

From: Robert F. Kiedaisch Page 1 of 2

To: Christopher M. Hogan, NYSDEC Headquarters
625 Broadway
Albany, NY 12233
Re: CPV Valley Energy Center

Dear Mr. Hogan:

I am Co-President of Orange Environment Inc. and a longtime resident of the Town of Warwick, Orange County. The following comments reflect some of the concerns I have with the proposed modifications to the air permit and the proposed emission reduction credits (ERCs).

The plant will be located in a federal air quality non-attainment area for ozone and certain particulate matter. The facility has purchased its ERCs from sources in Pennsylvania.¹ Under 6 NYCRR Part 231 there must be an evaluation of net air quality benefits and net impacts. It is urged that this be done with specificity. Even though air impacts can be regional and reduction in one area can overtime benefit the region, the impacts should also be evaluated over the short term, day by day or even portions thereof. Over the past few years, Clean Air NY has issued poor air quality warnings for many days for areas that include Wawayanda. On each and every one of these days, the local residents, especially those with respiratory problems, are subject to health risks and thus are urged to modify their behavior for that day.

Present factors combined with anticipated future developments should be considered. Wawayanda is located in Orange County, home to major interstate routes 87, 84 and future 86 now State Route 17. Two of these pass right through Wawayanda and/or adjacent areas. In addition to the obvious attraction this provides for future commercial and/or industrial development in this area, there are other important considerations. These routes function as a bypass around New York City for travel and trade between various areas including between New England and all points south of New York. This travel cannot be expected to lessen but only to grow since New York City can do little to alleviate congestion given the unavailability in NYC of the space needed for additional highways. Added to this, especially on weekends, is the recreational attraction of nearby areas including the mountains, forests and rivers of Sullivan and Ulster Counties and the resulting traffic that must pass through Orange County on the aforementioned interstates. Now, also, Governor Cuomo has made it very clear that he is serious about promoting casinos and taking other measures to further increase the recreational attraction of these areas.

Given the above, evaluation must be made of the ERC's net impact on Wawayanda air quality on a daily basis since poor air quality and associated serious health risks can be present one day but not the next. Consider for example, a hot stagnant Friday afternoon in the summer, when commercial traffic is still on the roads, along with locals travelling to their homes and weekenders passing through on their way to the recreational spots. (And if there are casinos in the future, experience with roadways leading to Atlantic City and/or the casino area of Connecticut indicates there will be substantial additional

Footnote 1. Back on December 8, 2006, the Pittsburgh Business Times reported that the market was shrinking for ERC source American Video Glass' major product, CRT television screens.

traffic increase). On such a day, it must be evaluated how the proposed CPV facility would impact air quality in that place (Wawayanda area) at that time (that Friday afternoon). If the ERC's are from sources not nearby, can they, at that particular time, offset the emissions from the CPV facility, and achieve the important offset objective of providing a health benefit to the people in the Wawayanda area? In other words, on such a day, how does air quality with the plant operating with the offset, compare with what the air quality would be if there was no CPV plant and no offset? It would seem that for that day and place, the ERCs would have to originate from very nearby sources to meet the requirements and fulfill the objectives of 6 NYCRR 231.

My comments made to the lead agency in 2009 discuss to some extent the modifications at issue during this comment period. Therefore I am appending that 3 page document.

Thank you for your consideration.

Respectfully submitted,

Robert F. Kiedaisch
PO Box 1268 Greenwood Lake, NY 10925
Dated: June 7, 2013