apslaw.com">ashoer@apslaw.com</a> ;	401-274-7200
	<a href="mailto:rberetta@apslaw.com">rberetta@apslaw.com</a> ;	
	<a href="mailto:enoonan@apslaw.com">enoonan@apslaw.com</a> ;	
	<a href="mailto:nverdi@apslaw.com">nverdi@apslaw.com</a> ;	
	<a href="mailto:jniland@inveneryllc.com">jniland@inveneryllc.com</a> ;	
<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>	<a href="mailto:jniland@inveneryllc.com">jniland@inveneryllc.com</a> ;	312-224-1400
	<a href="mailto:Tthomas@inveneryllc.com">Tthomas@inveneryllc.com</a> ;	
<p>Town of Burrillville            Michael McElroy, Esq., Special Counsel            Leah Donaldson, Esq., Special Counsel            Schacht &amp; McElroy            PO Box 6721            Providence, RI 02940-6721</p>	<a href="mailto:Michael@mcelroylawoffice.com">Michael@mcelroylawoffice.com</a> ;	401-351-4100
	<a href="mailto:leah@mcelroylawoffice.com">leah@mcelroylawoffice.com</a> ;	
	<a href="mailto:dimitrilaw@icloud.com">dimitrilaw@icloud.com</a> ;	
<p>William Dimitri, Esq., Acting Town Solicitor</p>	<a href="mailto:dimitrilaw@icloud.com">dimitrilaw@icloud.com</a> ;	401-474-4370
<p>Conservation Law Foundation            Jerry Elmer, Esq.            Max Greene, Esq.            55 Dorrance Street            Providence RI, 02903</p>	<a href="mailto:Jelmer@clf.org">Jelmer@clf.org</a> ;	401-351-1102
	<a href="mailto:Mgreene@clf.org">Mgreene@clf.org</a> ;	
<p>Ms. Bess B. Gorman, Esq.            Assistant General Counsel and Director            Legal Department, National Grid</p>	<a href="mailto:Bess.Gorman@nationalgrid.com">Bess.Gorman@nationalgrid.com</a> ;	781-907-1834

40 Sylvan Road Waltham, MA 02451 Mark Rielly, Esq. Senior Counsel	<a href="mailto:Mark.rielly@nationalgrid.com">Mark.rielly@nationalgrid.com</a> ;	
Office of Energy Resources Andrew Marcaccio, Esq. Nick Ucci, Chief of Staff Chris Kearns, Chief Program Development One Capitol Hill Providence, RI 02908  Ellen Cool Levitan & Associates	<a href="mailto:Andrew.Marcaccio@doa.ri.gov">Andrew.Marcaccio@doa.ri.gov</a> ;	401-222-3417
	<a href="mailto:Nicholas.Ucci@energy.ri.gov">Nicholas.Ucci@energy.ri.gov</a> ;	401-574-9100
	<a href="mailto:Christopher.Kearns@energy.ri.gov">Christopher.Kearns@energy.ri.gov</a> ;	
	<a href="mailto:egc@levitan.com">egc@levitan.com</a> ;	
<a href="mailto:Brenna.McCabe@doa.ri.gov">Brenna.McCabe@doa.ri.gov</a> ;		
Rhode Island Building and Construction Trades Council Gregory Mancini, Esq. Sinapi Law Associates, Ltd. 2374 Post Road, Suite 201 Warwick, RI 02886	<a href="mailto:gmancinilaw@gmail.com">gmancinilaw@gmail.com</a> ;	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	<a href="mailto:ccapizzo@shslawfirm.com">ccapizzo@shslawfirm.com</a> ;	401-272-1400
	<a href="mailto:kags8943@gmail.com">kags8943@gmail.com</a> ;	
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	<a href="mailto:jkeoughjr@keoughsweeney.com">jkeoughjr@keoughsweeney.com</a> ;	401-724-3600
	<a href="mailto:oatyssl@verizon.net">oatyssl@verizon.net</a> ;	401-529-0367
Abutter David B. Harris Michael Sendley, Esq. 600 Putnam Pike, St. 13 Greenville, RI 02828	<a href="mailto:mSENDLEY@cox.net">mSENDLEY@cox.net</a> ;	401-349-4405
<b>Interested Persons (Electronic Service Only)</b>		
Harrisville Fire District Richard Sinapi, Esq. Joshua Xavier, Esq. 2347 Post Road, Suite 201 Warwick, RI 02886	<a href="mailto:ras@sinapilaw.com">ras@sinapilaw.com</a> ;	401-739-9690
	<a href="mailto:jdx@sinapilaw.com">jdx@sinapilaw.com</a> ;	
Residents of 945 Wallum Lake Road, Pascoag, RI (Walkers) Nicholas Gorham, Esq. P.O. Box 46 North Scituate, RI 02857	<a href="mailto:nickgorham@gorhamlaw.com">nickgorham@gorhamlaw.com</a> ;	401-647-1400
	<a href="mailto:edaigle4@gmail.com">edaigle4@gmail.com</a> ;	

Peter Nightingale, member Fossil Free Rhode Island 52 Nichols Road Kingston, RI 02881	<a href="mailto:divest@fossilfreeri.org">divest@fossilfreeri.org</a> ;	401-789-7649
Sister Mary Pendergast, RSM 99 Fillmore Street Pawtucket, RI 02860	<a href="mailto:mpendergast@mercayne.org">mpendergast@mercayne.org</a> ;	401-724-2237
Patricia J. Fontes, member Occupy Providence 57 Lawton Foster Road South Hopkinton, RI 02833	<a href="mailto:Patfontes167@gmail.com">Patfontes167@gmail.com</a> ;	401-516-7678
Burrillville Land Trust Marc Gertsacov, Esq. Law Offices of Ronald C. Markoff 144 Medway Street Providence, RI 02906	<a href="mailto:marc@ronmarkoff.com">marc@ronmarkoff.com</a> ;	401-272-9330
Paul Roselli, President Burrillville Land Trust PO Box 506 Harrisville, RI 02830	<a href="mailto:proseli@cox.net">proseli@cox.net</a> ;	401-447-1560
Rhode Island Progressive Democrats of America Andrew Aleman, Esq. 168 Elmgrove Avenue Providence, RI 02906	<a href="mailto:andrew@andrewaleman.com">andrew@andrewaleman.com</a> ;	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 <sup>th</sup> Floor Providence, RI 02903	<a href="mailto:jillian.dubois.esq@gmail.com">jillian.dubois.esq@gmail.com</a> ;	401-274-4591
Burrillville Town Council c/o Louise Phaneuf, Town Clerk 105 Harrisville Main Street Harrisville, RI 02830	<a href="mailto:lphaneuf@burrillville.org">lphaneuf@burrillville.org</a> ;	401-568-4300
Thomas J. Kravitz, Town Planner Christine Langlois, Deputy Planner Town of Burrillville 144 Harrisville Main Street Harrisville, RI 02830	<a href="mailto:tkravitz@burrillville.org">tkravitz@burrillville.org</a> ; <a href="mailto:clanglois@burrillville.org">clanglois@burrillville.org</a> ; <a href="mailto:jraymond@burrillville.org">jraymond@burrillville.org</a> ;	401-568-4300
Joseph Raymond, Building Official		
Michael C. Wood, Town Manager Town of Burrillville 105 Harrisville Main Street Harrisville, RI 02830	<a href="mailto:mcwood@burrillville.org">mcwood@burrillville.org</a> ;	401-568-4300 ext. 115

Mr. Leo Wold, Esq. Department of Attorney General 150 South Main Street Providence, RI 02903	<a href="mailto:LWold@riag.ri.gov">LWold@riag.ri.gov</a> ;	401-274-4400
Public Utilities Commission Cynthia Wilson Frias, Esq., Dep. Chief of Legal Alan Nault, Rate Analyst	<a href="mailto:Cynthia.Wilsonfrias@puc.ri.gov">Cynthia.Wilsonfrias@puc.ri.gov</a> ;	401-941-4500
	<a href="mailto:Alan.nault@puc.ri.gov">Alan.nault@puc.ri.gov</a> ;	
Division of Public Utilities and Carriers John J. Spirito, Esq., Chief of Legal Steve Scialabba, Chief Accountant Tom Kogut, Chief of Information	<a href="mailto:john.spirito@dpuc.ri.gov">john.spirito@dpuc.ri.gov</a> ;	401-941-4500
	<a href="mailto:steve.scialabba@dpuc.ri.gov">steve.scialabba@dpuc.ri.gov</a> ;	
	<a href="mailto:thomas.kogut@dpuc.ri.gov">thomas.kogut@dpuc.ri.gov</a> ;	
Matthew Jerzyk, Deputy Legal Counsel Office of the Speaker of the House State House, Room 302 Providence RI, 02903	<a href="mailto:mjerzyk@rilin.state.ri.us">mjerzyk@rilin.state.ri.us</a> ;	401-222-2466
Hon. Cale Keable, Esq., Representative of Burrillville and Glocester	<a href="mailto:Cale.keable@gmail.com">Cale.keable@gmail.com</a> ;	401-222-2258
Nick Katkevich	<a href="mailto:nkatkevich@gmail.com">nkatkevich@gmail.com</a> ;	
Ambar Espinoza	<a href="mailto:aespinoza@ripr.org">aespinoza@ripr.org</a> ;	
Joseph Bucci, Acting Administrator Highway and Bridge Maintenance Operations RI Department of Transportation	<a href="mailto:joseph.bucci@dot.ri.gov">joseph.bucci@dot.ri.gov</a> ;	
Jared Rhodes, Chief Statewide Planning Program  Jennifer Sternick Chief of Legal Services RI Department of Administration	<a href="mailto:jared.rhodes@doa.ri.gov">jared.rhodes@doa.ri.gov</a> ;	
	<a href="mailto:Jennifer.sternick@doa.ri.gov">Jennifer.sternick@doa.ri.gov</a> ;	
Doug Gablinske, Executive Director TEC-RI	<a href="mailto:doug@tecri.org">doug@tecri.org</a> ;	
Tim Faulkner ecoRI News 111 Hope Street Providence, RI 02906	<a href="mailto:tim@ecori.org">tim@ecori.org</a> ;	401-330-6276
Robert Tormey Conanicut Energy, LLC	<a href="mailto:rjtormey@conanicutenergy.com">rjtormey@conanicutenergy.com</a> ;	617-306-1601
Sally Mendzela	<a href="mailto:salgalpal@hotmail.com">salgalpal@hotmail.com</a> ;	
Keep Burrillville Beautiful Paul LeFebvre	<a href="mailto:paul@acumenriskgroup.com">paul@acumenriskgroup.com</a> ;	401-714-4493
Mark Baumer	<a href="mailto:everydayyeah@gmail.com">everydayyeah@gmail.com</a> ;	
Nisha Swinton Food & Water Watch New England	<a href="mailto:nswinton@fwwatch.org">nswinton@fwwatch.org</a> ;	
Kaitlin Kelliher	<a href="mailto:Kaitlin.kelliher@yahoo.com">Kaitlin.kelliher@yahoo.com</a> ;	



Joe Piconi, Jr.	<a href="mailto:jiggzy@hotmail.com">jiggzy@hotmail.com</a> ;	
Hon. Aaron Regunberg Representative of Providence, District 4	<a href="mailto:Aaron.regunberg@gmail.com">Aaron.regunberg@gmail.com</a> ;	
Paul Ernest	<a href="mailto:paulwernest@gmail.com">paulwernest@gmail.com</a> ;	
Skip Carlson	<a href="mailto:scarlson@metrocast.net">scarlson@metrocast.net</a> ;	
Kathryn Scaramella	<a href="mailto:kscaramella@outlook.com">kscaramella@outlook.com</a> ;	
Diana Razzano	<a href="mailto:Dlrazzano13@verizon.net">Dlrazzano13@verizon.net</a> ;	
David Goldstein	<a href="mailto:tmdgroup@yahoo.com">tmdgroup@yahoo.com</a> ;	
Douglas Jobling	<a href="mailto:djobling@cox.net">djobling@cox.net</a> ;	
Claudia Gorman	<a href="mailto:corkyhg@gmail.com">corkyhg@gmail.com</a> ;	
Curt Nordgaard	<a href="mailto:Curt.nordgaard@gmail.com">Curt.nordgaard@gmail.com</a> ;	
Colleen Joubert	<a href="mailto:Colleenj1@cox.net">Colleenj1@cox.net</a> ;	
Matt Smith Food & Water Watch	<a href="mailto:msmith@fwwatch.org">msmith@fwwatch.org</a> ;	
Christina Hoefsmit, Esq. Senior Legal Counsel RI Department of Environmental Management	<a href="mailto:Christina.hoefsmit@dem.ri.gov">Christina.hoefsmit@dem.ri.gov</a> ;	
Steven Ahlquist, RIFuture	<a href="mailto:atomicsteve@gmail.com">atomicsteve@gmail.com</a> ;	
Pascoag Utility District William Bernstein, Esq. Michael Kirkwood, General Manager Robert Ferrari, Northeast Water Solutions, Inc.	<a href="mailto:mkkirkwood@pud-ri.org">mkkirkwood@pud-ri.org</a> ;	
	<a href="mailto:Wlblaw7@gmail.com">Wlblaw7@gmail.com</a> ;	
	<a href="mailto:rferrari@nwsj.net">rferrari@nwsj.net</a> ;	
Ben Weilerstein Toxics Action Center	<a href="mailto:ben@toxicsaction.org">ben@toxicsaction.org</a> ;	
Russ Olivo Woonsocket Call	<a href="mailto:rolivo232@gmail.com">rolivo232@gmail.com</a> ;	
Celine Schmidt	<a href="mailto:celine_schmidt@brown.edu">celine_schmidt@brown.edu</a> ;	
Suzanne Enser	<a href="mailto:svetromile@gmail.com">svetromile@gmail.com</a> ;	
Rhode Island Student Climate Coalition	<a href="mailto:risccl@brown.edu">risccl@brown.edu</a> ;	