

**Policies & Procurement Committee
Sept. 16, 2010 Meeting**

Draft Minutes

Members Present: Dave Damer, Committee Chairman (present by telephone)
Dot Kelly (present by telephone)
Nicholas H. Mullane (present by telephone)

CRRA Staff Present: Tom Kirk, President
Peter Egan, Director of Environmental Affairs
Laurie Hunt, Director of Legal Services
Sotora Montanari, Education Supervisor
Paul Nonnenmacher, Director of Public Relations
Rich Quelle, Senior Engineer
Chris Shepard, Environmental Engineer
Steven Yates, Air Compliance Manager
Maira Benacquista, Secretary to the Board/Paralegal

Members of the Public: John Pizzementi, USA Hauling, Jim Sandler, Esq., Sandler & Mara

Chairman Damer called the meeting to order at 9:41 a.m. and noted that a quorum was present.

Chairman Damer requested that everyone stand for the Pledge of Allegiance whereupon the Pledge was recited. Noting that there were no members of the public present which cared to speak during public comment, Chairman Damer stated that the regular meeting would commence.

1. **APPROVAL OF MINUTES OF THE JULY 15, 2010, POLICIES & PROCUREMENT COMMITTEE MEETING**

Chairman Damer requested a motion to accept the minutes of the July 15, 2010, Policies & Procurement Committee meeting. The motion to approve the minutes was made by Director Mullane and seconded by Director Kelly.

The minutes were approved as amended and discussed by roll call.

2. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING REQUEST FOR SERVICES FOR DEVELOPMENT OF EDUCATIONAL COMPUTER TOOLS FOR USE IN EDUCATIONAL PROGRAMS BY THE CONNECTICUT ENERGY EFFICIENCY FUND AND THE US INSTITUTE OF MUSEUM & LIBRARY SERVICES**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to approve a Request for Services with the Pita Group LLC for services associated with the development of educational computer

tools for use in educational programs funded by the Connecticut Energy Efficiency Fund and the U.S. Institute of Museum & Library Services.

Mr. Nonnenmacher said the development of the program described in the resolution is a part of several educational programs for which CRRA has received grants from the Institute of Museum and Library Services and the State Energy Efficiency Board. He explained the funding is partially for educational tools to reinforce the material taught at both CRRA education centers.

Mr. Nonnenmacher explained CRRA will provide about \$11,000 out of its budgets for its portion of the grant. Chairman Damer asked if he is correct in stating the \$11,000 will come out of CRRA's budget unless additional sources of funding are targeted. Mr. Nonnenmacher agreed. Chairman Damer asked why management expects \$39,000 in reimbursement for this project when it appears the grant totals are larger than that. Mr. Nonnenmacher explained there is an additional tool under development. He said this resolution covers the remainder of the costs associated with the computer tools which were proposed and funded for development. Mr. Nonnenmacher said the remainder of the grant covers operating costs.

Director Kelly asked if the contractor is going to provide CRRA with a product and why management is not staying within its grant for the work that will be provided. She said she had investigated earlier work provided by this contractor such as the Phillip DaBin campaign and felt that campaign could have been improved on. She asked if there is some review of the end result from the contractor.

Mr. Nonnenmacher explained one of the conditions of the grant includes providing matching funds. He said this program has been reviewed quite thoroughly by both the Institute of Museum and Library Services and the Connecticut Energy Efficiency Board. Mr. Nonnenmacher said in this case staff members of United Illuminating and Connecticut Light and Power are assigned to work specifically with Energy Efficiency programs to review this program in conjunction with management. He said the funders were satisfied that this program would achieve their target goals.

Director Kelly suggested Mr. Nonnenmacher take a look at further specific comments she has. She said she does not consider either of those group top in the details of recycling technology. She said the Energy Efficiency Fund is concerned with creating energy efficient buildings. Mr. Nonnenmacher replied the Connecticut Energy Efficiency Board provided CRRA with a substantial grant because management was able to demonstrate the links between recycling and energy saving, something they had not explored in other programs and obviously felt was pertinent as \$137,000 was provided to fund this avenue.

Director Kelly said she would prefer to focus on a review of the product which is provided to CRRA in the future. She suggested sending that product off to the Environmental Protection Agency or other representatives to ensure the information being put out is accurate and vetted. Mr. Nonnenmacher said in addition to the review of this program by the agencies providing the funding CRRA is also working with the Connecticut Department of Environmental Protection, the Science Coordinator of the Stratford School System, Ms. JoAnn McCann, as well as CRRA's education supervisor Ms. Montanari and the six educators which also work within CRRA.

Director Kelly said she did not realize that avenue of review was also provided and stated that was very good. She said the CRRA webpage detailing the town by town recycling guide contains an

expired link concerning the town of Darien, CT. Mr. Nonnenmacher said the information on the webpage is based on the most up to date information CRRA is provided by its member towns. He said management routinely requests the towns review the website to be sure their information has been updated as needed and would be sure to check the page for any needed updates. Director Kelly noted the CRRA webpage provides a direct link to the town web page after the recycling service description is provided.

The motion was approved unanimously by roll call.

CONCERNS OF DIRECTOR KELLY

Director Kelly said she has three points for discussion which do not relate specifically to the meeting agenda as they are more overarching. She said one point is her wish to simplify the meeting minutes. Chairman Damer asked her why.

Director Kelly explained the minutes contain back and forth discussions and she finds the way her comments are recorded do not accurately reflect what she was trying to express. She said the summary of her conclusion is correct however there are fairly voluminous comments which are not point on and she has taken to not correcting them. Director Kelly said she feels it is more valuable to summarize her comments as these issues all go to the full Board as a whole eventually.

Chairman Damer suggested Director Kelly's further concerns be addressed under the Informational section of the meeting agenda. He said the Committee discussions are where the detail on the resolutions takes place and is the appropriate forum for a detailed recording of those discussions to ensure the full Board is assessed of the in depth discussions which take place at the Committee level. Chairman Damer said he likes the detail as well as the fact that these issues are well covered within the minutes however, it is a subject which is open for discussion.

Director Kelly said the in depth recording causes her to not say things and it does tend for her to feel she has not expressed herself in a manner which she would prefer.

Chairman Damer said it may be appropriate for the full Board to discuss and address what level of detail should be contained in both the Committee and Board meetings minutes.

Director Mullane said concerning this item the Freedom of Information Act Requirements (hereinafter referred to as "FOIA") must also be taken into consideration. He said in this type of planning meeting the Committee members are coming from several directions and angles in order to research the total subject which often involves random questions. He said he does not find a problem with her approach.

Chairman Damer suggested that Director Kelly be comfortable with the way she is recorded concerning items of importance within the minutes.

Director Mullane said the alternative would be an abridged version of the Committee discussion and he feels in this business those discussions should be detailed.

Mr. Kirk said there is a lengthy history associated with how CRRA handles the meeting minutes. He said originally a paralegal provided a direct transcription which was appended to the

minutes. He said eventually this became too expensive and the minutes became more abridged but still in great detail. Mr. Kirk said Mrs. Benacquista is responsible with the effort to aggregate the comments and the flow of the discussion to make the minutes a meaningful document. He said the alternative as referenced by Director Mullane is an abridged version which may not be as informative to the public.

Mr. Kirk said concerning FIOA requirements, recordings of the meetings are available. He said the minutes are essentially to provide those interested with the opportunity to take in the level of detail and discussion performed at the Committee level. Mr. Kirk said the minutes can certainly be changed especially as the recordings are available. He recommended this discussion be held at the Board level specifically in reference to time saving actions.

Mr. Kirk referred to the length of the current agenda and how preparing that much material will be time consuming in relation to preparing the Board material for management as well. He said the in depth conversations at the Committee level were intended to allow the full Board to more quickly dispatch the items however for matters of public opinion there are Directors which prefer their comments be on the public record and therefore those in depth conversations and review are occurring twice. Mr. Kirk said management is running out of time to get their work done at the meetings. Chairman Damer agreed and suggested this topic be brought to the full Board for discussion. Director Kelly agreed as well.

3. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING CONSTRUCTION OF A NEW JET FUEL TANK AT THE SOUTH MEADOWS SITE**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to enter into a contract with TMC Services, Inc. to construct a new jet-fuel storage tank at the South Meadows Jet Turbine Facility, substantially as discussed and presented at this meeting.

Mr. Kirk said a recent inspection revealed a deteriorating structural member called the chime on the 5.5 million gallon jet fuel tank. He said management's professional engineer determined it should be taken out of service by a certain date. The CRRA Board, based on some preliminary estimates, authorized management to effect a replacement with a much smaller tank in a different location. He said more detailed estimates and pricing are coming in higher than those original estimates in large part to subsurface conditions.

Mr. Kirk said subsurface engineering improvements to the site represent the difference in the initial primary estimates and the current pricing. He said the plan is still on schedule; however the tank will need to be out of service and empty of all petroleum by August of 2011.

Director Mullane asked what the old and new tank is made of. Mr. Kirk replied steel, he said as a further point management has not specifically addressed dis-assembly and disposal of the existing tank. He said post-storage potential use needs to be investigated and costs associated with disassembly will likely be paid for largely by the value of the scrap metal. Mr. Kirk said the siting council has

indicated they would like the tank disassembled and removed however, management has indicated the potential reuse for storage an issue which management intends to discuss further with the council.

Director Mullane said the old tank was for 5.5 million gallons and the new tank is for 550,000 gallons. He asked what the big change in volume requirements is. Mr. Kirk explained when the tank was built it was created for jets with a much higher capacity utilization which are currently limited for emission purposes to 168 hours per year. He said further requirements for Black Start capacity and payments are 24 hours of run time which is more than provided for by the proposed tank.

Director Mullane asked how the tanks are filled. Mr. Kirk replied by truck. He said the ability to fill the tanks by truck is sufficient for the short time periods which they are required to run.

Director Kelly asked what the long term prognosis of Black Start capability and peaking capacity and the need for those requirements in our region are. Director Kelly asked if CRRA is under a consent order from the CT DEP to investigate modifying the emissions from the jets. Mr. Egan replied that management is investigating pollution control technology which can be installed on the jets however it is not being done under a consent order but a trading order which was renewed by the CT DEP in April for a four year term. He said it requires CRRA and by contract CRRA's operator Northeast Generation Services (hereinafter referred to as "NGS") to assemble an analysis of potential control technologies and their costs by January. Mr. Egan said NGS is conducting that evaluation with a likely outcome resulting in the CT DEP requiring CRRA to comply with a schedule to install technology before current four year trading order term expires.

Mr. Kirk said management concluded the value of the four twin packs was substantial and warranted the investment in a new tank, as the alternative is to take them out of service. Mr. Kirk said there is \$6.3 million in revenues annually from these four twin packs. He said management discussed the expected time period this revenue can be expected as these machines are inefficient economically and also from an emissions standpoint. Mr. Kirk said when operating a yellow plume envelops the South Meadows area. He said there are potential solutions however fundamentally the decision to pursue installation of a new tank was done with the understanding that a long term broader question still has to be answered and the short term future demands a replacement of the at risk tank to avoid environmental calamities and keep the jets in service in the short term.

Director Kelly asked if this investment was decided on with the understanding that management may eventually switch to natural gas. Mr. Kirk said management anticipates the long term decision will be preceded by answering the question of whether CRRA will have continued interest in maintaining the jets or sell them. He said the \$6.3 million in revenues commands the construction of the tank while other options are considered.

Mr. Egan said CRRA has a contract with Select Energy which in turn has contracts to sell the power that CRRA provides. He said CRRA is not in a position to exit those contracts and stop providing the jets as a source for Select Energy prior to the termination of the contract in May or June of 2012. Chairman Damer said CRRA is also not in a position to accept the liability of running past the time period the consultants have informed CRRA the existing storage tank needs to be taken out of service. He said that date is considerably before those contracts run out. Mr. Kirk said that estimate is a straight line corrosion estimate on how fast the chime is deteriorating. He said there is secondary containment around the tank if there should there be a substantial leak or failure however it would

certainly be a big clean up expense as the secondary containment is the site itself as opposed to the more modern design planned for the new design.

Chairman Damer said he has expressed his desire to spend more time discussing the future of these units. Mr. Kirk said the long term plan of those jets as an asset needs to be decided. Chairman Damer asked for any preliminary information coming out of the study on the emission control to be brought to the Board before final reports as informational items. Mr. Egan said that he will try and get that information together for the October Board meeting.

Mr. Egan said CRRA is looking for bids to renew the one year pollution liability policy for CRRA and prospective and current underwriters were pleased management had a plan in place to replace the tank which most likely played a factor in their submitted bid prices.

Director Kelly said she thinks the tank should be replaced and natural gas should be considered as an alternative.

Director Mullane asked if the jet engines were multi-fuel. Mr. Kirk replied no. He said if a peaking unit or a base load unit were to be permitted today the CT Siting Council would require dual-fuel capability. Mr. Kirk said most of the State's units have dual-fuel capability for the reasons Director Kelly mentioned. Mr. Kirk said by his calculations if the unit was to go to jet fuel that would require all the trucks in the state and half the trucks in Massachusetts to keep the 500 megawatts going the full time which is an important concern for the Siting Council.

Director Mullane asked if all four units are needed online at one time. Mr. Kirk replied no. Director Mullane asked if two units could run on gas with two units running on fuel. Mr. Quelle said that would depend on the plumbing for the dual-fuel capability which CRRA currently does not have.

Director Kelly said she would like to better understand this contract which goes back to when Select Energy was the non-regulated arm of Connecticut Light and Power (or its parent company Northeast Utilities). Chairman Damer said that he does not think CRRA is under any obligation to go with Select Energy once the present contract expires. Mr. Kirk said that was correct. He said a new bid process will occur in advance of the expiration of the 2012 agreement. Director Kelly asked if that contract went back to the Enron issue. Mr. Kirk said the machines came to CRRA as part of the Enron three way deal between CL&P, Enron and CRRA; however the purchase of the power was bid after the Enron deal as CRRA received control of its energy in bankruptcy court. Director Kelly expressed satisfaction with this explanation.

The motion was approved unanimously by roll call.

4. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING QA/QC CONTRACT FOR CONSTRUCTION OVERSIGHT ASSOCIATED WITH CONSTRUCTION OF A NEW JET FUEL TANK**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to enter into a Request for Services with TRC Environmental Corporation to provide construction engineering and inspection

services associated with construction of a new jet-fuel storage tank for the Jet Turbine Facility at the South Meadows Site, substantially as discussed and presented at this meeting.

Director Kelly asked if the standard engineering rates for the Fuss & O'Neil contract were negotiated. Mr. Egan said management could try and negotiate lower rates particularly for the on-site inspector concerning the time and material rates which were bid in the three year engineering services agreement. He said he does not know how TRC will respond as this is not considered a significant job. Mr. Egan said TRC has an advantage over the rest of CRRA's stable concerning South Meadows as they understand the site intimately as a result of their management of a nine year twenty six million remediation. He said TRC has excellent relations with Covanta and the subcontractor which was used on the site. He explained it would be costly for a new company to obtain that same experience and knowledge.

Director Kelly asked if TRC has provided accurate estimates in the past. Mr. Egan said TRC has been very accurate in providing estimates. He said if CRRA executes an RFS unless the scope changes TRC will come in under their estimate.

Chairman Damer said he appreciates that knowledge especially as sub-surface conditions are becoming much more important with the undertaking for the new tank. He agreed that TRC is the best qualified candidate for this work and noted that this work is for half a person. Mr. Egan said he does not have the break down however it can be provided for the full Board. Director Kelly suggested Director Tillinger's experience in consulting and pricing may be utilized as well.

Director Mullane asked what kinds of inspections are performed on the welds and the different connections. Mr. Shepard replied the project specifications call for certain inspections in accordance with the American Petroleum Institute Standard 650. He said the tank manufacturer is responsible for that inspection as they complete the construction which is part of the total bid price. Mr. Shepard said TRC will be primarily looking at submittals for material for the project as well as working to keep the contractors on schedule. He said in addition TRC will be monitoring some of the structures on site, particularly the existing tank to be sure there is not excessive vibrations which may cause damage.

Mr. Egan said a significant portion of this job will be installation of the ram aggregate piers, which number around 170 borings or holes which will be drilled and filled with aggregate followed by a sub base of material which will be placed on those piers. He said because TRC is involved in the it is appropriate that they would take over the engineering oversight from a qualifications and construction standpoint.

Director Kelly asked if this is an area of concern regarding superfund site issues. Mr. Egan replied that this is not a concern at this time. He said formerly there was a small tank 500-1000 gallon which contained Polychlorinated Biphenyl (PSB) waste oil which was decontaminated and removed and that area was closed in the 2003-2004 time frame. Mr. Egan said the area where this tank will go is adjacent to that site however based on the borings which have been taken so far management does not expect to encounter any contamination issues.

The motion previously made and seconded was approved unanimously by roll call.

5. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING THE INSTALLATION OF TWO BEDROCK GROUNDWATER MONITORING WELLS AT SHELTON LANDFILL**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the Board of Directors authorizes the President to execute a Request for Services with GZA GeoEnvironmental, Inc. to install two bedrock groundwater monitoring wells at the Shelton Landfill, substantially as presented and discussed at this meeting.

Mr. Shepard said the original recommendation to install these two wells dates back to a zone of influence study CRRA completed in the spring of 2003. The study was submitted to the CT DEP and was not reviewed or commented on. He said management could not proceed with the well installation without approval of the CT DEP. Mr. Shepard said in the spring of 2009 the CT DEP approached management indicating they wanted to issue a stewardship permit for the landfill which among other things would incorporate the recommendation of the zone of influence study.

Mr. Shepard said the zone of influence study recommended two bedrock groundwater monitoring wells be installed, both recommended downgradient of the metal hydroxide sludge disposal cell. He explained the first well, MW-BR-18 was installed downgradient adjacent to the Housatonic River Lagoon on the Eastern border of the site in order to determine whether or not contaminated leachate from the metal hydroxide cells migrated that far.

Mr. Shepard said the second well was installed deeper into the bedrock aquifer adjacent to an existing well because the existing bedrock well is one of the most contaminated wells on site and the CT DEP is concerned the vertical extent of contamination had not yet been determined. He explained the cell was constructed over debris which was previously disposed of at the site when it was operational. Mr. Shepard said the driller installed the first well no problem, however when installing the second well by drilling through the debris they could not drill through without damaging the casing. He said ultimately a different method was used using three different casings which resulted in an increase in costs.

Chairman Damer asked if management had gone ahead and installed these two wells in order to avoid violation of the stewardship permit conditions. Mr. Shepard said that was correct. He said the RFS was executed for a value of \$36,000 anticipating the wells could be installed using the previously successful method however; unfortunately they were not able to install the well using that method.

Chairman Damer asked if this approval comes to the Committee as a confirmation of an emergency operation undertaken by the President. Mr. Egan said that he would not classify this instance as an emergency. He said management could have told the consultant and driller to stand by while this increase was brought to the Board however the deadline in the permit was for Sept. 16, 2010, and more importantly management has a monitoring requirement. Chairman Damer said if management had waited to get the full Board's approval on this drilling before work was done CRRA would have been in violation of permits. Mr. Egan said that was correct. The Committee agreed that this step was necessary.

Chairman Damer asked if there was sufficient funding in the budget for the increase in the drilling costs. Mr. Egan said this was correct.

The motion was approved unanimously by roll call.

6. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING INSTALLATION OF AN OVERFIRE AIR SYSTEM ON UNIT #11 AT THE SOUTH MEADOWS RRF**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to direct Covanta Mid-Conn, Inc. to install a new overfire air system manufactured by Jansen Combustion and Boiler Technologies, Inc. on Unit 11 at the Mid-Connecticut Power Block Facility, substantially as presented and discussed at this meeting.

Mr. Kirk provided some background information concerning the resolution. He said units 11, 12, and 13 were retrofitted for RDF fuel based on the knowledge available at the time. He said over time management has learned and observed issues and problems they can now better address. Mr. Kirk said unit 11 has historically been the poorest performer and unable to meet design load conditions due to carbon monoxide emissions. He said this has been a long term problem.

Mr. Kirk said a broader problem is the excessive corrosion on the screen tubes or large diameter tubes which absorb the radiant heat from the furnace area and protect the superheater banks from excessive temperature and radiant heat. Chairman Damer asked if this corrosion is fire side and not water side. Mr. Kirk said management is very comfortable with the water side and continuing history which is carefully monitored. He said this is a fire side issue which is very common and routine in trash boilers.

Mr. Kirk said in CRRA's case, management feels given this study there is an opportunity to make an improvement by improving the distribution of the overfire air, a critical component of complete combustion necessary to minimize thermal nitrogen oxide production. Mr. Kirk said boiler number 11 is the obvious place to try this because of its issues. He said management believes the problem is intimately related to the overfire air and the swirling pattern that occurs from the overfire air injectors. Mr. Kirk said this study has identified a potential significant improvement to combustion which will may help with the carbon monoxide problems and allow for more unit steam capacity and also the ability to eliminate the screen tubes which is a significant maintenance issue for CRRA.

Chairman Damer asked if management thinks the new system will allow for the screen tubes to be taken out without additional corrosion in the super heater. Mr. Kirk replied yes. He said management feels the new system will even out heat distribution across the bank of the super heater.

Chairman Damer asked what kind of performance warrantees would be expected from Jansen. Mr. Quelle said Jansen will put into writing that this system will meet the carbon monoxide objective which he believes will keep the carbon monoxide level below 190 parts per million. He said there are a number of issues which are still being worked through and the preliminary bid will be refined pending approval for this. He said the goal is to meet the objectives in their study.

Chairman Damer asked if Jansen would also provide a warranty on corrosion rates and the ability to take out the screen tubes and the lack of increased corrosion rates on the wall tubes. He said this shouldn't be accelerating those rates and is wondering if there is going to be some kind of performance guarantee.

Director Mullane said on page four it says "based on the experience with other installation of the Jansen overfire air system, it does not appear that the installation of the Jansen system would result in an increase in any potential air pollutants". He asked if this is a fact. Mr. Egan replied that he would correct that statement.

Mr. Yates said management does not have any indication there will be an increase in pollutants. He said Jansen has shown small decreases in both oxides of nitrogen and carbon monoxide. Mr. Yates said he is very comfortable that the implementation of this system does not meet the definition of a modification and therefore no permit transaction is required.

Chairman Damer said there is a difference between any change in emission rates and any change in total emissions. He said it may be different for purposes of triggering NSPS and he would agree that he can see where this system would result in the decrease of emission rates. Chairman Damer said that his concern is some of the statements which have been made regarding changes in total throughput, and therefore potentially total emissions.

Mr. Yates said the permit is geared and based on the steam production rate and the steam production rate will not exceed permitted levels. He said he has not looked at whether total throughput will affect the gross emission of total tons versus what CRRA is permitted. Chairman Damer asked management to take a close look at how a new design and installation will affect the output.

Mr. Kirk said he will provide an update on Chairman Damer's concerns. Chairman Damer asked if CRRA is currently meeting the NSPS standards. Mr. Yates replied he believes that is correct. Chairman Damer asked if he could receive the full Jansen report, management agreed to get it to him for review. Chairman Damer also requested an elevation picture of the boiler be provided for the full Board.

Chairman Damer asked when the original overfire air systems went in. Mr. Quelle said the overfire system was original and put in with the burners however, it was originally designed to burn coal. He said the design was a tangential system which fired the air through the corners of the boiler which created a swirling vortex around the firebox which was shown in the CFD model which has been shown to not provide a proper mix in the RDF application. He said front wall and rear wall of the overfire system are also not in the right place in the center of the box as the Jansen system would be.

Chairman Damer pointed out there is a reference to five recommendations in the write-up and later it refers to three recommendation made by management. Mr. Egan said he would clarify that section of the write-up.

Director Mullane asked how long it will take to tell if the new system is working. Mr. Quelle replied as the boilers come on line it will be apparent immediately it should be making the load as expected. Mr. Kirk added it will also be apparent if the carbon monoxide number and steam flow come

in as expected. He said it may take months and even years to understand the full impact of the erosion issue.

The motion was approved unanimously by roll call.

7. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING GREENHOUSE GAS MONITORS AT THE CRRA MID-CT RESOURCE FACILITY**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to direct the Power Block Facility operating contractor, Covanta Mid-Conn, Inc. to install greenhouse gas monitoring equipment on each of the three municipal waste combustor units, substantially as discussed and presented at this meeting.

Mr. Kirk said this item is fairly straightforward. He said the equipment is required to be installed by the environmental protection agency.

The motion was approved unanimously by roll call.

8. **REVIEW AND RECOMMEND FOR BOARD APPROVAL RESOLUTION REGARDING EXTENSION OF THE ASH T&D CONTRACT WITH WHEELABRATOR LANDFILL**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

RESOLVED: That the President is hereby authorized to execute an extension of the agreement with Wheelabrator Technologies, Inc. to provide transportation and disposal services for ash residue from the Mid-Connecticut Resource Recovery Facility, substantially as presented and discussed at this meeting; and

FURTHER RESOLVED: That the President is hereby authorized to execute an extension of the agreement with Wheelabrator Technologies Inc. to provide disposal services for ash residue from the Preston Resource Recovery Facility, substantially as presented and discussed at this meeting.

Chairman Damer said this item has been discussed at length in prior meetings, he asked if there have been any changes the Committee should be made aware of. Mr. Kirk said this resolution has not changed. He said it was bid and market tested several years ago and management is currently choosing options due to some significant financial advantages while preserving CRRA's right to do something else with the ash should investigative initiatives come up with promising ideas.

Director Mullane said he has an issue with the long term projective of ash being subjected to a sole source type of disposal. He asked what the in state capacity for ash currently is. Mr. Kirk said the permitted capacity available to Connecticut is out to about 2016-2017 within the Putnam landfill

which is privately owned by Wheelabrator. Mr. Egan said the capacity is about 5 million yards. Mr. Kirk explained Wheelabrator correctly points out they have options or real estate potentially available for expansion beyond 2020 however those are only potential locations.

Mr. Kirk said there is no long term solution for Connecticut. Director Mullane asked if a safe reuse of the product is a possibility and under investigation. Mr. Kirk said those efforts have been undertaken and a substantial amount of work has been done. He said other States allow reuse of the ash. Director Mullane asked if it is cost effective. Mr. Kirk said it is cost effective if the alternative landfill options are more expensive as is the case in Connecticut.

Mr. Kirk said management has been investigating some out of State uses for the material in the concrete and cement system which is moving slowly along. He said it is prudent to plan for long term landfill disposal of this residue.

Director Kelly said she would like to continue to press the point and suggested management explore additional options. Chairman Damer said that he is also interested in reducing the amount of ash which is produced, Director Mullane agreed. After substantial discussion on the subject management agreed to bring further talking points to the Committee in the future.

The motion was approved unanimously by roll call.

10. RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

WHEREAS, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2011 projected legal fees; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for General Counsel services;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2011:

<u>Firm:</u>	<u>Amount:</u>
Halloran & Sage	\$350,000

11. MOTION TO TABLE THE RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES

Chairman Damer requested a motion to table this item with the intent to bring the item back up after Executive session. Director Mullane made the motion to table, which was seconded by Director Kelly.

WHEREAS, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2011 projected legal fees; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for General Counsel services;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2011:

<u>Firm:</u>	<u>Amount:</u>
Halloran & Sage	\$350,000

The motion to table this resolution was approved unanimously by roll call.

12. **EXECUTIVE SESSION**

Chairman Damer requested a motion to enter into Executive Session to discuss pending litigation, trade secrets, personnel matters, and feasibility estimates and evaluations. The motion made by Director Mullane and seconded by Director Kelly was approved unanimously. Chairman Damer requested that the following people remain for the Executive Session, in addition to the Committee members:

Tom Kirk
Laurie Hunt, Esq.
Peter Egan

The Executive Session commenced at 11:20 a.m. and concluded at 12:10 a.m. Chairman Damer noted that no votes were taken.

The meeting was reconvened at 12:10 a.m., the door was opened, and the Board secretary and all members of the public were invited back in for the continuation of public session.

13. **RESOLUTION REGARDING ADDITIONAL PROJECTED LEGAL EXPENDITURES**

Chairman Damer requested a motion on the above-referenced item. Director Mullane made the motion, which was seconded by Director Kelly.

WHEREAS, CRRA has entered into Legal Service Agreements with various law firms to perform legal services; and

WHEREAS, the Board of Directors has previously authorized certain amounts for payment of fiscal year 2011 projected legal fees; and

WHEREAS, CRRA expects to incur greater than authorized legal expenses for General Counsel services;

NOW THEREFORE, it is RESOLVED: That the following additional amount be authorized for projected legal fees and costs to be incurred during fiscal year 2011:

<u>Firm:</u>	<u>Amount:</u>
Halloran & Sage	\$350,000

The motion was approved unanimously by roll call.

ADJOURNMENT

Chairman Damer requested a motion to adjourn the meeting. The motion made by Director Mullane and seconded by Director Kelly was approved unanimously by roll call.

The meeting was adjourned at 12:11 a.m.

Respectfully submitted,

Moira Benacquista
Secretary to the Board/Paralegal