Comment No.	Question / Comment	Response
1	How was the environmental justice study area defined ?	The environmental justice study area was defined in accordance with CP-29 requirements, consistent with Valley's prior public participation plan, and in consultation with NYSDEC.
2	How were environmental justice communities identified?	The stakeholder list was developed in consultation with NYSDEC by identifying stakeholders from the following categories: local government and elected officials; business owners, residents, and occupants; local civic, community, environmental and religious organizations; local news media; and schools. Valley submitted a proposed stakeholder list to NYSDEC for review. Valley revised and updated its stakeholder list based on NYSDEC comments.
3	What were the public notice protocols for Valley's CP-29 Plan?	Valley utilized a range of engagement strategies and public outreach activities to facilitate participation and involvement. Valley distributed written information and materials, including a public participation plan, meeting notices, and fact sheets. All public outreach materials and information were prepared and presented in an easy-to-read, understandable format, using plain language free of legal terminology, and geared towards a non-technical audience. The public meeting notices and fact sheet were made available and disseminated in both English and Spanish. The public meeting notice was emailed and/or direct mailed to the stakeholders identified in Appendix A of the PPP. The PPP and meeting notices were also hand delivered to Town of Wawayanda and City of Middletown officials. At NYSDEC's request, Valley also posted fact sheets and meeting notices in both English and Spanish at Middletown Family Housing and at Horizon Wawayanda. Notice was also published at least two weeks in advance of the public virtual meeting in the Times Herald-Record which is a weekly newspaper printed, published, and circulated in the City of Middleton and Town of Wawayanda. Finally, the public meeting notices were posted and available on Valley's online document repository.
4	Will Valley host a community site visit to facility?	Various interested parties have reached out to Valley to request a site visit to the facility which Valley is currently in the process of scheduling. Donald Atwood or Scott Kjellberg can be reached at datwood@cpv.com or skjellberg@cpv.com to request a site visit to the Valley Energy Center (VEC). If a request is made for a site visit of the VEC, please type "Request for a VEC Site Visit" in the subject line of the email and either Donald Atwood or Scott Kjellberg will respond to coordinate a site visit for interested parties.
5	Was current census data used to identify environmental justice communities?	Yes, Valley used the most current census data available, including resources available on NYSDEC's Maps & Geospatial Information System (GIS) Tools for Environmental Justice.

6	What is Valley's timeline for implementation of its proposed CLCPA mitigation ?	CPV has ongoing meetings with our local partners on the potential programs and initatives. Once the Title V is issued and the program is approved by the NYSDEC, Valley intends to fund and implement.
7	How efficient is the facility?	The VEC is one of the state's documented newest, most efficient, and highly flexible generating units. Please refer to Valley's response to Question/Comment #8 further addressing this Question/Comment.
8	Is there third party verification that Valley is one of the state's most efficient plants?	As part of Valley's Second Supplemental Response to the NYSDEC dated April 22, 2022, Valley commissioned TRC Companies, Inc. (TRC) to undertake and update co-pollutant calculations based in part, on actual reported emissions data for each of VEC's six emission sources, rather than projected emissions data previously used in the Environmental Impact Statement (See Attachment 5 of the Second Supplemental Response to the NYSDEC dated April 22, 2022). Valley also commissioned ICF Resources, LLC (ICF) to undertake an evaluation of the impacts of the NYSDEC imposing operational limitations on the operational capabilities of the VEC (See Attachment 2 of the Second Supplemental Response to the NYSDEC dated April 22, 2022). Both the TRC and ICF evaluations and calculations conclude that the VEC is one of New York States most efficient fossil generating facilities. Valley's Second Supplemental Response to the NYSDEC dated April 22, 2022 (including Attachments 2 & 5) is available on Valley's document repository.
9	What is Valley's intent to provide power directly to crytptocurrency operations?	The VEC does not intend on providing power directly to crytptocurrency operations.
10	What is Valley's ability to respond to immediate need?	The VEC is one of the state's documented newest, most efficient, and highly flexible generating units. The VEC is precisely the type of highly efficient and dispatchable generation that is required to reliably transition the State of New York to the increased use of intermittent renewable generation and energy storage to meet the requirements of the CLCPA. The VEC changes its level of electricity production on a continuous basis to meet the electricity production requirements as directed by NYISO.

11	Is there a need for Valley's additional generation capacity?	Valley previously submitted the New York Independent System Operator's (NYISO) March 9, 2022 Additional Reliability Study (Study), and the (April 21, 2022 Hudson Energy Economics, LLC (HEE) Study analysis (Study Analysis) in support of Valley's Application to the New York State Department of Environmental Conservation (NYSDEC). As detailed in the Study Analysis, without the VEC as a generation resource (i) the loss of load expectation increases significantly and would exceed the resource adequacy criterion in 2031 and barely meet targets in 2030; (ii) a Transmission Security Analysis assuming no forced outages on generating units shows insufficient resources to meet the peak load plus operating reserve requirement in 2030; (iii) recognizing the risk of historic unit outage rates the NYISO will have insufficient resources to meet peak load plus reserves in every year from 2023 through 2031; (iv) assuming no forced outages on generating units the system will be 845 MW short of meeting 90/10 heatwave peak plus reserves in 2023 and more than 1,400 MW short in 2031; and (v) assuming historic generating unit outage rates the system would have insufficient resources to meet the 90/10 peak load in 2025 and would fail to meet the peak load by 540 MW in 2031. The Study and Study Analysis was provided to the NYSDEC as part of Valley's Second Supplemental Response to the NYSDEC dated April 22, 2022 and is available in Valley's data repository.
12	How does the July 2023 NYISO Star Study impact Valley?	The 2023 STAR study clearly demonstrates that New York needs the VEC to maintain reliability. Previous studys demonstrated a reliability need in the later years, however, the updated STARS report illustrated that New York is incapable of meeting peak plus reserves at any point in the next 10 years without the VEC.
13	Was a co-pollutant analysis performed?	Yes, Valley's third-party consultant TRC performed a co-pollutant analysis and the results were reported in Valley's January 9, 2023 submission to the NYSDEC and available on Valley's document repository.
14	What methodology was used for the co-pollutant analysis?	Valley's January 9, 2023 submission to the NYSDEC includes TRC's co-pollutant analysis / report as Attachment 1. Methodologies, findings, and impacts are discussed therein.
15	What are the co-pollutant impacts to nearby neighbors?	Valley's January 9, 2023 submission to the NYSDEC includes TRC's co-pollutant analysis / report as Attachment 1. Methodologies, findings, and impacts are discussed therein.
16	What are the impacts from use of diesel as a backup fuel?	Valley's January 9, 2023 submission to the NYSDEC includes TRC's co-pollutant analysis / report as Attachment 1. Methodologies, findings, and impacts are discussed therein.
17	What are the impacts of PM(2.5)?	Air dispersion modeling of the VEC PM2.5 emissions was performed. See the response to question 28. The maximum predicted impacts of the VEC PM2.5 emissions were less than the applicable NAAQS.
18	Was there dispersion	Air dispersion modeling was performed. See the response to question 17.

	modelling performed?	
19	What are Valley's emissions impact on climate change and on the CLCPA requirements?	Climate change results from an increase in global atmospheric greenhouse gas concentrations from the incremental emissions of greenhouse gases from a multitude of individual emission sources. See response to question 8.
20	What types of emissions will be emitted?	Emissions from VEC include: (i) Criteria pollutants [carbon monoxide, nitrogen dioxide, ozone precursors (volatile organic compounds and nitrogen oxides), respirable particulate matter, fine particulate matter, lead, and sulfur dioxide, greenhouse gases. (ii) Greenhouse gases (carbon dioxide, methane, and nitrous oxide). (iii) Hazardous air pollutants (see https://www.epa.gov/haps/initial-list-hazardous-air-pollutants-modifications). (iv) New York State air toxics (see https://www.dec.ny.gov/chemical/8568.html).
21	Are the facility quarterly emissions reports available ?	Valley reports emissions data to the NYSDEC and the EPA. That information is publicly available through the EPA's Clean Air Markets Program Data (CAMPD) at https://campd.epa.gov/data.
22	Is there real-time air monitoring at the facility?	Emissions at the VEC are monitored on a continuous basis utilizing a continuous emissions monitoring system (CEMS).
23	What is the onsite methane leakage?	The equipment used at the VEC is properly maintained and is not subject to substantive methane leaks.
24	What is the upstream methane leakage?	See the response to question 25.

25	What are the impacts / benefits on use of certified gas?	If GHG mitigation is required by NYSDEC, Valley has offered to accept a permit condition that requires 100% of the VEC's natural gas fuel input to be procured with MiQ Standard certified natural gas (MiQ Certified Gas) with Grade A Certificates (MiQ Certificates) from the MiQ Digital Registry or if MiQ Certified Gas or such MiQ Certificates are no longer available, then a similar grade of certified natural gas and certificates from a reputable independent third party provider. Grade A MiQ Certified Gas provides for (i) the lowest calculated methane intensity, (ii) the most frequent auditing by accredited 3rd party certifying bodies, and (iii) the most stringent policies and procedures for methane emissions management encompassed within the MiQ Standard. Purchasing MiQ Certified Gas for its natural gas requirements at the VEC is a meaningful and independently verifiable GHG mitigation measure. Broadly, MiQ Certified Gas is natural gas that has been verified by an independent 3rd party to have been produced in a manner consistent with certain environmental, social and governance standards that results in a significantly reduced GHG emission impacts. One of the fundamental goals of natural gas certification is to reduce methane emissions while providing companies measurable verification that they are making impactful changes to natural gas facilities operations. The MiQ Standard is an independent framework for assessing methane emissions that occur as a result of the production of natural gas. MiQ is an independent, not for profit foundation that was established for the primary purpose of accelerating methane emissions reductions in the natural gas sector. Currently, MiQ is certifying approximately 15 bcf/day of natural gas in the United States representing approximately 4% of global natural gas production. The MiQ Standard established an A – F grading system for methane emissions that independent 3rd party auditors use during the certification process for natural gas facilities. The A – F grading system is based on three criteria: 1. Methane Intensity; 2. Monitoring Technology Deployment; and 3. Company Practices. As defined by the MiQ Standard, methane intensity is the ratio of methane emissions produced relative to the amount of natural gas produced, which is a baseline indicator of methane emissions performance. Methane intensity is a significant criterion in that it provides an indication of whether a natural gas facility's design will achieve minimal inherent methane emissions, and to the greatest extent possible, eliminates the potential for fugitive methane emissions. By way of example, utilizing Appendix A Table A1 "Emission Factors for Use by State Agencies and Applicants" from the 2022 Statewide GHG Emissions Report, and utilizing the Emission Factors for MiQ Certified Gas, based on the VEC's average annual natural gas consumption of approximately 32,500,000 MMBtu-Year (rounded) for the years 2020 – 2022, VEC can reduce its upstream total annual CO2e by nearly 1 million metric tons per year (rounded) using MiQ Certified Gas. This represents an approximate 70% (rounded) reduction in upstream total annual CO2e as compared to Appendix A 2022 Emission Factors utilized by the NYSDEC.

26	Whare is the fuel used at the facility sourced?	The VEC uses responsibly sourced pipeline quality natural gas.
27	Was methane emissions and leakage correctly reported on the environmental assessment form?	The SEQRA EAF correctly reported that there will be no methane generated at the facility. The EAF will be revised to include relevant 40 CFR 98 Subpart C Table C-2 factors. Any updates to the EAF is available on Valley's document repository.
28	What are the localized public health impacts related to facility operations?	Air dispersion modeling was performed to assess the public health impacts of the VEC air emissions. The modeling used EPA models and followed EPA and NYSDEC guidelines. The maximum predicted impacts of the VEC air emissions were less than health-based standards established by EPA National Ambient Air Quality Standards (NAAQS)] and NYSDEC short-term guideline concentrations (SGC) and annual guideline concentrations (AGC). The NAAQS are reviewed and updated as necessary every five years. The SGC and ACG are reviewed and updated every three years.
29	Is there data on local asthma rates ?	Data is provided on the New York State Asthma dashboard. https://webbi1.health.ny.gov/SASStoredProcess/guest?_program=/EBI/PHIG/apps/asthma_dashboard/ad_dashboard&p=it&ind_id=ad16
30	Was there a Department of Health assessment performed?	Short-term and annual guideline concentrations (see response to question 28) are established and updated by the NYSDEC in consultation with the NYSDOH. The NYSDOH does not approve the air dispersion modeling or the air permit which falls under the purview of the NYSDEC.
31	What are the impacts on agricultural lands ?	Valley's application to continue its current operations under a Title V permit does not impact agricultural lands. No construction, expansion, or other land disturbance activities are proposed.
32	What are the impacts related to use of greywater for steam turbines?	There are no impacts related to the use of greywater for VEC's steam turbine. After receipt of the greywater from the City of Middletown, additional on-site treatment of the greywater is conducted before use at the VEC facility.
33	Is data for the wastewater used at the facility available?	Wastewater discharge data is provided to the City of Middletown as required under Valley's Industrial Pretreatment Program Wastewater Discharge Permit with the City of Middletown.
34	What are the impacts on eagles?	Valley is not aware of any ongoing impacts of the VEC facility on the eagle population.

35	What are the impacts related to on-site ammonia storage?	Valley is not aware of any impacts associated with on-site ammonia storage at VEC.
36	How adequate is physical security at the facility?	Physical security at the VEC facility is provided for by (i) fencing around the entire perimeter of the VEC site, (ii) a mechanical front entrance gate controlled (opened/closed) by personnel in the VEC operations control center, (iii) 24 hours/day, 7 days/week staffing of the VEC facility, and (iv) numerous on-site cameras which display in the VEC operations control center which are manned 24 hours/day, 7 days/week.
37	Is there an emergency response plan?	Yes. There is an Emergency Response Plan in place for the VEC.
38	How is Valley authorized to operate on an ASF?	Valley's timely submission of its application for a Title V permit triggers the automatic permit extension provision in the State Administrative Procedures Act which authorizes the facility to operate under its Air State Facilities permit until NYSDEC issues a Title V permit decision.
39	Is Valley fit to be a permit holder given investigations of past employees?	The investigation involved a single CPV employee. At not point where the permits tied to the investigation, a fact the prosecutor and judge made clear during the trial. After a multi year investigation federal investigation and trial, the court determined that CPV was the victim of the fraud, not the perpetrator. The company was awarded restitution during the penalty phase to recoup the funds that were lost due to the fraudulent activities.
40	Are there updates to the environmental impact statement related to environmental justice ?	Valley has provided updated and supplemental information regarding environmental justice communities and disadvantaged communities in the following submissions to NYSDEC: October 7, 2021; January 9, 2023. These documents are available on Valley's document repository.

41	What differentiates Valley from the Danskammer and Astoria Title V applications?	The Danskammer and Astoria Title V applications were proposed projects to bring new generation online. NYSDEC denied both applications on the basis that those applicants had not demonstrated that their projects were justified, meaning neither applicant showed that there was a short term or long term reliability need for their respective projects. In addition, neither applicant proposed any additional GHG mitigation measures under the CLCPA, beyond those required by other existing regulations. Valley's application is materially different than the Danskammer and Astoria Title V applications. First, Valley does not propose "a new fossil fuel-fired electric generation facility", rather, Valley has an existing and operating state-of the art facility identified as one of the cleanest and most efficient plants that currently contributes to the existing electrical grid. Second, NYISO relies on Valley's generation capacity as set forth in NYISO's Additional Reliability Study specific to Valley's facility showing Valley's short term or long term reliability need. Finally, Valley has proposed mitigation measures (including use of certified gas with reduced upstream GHG emissions) that go beyond what is required under law that will result in substantial reductions in overall GHG emissions and will have quantifiable localized benefits.