

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Environmental Permits

625 Broadway, 4th Floor, Albany, New York 12233-1750  
P: (518) 402-9167 | F: (518) 402-9168 | [deppermitting@dec.ny.gov](mailto:deppermitting@dec.ny.gov)  
[www.dec.ny.gov](http://www.dec.ny.gov)

December 11, 2024

Marc Duquette  
Cricket Valley Energy Center LLC  
c/o Advanced Power Services (NA), Inc  
155 Federal St., 17<sup>th</sup> Floor  
Boston, MA 02110  
*Transmitted electronically to [mduquette@advanced-power.com](mailto:mduquette@advanced-power.com)*

**RE: Request for Additional Information  
Cricket Valley Energy Center, LLC  
DEC #3-1326-00275/00009**  
Air Title V Facility / Title IV (Phase II Acid Rain)  
Enhanced Public Participation Plan Review  
Town of Dover, Dutchess County

Dear Mr. Duquette:

The New York State Department of Environmental Conservation (DEC) has reviewed the updated application materials submitted on October 18, 2024, for the Cricket Valley Energy Center's (the Facility) application to renew the Article 19 Air Title V Facility Permit and Title IV (Phase II Acid Rain) Permit. DEC staff have previously provided comments regarding the justification materials provided for this renewal, and this Request for Additional Information specifically addresses comments on the Enhanced Public Participation Plan (EPPP). Based on our review of the updated EPPP, we have determined that additional information is required to make the necessary findings and determinations required by law, including pursuant to the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (CLCPA or Climate Act). Please review the comments below and submit a revised EPPP as soon as possible.

1. Please add the following contacts to the appropriate sections of the Stakeholder List submitted on October 18, 2024 (below):
  - Senator Michelle Hinchey- [hinchey@nysenate.gov](mailto:hinchey@nysenate.gov)
  - Richard Yeno, Town Supervisor, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [supervisor@dovernny.us](mailto:supervisor@dovernny.us)
  - Susan L. Jackson, Councilwoman, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [sjackson@dovernny.us](mailto:sjackson@dovernny.us)
  - James Murphy, Deputy Supervisor, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [jmurphy@dovernny.us](mailto:jmurphy@dovernny.us)
  - Jan Maluda, Councilman, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [jmaluda@dovernny.us](mailto:jmaluda@dovernny.us)
  - Roy Thomas Holmes, Councilman, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [rholfmes@dovernny.us](mailto:rholfmes@dovernny.us)
  - Katherine E. Palmer-House, Town Clerk, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [townclerk@dovernny.us](mailto:townclerk@dovernny.us)
  - Paul Johnston, Code Enforcement Officer, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [codeenforcement@dovernny.us](mailto:codeenforcement@dovernny.us)



Department of  
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- Jason Sartori, Highway Superintendent, Town of Dover 127 East Duncan Hill Road, Dover Plains, NY 12522 [highway@doveryny.us](mailto:highway@doveryny.us)
  - Ryan Courtien, Chief, Planning Board, Town of Dover 126 East Duncan Hill Road, Dover Plains, NY 12522 [rcourtien@doveryny.us](mailto:rcourtien@doveryny.us)
  - Dr. David Fine, Superintendent, Dover UFSD 2368 Route 22, Dover Plains, NY 12522 [david.fine@doverschools.org](mailto:david.fine@doverschools.org)
  - John Paul Aubry, Fire Chief, J.H. Ketchem Hose Company P.O. Box 706, Dover Plains, NY 12522 [dovervfd.com](http://dovervfd.com)
  - Evan van Hook, Co-Chair, Conservation Advisory Council 126 East Duncan Hill Road, Dover Plains, NY 12522 [townclerk@doveryny.us](mailto:townclerk@doveryny.us)
  - Andrew House County-Legislator, Dutchess County Legislature, P.O. Box 99, Dover Plains, NY 12522 [ahouse@dutchessny.gov](mailto:ahouse@dutchessny.gov)
  - Anil Beephan, Jr., Assemblyman, New York State Assembly LOB Room 528, Albany, NY 12248 [beephana@nyassembly.gov](mailto:beephana@nyassembly.gov)
  - The Concerned Citizens of Dover  
<https://www.savedover.org/> [concernedcitizensofdovery@gmail.com](mailto:concernedcitizensofdovery@gmail.com)
  - Dutchess Land Conservancy, 4289 Route 82 - PO Box 138, Millbrook, NY 12545 La Mesa 12 Reimer Ave., Dover Plains, NY 12522
  - St James Episcopal Church, Mill St., Dover Plains, NY 12522
  - Dover Plains Second Baptist Church, 29 Mill St., Dover Plains, NY 12522
  - St Charles Borromeo Church, 62 Mill St., Dover Plains, NY 12522
  - World Olivet Assembly, 115 Dover Furnace Rd., Dover Plains, NY 12522
  - Kingdom Hall of Jehovah's Witnesses, 101 E Duncan Hill Rd., Dover Plains, NY 12522
  - San Silverio Shrine, 694 Old Rte 22, Dover Plains, NY 12522
  - Charlie Quimby, [charlesquimby@mac.com](mailto:charlesquimby@mac.com)
2. Please note that meeting invitations shall be mailed when addresses are available, and emails shall only be used as a secondary option, with the confirmed receipt option used.
  3. Section V. Public Outreach Activities/Public Meeting
    - a. The third paragraph in this section indicates "as this is a simple permit renewal request with no planned changes to the facility or emissions profile, the applicant believes a single public meeting, as described above, is sufficient." DEC has consulted with our Office of Environmental Justice and determined that two meetings are required for this EPPP. This will ensure that members from the disadvantaged community have the opportunity to attend, participate, and comment on the proposed application.
  4. Please note that the document repository must be live and populated before the DEC can approve the draft EPPP.
  5. The final meeting dates and times must be approved by DEC before the EPPP can be approved for implementation.
  6. The final CLCPA analysis and any mitigation measures proposed to satisfy Section 7(2) and Section 7(3) of the CLCPA should be included as an appendix to the draft EPPP.

If you any questions or concerns moving forward, please feel free to contact me at any time by phone or email.

Sincerely,

A handwritten signature in blue ink, appearing to read "Evan H. Hogan", is written over a horizontal line.

Evan H. Hogan  
Environmental Analyst II  
Bureau of Energy Project Management

CC: Mark Lanzafame, NYSDEC CO DAR  
Michael Higgins, NYSDEC CO DEP  
Henry Tranes, NYSDEC CO OGC  
Alyssa Arket, NYSDEC R3 DAR