

Kenneth S. Panza, Member-at Large
Ulster County Environmental Management Council
33 Shotwell Rd, Woodstock, NY 12498

Danskammer Energy Center Upgrade

Ulster County Environmental Management Council Report Submitted EMC Meeting of May 29, 2019

Danskammer Energy, LLC filed a proposal with the PSC to repower its existing Danskammer generating station in the Town of Newburgh, a 532 MW natural gas peaking plant. The repowered facility will be a natural gas combined cycle generator of up to 600 MW, which will interconnect with an existing 115 kV electric transmission infrastructure and utilize the existing natural gas pipeline.

Richard A. Gerentine, Ulster County Legislator, District 11, Marlboro

Richard A. Gerentine, Ulster County Legislator, District 11, Marlboro, wrote a letter in support of the Danskammer upgrade stating, “The new Danskammer Power Plant should be supported by those who live in the Town of Newburgh, along with the Marlboro School District and residents in the surrounding area.”¹

Notice of Commencement of Pre-Application Stipulation Process

Danskammer Energy requested that any party seeking to participate in the pre-application Stipulations Process notify Danskammer Energy by May 6, 2019. I applied to be included in the stipulation process.

EMC Comments on Draft Stipulations

The following comments were submitted in response to the draft stipulations distributed by Danskammer, LLC. Several of EMC’s comments previously submitted were incorporated into the draft stipulations.

- Requested delineation of the existing coal ash landfill and its leachate collection system, processing facility, and location of the landfill monitoring wells.
- Requested descriptions of the impact of discharges of aqueous ammonia and #6 bunker fuel oil be added to stipulation 15, Exhibit 15(l).

¹ Richard A. Gerentine, “These are the reasons to support Danskammer revival,” Letter to the Editor, Times Herald-Record, April 25, 2019, Available at <https://www.recordonline.com/opinion/20190425/letter-these-are-reasons-to-support-danskammer-revival>

- Include a site plan showing the location of the proposed Project Facility in relation to the projected high, sea-level rise for 2100 in the lower Hudson River as defined by 6 NYCRR Part 490, Projected Sea Level Rise.

Danskammer Timetable

Feb. 8, 2019	Danskammer filed the Preliminary Scoping Statement ("PSS")
Feb. 28, 2019	EMC submitted comments in response to the Preliminary Scoping Statement (PSS).
April 19, 2019	Danskammer responded to comments filed about the PSS
April 24, 2019	Danskammer filed a letter serving notice of commencement of the pre-application stipulation process to consider the filed comments.
May 10, 2019	Danskammer filed draft stipulations for consideration. The stipulation process will define the issues to adjudicate during the hearing phase of the Article 10 process. Comments on draft stipulations due May 28, 2019.
May 24, 2019	Submitted EMC's comments on draft stipulations
June 10,11 or 12, 2019	First meeting with stakeholders to finalize stipulations for the Article 10 Application.
<p>"Please be advised that the pre-application Stipulation Process is subject to the confidentiality protections and restrictions set forth in 16 NYCRR § 3.9(d) of the Department of Public Service rules of procedure. Accordingly, the stipulation meetings and the documents circulated throughout this Stipulation Process are to be kept confidential and without absent the consent of the other parties participating in the Stipulation Process, they may not be disclosed outside of the stipulation meetings, except to others within your organization or group that are also bound by this confidentiality requirement."</p>	

Siting Board Appointments

The Siting Board is a governmental entity of New York State organized within the Department of Public Service. The Siting Board is established to review applications and issue certificates authorizing the construction and operation of major electric generating facilities. The Siting Board consists of five permanent members and two ad hoc public members.

One ad hoc public member is appointed by the President Pro Tern of the New York State Senate and one is appointed by the Speaker of the New York State Assembly from a list of candidates submitted to them.

Carl E. Heastie, Speaker, New York State Assembly, appointed **Mr. Michael Gaydos**, of Newburgh, New York, as an ad hoc public member to the New York State Board on Electric Generation Siting and the Environment in relation to Case 18-F-0325, the Application of Danskammer Energy, LLC.

Andrea Stewart-Cousins, Temporary President of the Senate New York State Senate, appointed **Mr. Ronald Hughes** as an ad hoc public member to the New York State Board on Electric Generation Siting and the Environment in relation to Case 18-F-0325, the Application of Danskammer Energy, LLC.

Danskammer Energy's Response to EMC Comments

Danskammer Energy Responses to PSS Comments in Case 18-F-0325

No.	Date	Agency / Commenter	Comment Number (by Commenter)	Comment Category / Topic	Corresponding PSS Section	Corresponding Article 10 Exhibit	Comment	Response
8	2/28/2019	Ulster County Environmental Management Council	1	Exposure of Danskammer Site to expected sea level rise of the Hudson River	1.7.5	15	The documents offered by Danskammer Energy fail to address or consider the risks due to sea level rise, storm surge, and flooding. FEMA flood maps are an inadequate measure of sea level rise. Danskammer Energy has not recognized the risk inherent of the sea level rise and storm surges in its planning for the Danskammer site. Full consideration and assessment of sea level rise should be included in its Article 10 Application.	The Article 10 Application will fully consider and assess the impacts of sea level rise, storm surge and flooding consistent with the Community Risk and Resiliency Act and all other applicable laws and guidelines. Application Exhibit 15, Public Health and Safety, will describe and map the location of the proposed facility in relation to flood hazard zones, storm surge zones, coastal erosion hazards and landslide hazards based on guidance provided by the NYS Department of Environmental Conservation, consistent with the Community Risk and Resiliency Act, and any other applicable laws or guidelines.
9	2/28/2019	Ulster County Environmental Management Council	2	Storage Tanks	3.2.3	15	Section 3.2.3 of the PSS, titled, "Potentially Significant Adverse Impacts and Information Required for Evaluation," states, "It is expected that some hazardous materials such as ultra-low sulfur diesel fuel, lubrication oil, and natural gas will be required for construction and operation of the Project. Release of these substances into the environment can pose a threat to public health and safety." But this section does not include a discussion about dismantling of the existing fuel tank and disposal of up to 610,000 gallons of fuel oil. The plans to remove the existing fuel tank need to be explicitly included in the Article 10 Application.	The Article 10 Application, particularly Exhibit 15, Public Health and Safety, will provide a discussion of the manner in which waste will be collected, storage and disposed. This analysis will include any decommissioning of existing storage tanks.
10	2/28/2019	Ulster County Environmental Management Council	3	Dismantling of existing fuel oil tanks	3.2.3	15	Based on similarly sized generators, Danskammer might need on-site storage for up to a million gallons of diesel to satisfy NYISO's dual fuel requirements. The Preliminary Scoping Statement recognizes the need for alternative fuel storage, however, the PSS does not identify its location nor capacity. A site plan for fuel storage and a discussion of the resiliency of this storage in anticipation of flooding, sea level rise, and storm surges needs to be included in the Article 10 Application.	The location of any new fuel storage tank(s) will be provided in Application Exhibit 11, Preliminary Design Drawings. Application Exhibit 15, Public Health and Safety, will describe the location of the Project facility, including any new storage tank(s), in relation to flood hazard zones, storm surge zones, coastal erosion hazards and landslide hazards based on guidance provided by the NYS Department of Environmental Conservation, consistent with the Community Risk and Resiliency Act, and any other applicable laws or guidelines.

Subject: An interruption in the delivery of hydroelectric power

From: Ken Panza <kpanza@hvc.rr.com>

Date: 5/29/2019, 2:32 PM

To: Lorin Rose <mountainrose@hvc.rr.com>, Laura Ricci <lr Ricci@woodstockny.org>, "Jackie Earley, Town Clerk" <jearley@woodstockny.org>, Ken Panza <kpanza@hvc.rr.com>, Richard Heppner <rheppner@hvc.rr.com>, Supervisor <supervisor@woodstockny.org>, "Reggie Earls, Councilman" <rjearls@gmail.com>

Never a dull moment. At 7 am yesterday, this happened. This will only delay us not stop us. We are already working on a plan to repair and make stronger. We want to take a moment to sincerely thank the Town Of Wappinger and Wappingers Falls Business Association for reaching out and offering support. Above all, we're your neighbors and we appreciate knowing you stand beside us as we repair. The penstock is an incredibly important piece of history and critical part of producing renewable energy.

Following our last post we wanted to also update our customers! We are working on a plan that can benefit customers soon, while we repair Wappingers. We're going to send a newsletter later this week with more specific details! Thank you for supporting renewable hydro, the history of the Wappingers site, and us (your neighbors)! - Harry + Sarah Terbush

