

January 22, 2016

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

In Re: Docket SB-2015-06 Invenenergy Thermal Development LLC- Clear River Energy Center

Dear Mr. Bianco,

Enclosed please find an original and ten (10) copies of the following document:

1. Supplemental Filing Related to Issues to be Considered by the Energy Facility Siting Board

Please note that an electronic copy of this document has been provided to the service list.

Should you have any questions concerning this filing please contact me at (401) 272-1400.

Thank you for your attention to this matter.

Sincerely,



Christian F. Capizzo, Esq.

Enclosures

Cc: EFSB Docket SB-2015-06 Service List (via electronic mail)

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

In Re: INVENERGY THEMAL DEVELOPMENT)	
LLC’S APPLICATION TO CONSTRUCT THE)	Docket No. SB-2016-06
CLEAR RIVER ENERGY CENTER IN)	
BURRIVILLE, RHODE ISLAND)	

**SUPPLEMENTAL FILING RELATED TO ISSUES TO BE CONSIDERED BY THE
ENERGY FACILITY SITING BOARD**

In response to the Rhode Island Energy Facility Siting Board’s (the “Board”) request at its January 12, 2016 Preliminary Hearing and in support of their motion to intervene, Mr. Dennis and Kathryn Sherman identify the following issues they would like addressed during this proceeding. Please find the following information in support thereof:

Mr. Dennis and Kathryn Sherman (the “Mr. & Mrs. Sherman”) reside at 1035 Wallum Lake Road, Burrillville Rhode Island. On December 22, 2015, Mr. & Mrs. Sherman filed a motion to intervene as they live in the immediate vicinity (less than ¼ of a mile) of the proposed Invenergy Clear River Energy Center Project (“Project”). (See attached Exhibit I). The proposed Project is to be sited at the end of Algonquin Lane off of Wallum Lake Road. (See attached Exhibit II). Mr. & Mrs. Sherman have lived at 1035 Wallum Lake Road for over twenty seven years. They have a genuine interest in preserving their personal property rights and are concerned about the adverse economic impact that this Project will have on their property value. In addition, because of the close proximity of the Project to their home, they have serious concerns about the negative impact it will have on their health (air emissions, water, noise), safety (security, traffic) and quality of life due to the noise and traffic during construction and long term site operation. Specifically, over the last several months the Mr. & Mrs. Sherman have filed complaints with the Burrillville Town Manager and Town Council about the excessive noise and vibrations throughout the night and early morning hours that are coming from the Algonquin Compressor Station (“Algonquin”) site which this Project will be located next to. (See attached Exhibit II). The noise and vibrations emanating from this site are extremely disruptive and negatively

impacting their health as they are unable to sleep or enjoy the peace and quiet of their home. Despite the Town taking decibel readings demonstrating the noise was in excess of the local noise ordinance, Mr. & Mrs. Sherman are concerned that the Town may not have the legal authority to enforce the ordinance against the Project since similar sites like Algonquin are regulated by the Federal Energy Regulatory Commission ("FERC"). In fact FERC's issued a Final Environmental Impact Statement ("FEIS") related to the Algonquin station on January 23, 2015, and acknowledged that the Sherman's property is 2,050 feet from the compressor where existing noise levels exceed 55dBA Ldn criterion. See FEIS p. 4-246, 4-248ⁱ. The Town's noise ordinance allows 53 dBA for daytime noise level and 43dBA for all other times. See Burrillville Town Ordinance, Article II Noise, Section 16. With the siting of this Project in close proximity to their home and the Algonquin station, they are concerned that the noise levels and vibrations are only going to increase during the construction and operational phase of this Project. Furthermore, they are concerned that their interests as it relates to their personal property rights and quality of life will not be adequately represented by any other party involved in this matter.

Specifically, Invenergy based part of its objection to the Sherman's motion intervention on the assertion that the Town will be "representing the interest of its property owners in the Town that may be impacted by the project". However, at the Preliminary Hearing, the Town of Burrillville's (the "Town") legal counsel informed the Board that the Town was not in a position to represent the individual interest of the residents of Burrillville that could be impacted in various ways by the siting of this Project. Furthermore, the Town's legal counsel informed the Board that the Town did not object to the Sherman's motion to intervene and that the Town was not in a position to represent their individual interests in this matter. Since the Town will not be representing the Sherman's individual interests as it relates aforementioned issues directly impacting their quality of life, they respectfully request that their motion to intervene be granted. Accordingly, the arguments advanced by Invenergy's counsel opposing intervention no longer have any force or effect.

In closing, Mr. and Mrs. Sherman are concerned that the siting of this Project in close proximity to their home will deprive them of the full use and enjoyment of not only their property but their quality of life. The granting of the Sherman's motion to intervene will ensure that the Board will

be in a position to evaluate all individual and cumulative impacts and issues of the proposed Project before arriving at a final decision on Invenergy's application.

Respectfully submitted,



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Dated: January 22, 2016

CERTIFICATE OF SERVICE

I hereby certify that this 22nd of January 2016, I mailed this original pleading and 10 copies to the EFSB and sent a true copy of the document by electronic mail to the parties and interested persons on the service list for Docket SB-2015-06.



Christian F. Capizzo, Esq.

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http://www.spectraenergy.com/content/documents/Projects/AIM/AIM%20Project_FEIS%20Volume%20I_1_23_14.pdf

Exhibit I



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Google earth



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Imagery Date: 5/6/2015 41°58'10.90" N 71°44'56.74" W elev 551 ft eye alt 5224 ft

Exhibit II

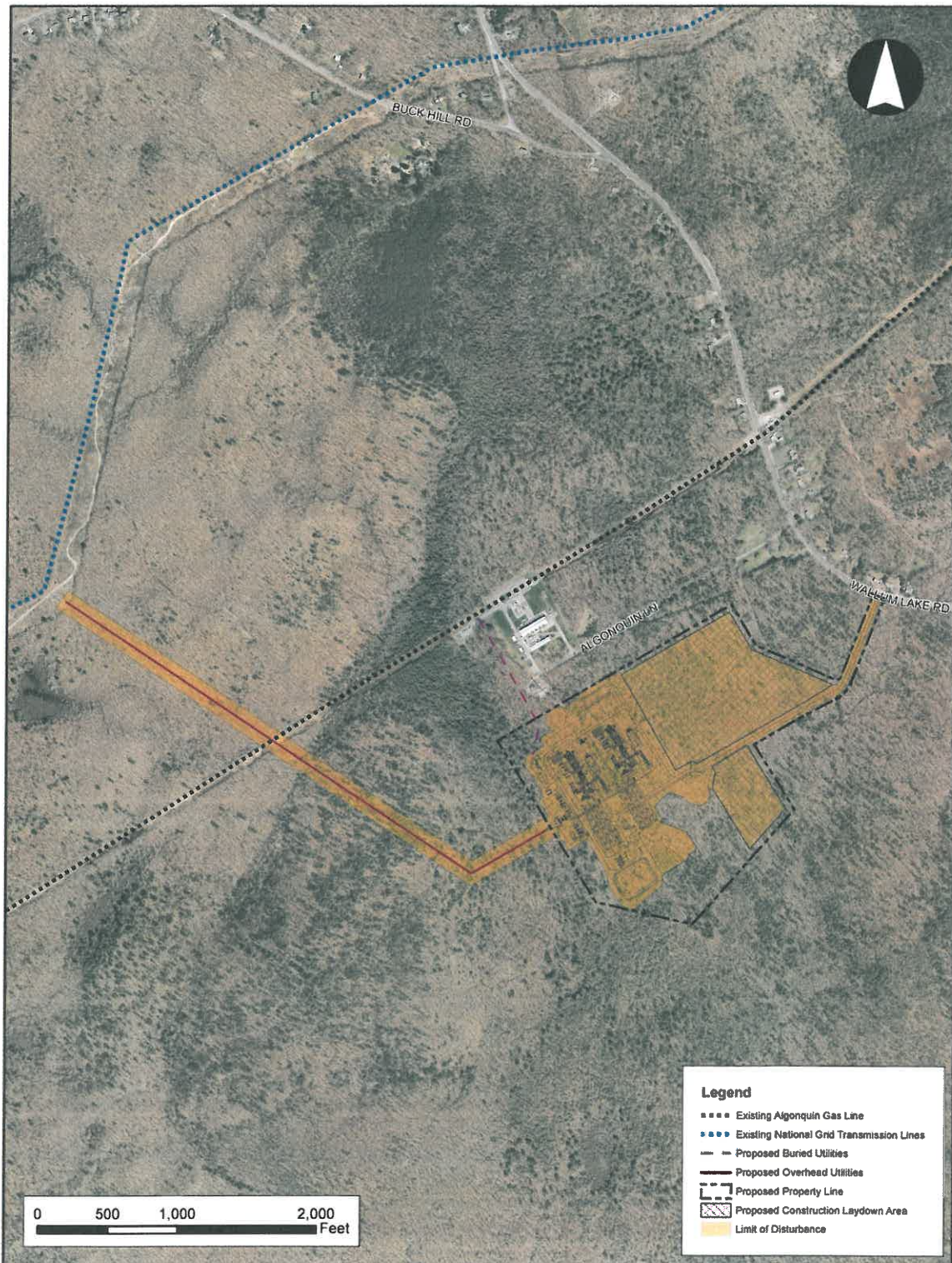
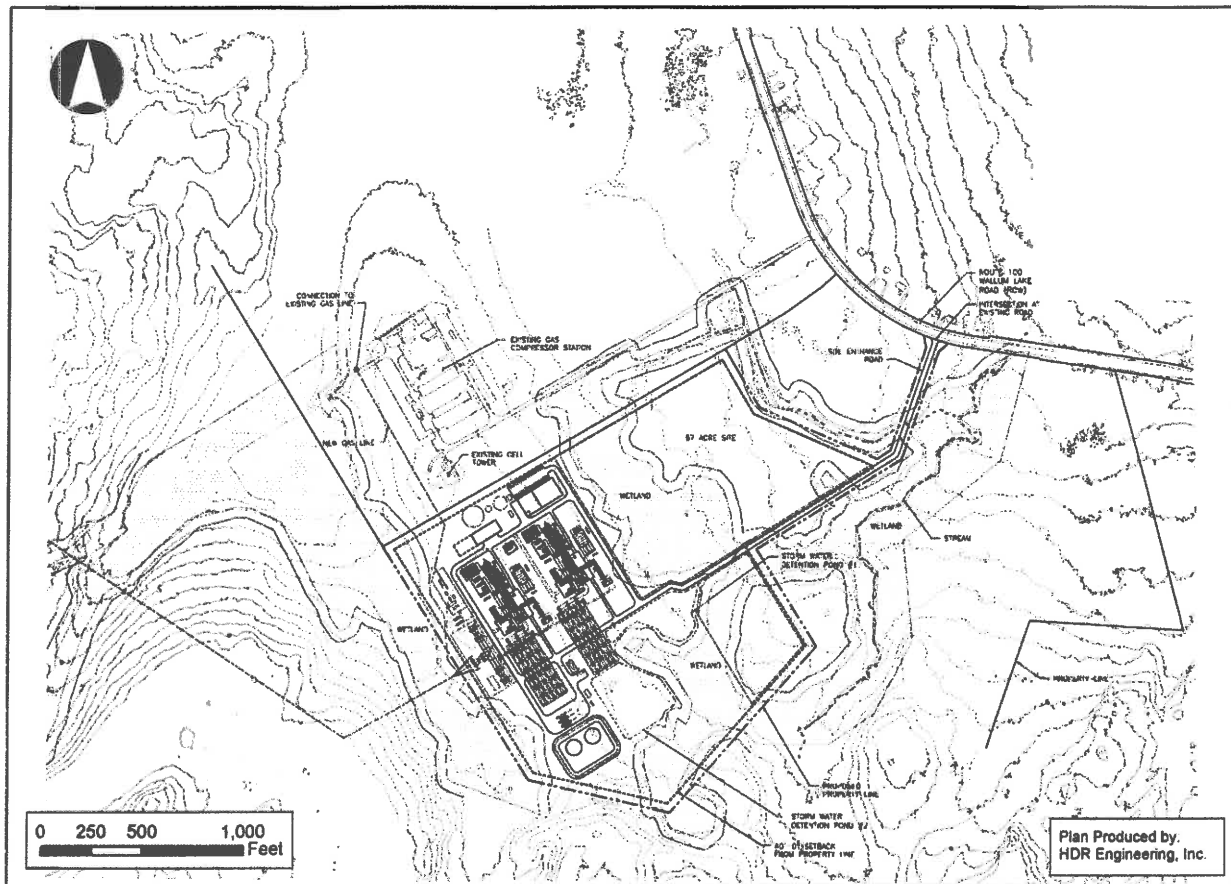


Figure 3.4-1
Site Layout



**Figure 3.4-3
Site Plan**

3.5 Structures

3.5.1 Primary Powerhouse Building

Each single-shaft, 1x1 combined cycle power train will be enclosed in a powerhouse building. The building will be designed to enclose the combustion turbine, steam turbine, single-shaft generator and associated ancillary equipment. The primary structure of this building will be approximately 150ft long, 94ft wide, and 80ft tall and will include an overhead crane to facilitate equipment maintenance activities as well as equipment laydown areas for maintenance. A drive-through access road through this portion of the building will be available for component delivery and removal. In addition, the structure will include balance of plant equipment such as condensate pumps, air compressors, drains tanks and other equipment.

The combustion turbine exhaust will exit the north-west end of the building into a heat recovery steam generator and stack, and the steam turbine exhaust will exit the southeast end of the building via an exhaust duct to each ACC.

The powerhouse building will be constructed of a steel structure with acoustically attenuated siding for noise control. The building and internal equipment components will be supported by suitable concrete foundations (mat, spread footing, etc.) bearing on existing soils or supported on deep foundations (piles, caissons, etc.).

SB-2015-06 Invenergy CREC Service List as of 01/19/2016

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