

Case No. 18-F-0325
Danskammer Energy, LLC
Danskammer Energy Center
Town of Newburgh, Orange County, New York
NOTICE OF APPLICATION FILING

Danskammer Energy, LLC (“Danskammer” or the “Applicant”), a subsidiary of Danskammer Holdings, LLC, is submitting an application (the “Application”) to repower its existing 532 MW nameplate generating facility with a state-of-the-art natural gas fired combined cycle power generation facility with an optimal net capacity of approximately 536 MW (the “Project”) (the “Danskammer Energy Center” or the “Project”), under Article 10 of the Public Service Law (“PSL”). Pursuant to 16 NYCRR § 10007.(b), this notice announces that on or about December 11, 2019, the Applicant will file the Application with the New York State Board on Electric Generation Siting and the Environment (the “Siting Board”).

As part of the Project, the existing operational electric generating facility will be replaced with a 1-on-1 combined cycle configuration, utilizing a gas combustion turbine and steam turbine generator, with an optimal capacity of approximately 536 MW. The Danskammer Energy Center will also incorporate the ability to provide additional peaking output to potentially ramp up to as much as 600 net MW to meet market demands, or support variations in generation from renewable resources. The Project will be located entirely on lands owned by Danskammer in the Town of Newburgh in Orange County, New York.

Pursuant to the Article 10 process, Danskammer filed a Public Involvement Plan (“PIP”) on May 24, 2018, and filed a Preliminary Scoping Statement (“PSS”) on February 8, 2019, with the Siting Board. Thereafter, the public and stakeholders had an opportunity to submit comments on the PSS. Following the comment period, on April 19, 2019, Danskammer filed and served its summary of the comments on the PSS and response to such comments. On April 3, 2019, a pre-application procedural conference was held to consider requests for pre-application intervenor funding and the scoping stipulations process was ordered to be commenced. On April 24, 2019, Danskammer filed a notice that settlement negotiations for the stipulation process had been initiated. Negotiations occurred between Danskammer and the New York State Department of Public Service (“DPS”), the New York State Department of Environmental Conservation, the New York State Department of Health, and other stakeholders pursuant to 16 NYCRR § 1000.5(j)(2). On September 6, 2019, Danskammer filed the proposed joint stipulations resulting from those negotiations. As set forth in 16 NYCRR § 1000.5(k), any party that executes a pre-application stipulation may not raise objections regarding the Application as to the methodology or scope of any study or program of studies performed in compliance with such stipulation.

Danskammer will submit a permit application for a Prevention of Significant Deterioration Air Permit and for a modification of its Title V Facility Permit, both pursuant to the Clean Air Act, as well as a request for a modification of its State Pollutant Discharge Elimination System Individual Permit for Stormwater Dischargers from Industrial Activities under the Clean Water Act. Additionally, Danskammer will seek a coastal consistency determination from the NYS Department of State pursuant to the Coastal Zone Management Act.

Pursuant to 16 NYCRR § 1000.7, this notice serves as a summary regarding the contents of the Application, which will be filed on or about December 11, 2019. In addition, a copy of the Application will be served on the Chief Executive Officer of each municipality in which any portion of the Facility is located, as well as those persons and agencies enumerated in 16 NYCRR § 1000.6.

The Application includes, among other things: an analysis of the environmental setting of the Project, a description of the Project, including preliminary design drawings and related information; copies of reports, studies and plans submitted in support of the Application; and an assessment of impacts of construction and/or

operation of the Project relating to land use; consistency with State energy planning objectives, public health and safety; terrestrial ecology, water resources and aquatic ecology, communications, transportation and utilities; cultural, historical and recreational resources; visual, sound; electric magnetic fields; and impacts on the statewide electrical system.

Once the Application is filed and determined by the Siting Board to be complete, the Siting Board will schedule a public hearing on the Application. Upon filing the Application, Danskammer will provide intervenor funding in the amount of \$400,000 to be disbursed by the Siting Board to municipalities and other local parties to help pay expenses, including attorneys and consultants, associated with participating in the Article 10 process during the application review phase. Fifty percent (50%) of these intervenor funds are reserved for municipalities. The Siting Board will issue a notice of availability of application-phase intervenor funds. Requests for intervenor funds must be submitted to the Hearing Examiners within thirty (30) days after the issuance of such notice. A pre-hearing conference will be scheduled by the Hearing Examiners to identify intervenors, award intervenor funds, identify issues for the hearing, and establish a case schedule. Additional hearings regarding the Application and project impact assessments will be scheduled by the Hearing Examiners as needed. Article 10 requires that all proceedings on the Application, including a final decision by the Siting Board, must be completed within twelve (12) months of when the Application is determined to be complete.

All public documents filed in this proceeding, including the Application, may be accessed electronically at the DPS website at <http://www.dps.ny.gov>. To access documents, go to "Search," type the case number, "18-F-0325", and click "Search by Case Number." Documents may also be accessed using the direct link: (<http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=18-F-0325>) or by going to the Project-specific website maintained by Danskammer at <https://danskammerenergy.com/>.

Hard copies of the Application may also be examined during normal business hours at the Offices of the DPS at 3 Empire State Plaza, Albany, New York 12223, at the local project office located at 181 South Plank Road, Newburgh, New York 12250, or at the following public repositories: Newburgh Free Library, 124 Grand Street, Newburgh, New York 12550; Marlborough Free Library, 1251 Route 9W, Marlborough, New York 12542; Adriance Memorial Library, 93 Market Street, Poughkeepsie, New York 12603; and Blodgett Memorial Library, 37 Broad Street, Fishkill, New York 12524.

Any interested member of the public may file a request with the DPS Secretary to receive copies of all notices concerning the Project. Written requests should be sent to the DPS Secretary at secretary@dps.ny.gov or sent by mail to the following address:

Honorable Michelle L. Phillips
Acting Secretary to the Siting Board
NYS Board on Electric Generation Siting and the Environment
Empire State Plaza
Agency Building 3
Albany, New York 12223-1350

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