

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Environmental Permits

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December 14, 2018

Donald Atwood  
CPV Valley, LLC  
50 Braintree Hill Office Park  
Suite 300  
Braintree, Massachusetts 02184

## **RE: Notice of Incomplete Applications; CPV Valley Energy Center; Title V and Title IV**

Dear Mr. Atwood:

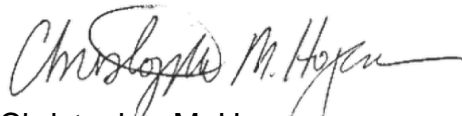
Staff of the New York State Department of Environmental Conservation (DEC) has reviewed the resubmission dated November 16, 2018 for the Title V and Title IV applications submitted pursuant 6 NYCRR Part 201 for the CPV Valley Energy Center (Facility). Based on a review of the additional information, DEC staff has determined that the applications remain incomplete pursuant to 6 NYCRR Part 621 (Uniform Procedures). For the DEC to complete its review of the applications, the following information must be submitted:

### **Revised Stack Test**

Pursuant to U.S. Environmental Protection Agency stack test methods compliance must be based upon the average of three valid tests runs for each unit. Based upon a review of the Method 201A portion of the May 8-9, 2018 stack test report and the backup lab data for oil firing, multiple runs had negative filter weight gains that bring into question the validity of the test. Additionally, the blank correction factor used was ten times what is permitted in the method. As a result, the Facility must rerun the Method 201A and Method 202 stack test for oil firing and submit the test report and backup data for DEC review.

The information requested above is required for DEC staff to complete its technical review and to prepare draft Title V and Title IV permits. The DEC cannot deem the applications complete until draft permits are prepared and notice is provided to the U.S. Environmental Protection Agency.

Sincerely,

A handwritten signature in black ink that reads "Christopher M. Hogan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christopher M. Hogan  
Chief, Major Project Management Unit

CC: via email  
R. Leistensnider, Nixon Peabody  
G. Sweikert, RAPCE  
K. Turturro, RD R3  
K. Gibbs  
M. Sanza