

Brenda D. Colella  
Partner

November 23, 2021

**VIA OVERNIGHT DELIVERY AND E-MAIL**

Daniel Whitehead  
Director, Division of Environmental Permits  
New York State Department of Environmental Conservation  
625 Broadway, 4<sup>th</sup> Floor  
Albany, NY 12233-1750

John Petronella  
Regional Permit Administrator, Region 3  
21 South Putts Corners Rd.  
New Paltz, NY 12561-1620

**Subject: Request for Adjudicatory Hearing on Notice of Denial of Title V Air Permit, Danskammer Energy Center, Town of Newburgh, New York (DEC ID: 3-3346-00011/00017), dated October 27, 2021**

Dear Messrs. Whitehead and Petronella,

By this letter, Danskammer Energy, LLC, formally requests an adjudicatory hearing regarding the denial of its Title V Application, as set forth in the Notice of Denial issued by Mr. Whitehead on October 27, 2021, as referenced above (“Notice”).

In accordance with 6 NYCRR 621.10(a)(2), the applicant may request a hearing by writing to the regional permit administrator *or* the chief permit administrator, as instructed in the decision notification. The Notice did not include instructions as to whom this request should be directed; we have accordingly directed this request to both Mr. Daniel Whitehead, Director, Division of Environmental Permits and to Mr. Petronella, as Regional Permit Administrator. We are also providing a copy of this request to the Chief Administrative Law Judge as required by 6 NYCRR 621.10(a)(2) and the Chief Permit Administrator, among others.

Messrs. Whitehead and Petronella

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Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

/s/ Brenda Colella

Brenda D. Colella

*Counsel for Danskammer Energy, LLC*

cc: **By UPS**

J. McClymonds, Chief Administrative Law Judge  
Office of Hearings and Mediation Services, NYSDEC 625 Broadway.  
Albany NY 12233  
Chief Permit Administrator, NYSDEC

ecc: **By Email**

M. Sanza, NYSDEC  
T. Berkman, NYSDEC  
J. Binder, NYSDEC  
S. Crouse, NYSDEC  
M. Higgins, NYSDEC  
S. Hagel, NYSDEC  
M. Lanzafame, NYSDEC  
J. Garcia, Danskammer  
M. Hook, Danskammer  
M. Keller, TRC  
D. Mettler-LaFeir, Barclay Damon  
P. Naughton, Barclay Damon  
Secretary of NYS Board of Electric Generation Siting and the Environment (Siting Board) and all parties to Case 18-F-0365 before the Siting Board