



ORGANIZING *for* HEALTH *and* JUSTICE

August 13, 2021

VIA ELECTRONIC SUBMITTAL

John B. Howard, Interim Chief Executive Officer
Hon. Michelle L. Phillips, Secretary to the Commission
James A. Denn, Public Information Officer
New York Department of Public Service Commission
Empire State Plaza, Agency Building 3
Albany, NY 12223-1350

RE: Fortistar North Tonawanda, North Tonawanda, New York
Fortistar North Tonawanda, Inc.
Case Number: 21-M-0238

Dear Mr. Howard, Ms. Phillips, and Mr. Denn,

The Clean Air Coalition of Western New York (Clean Air) writes to oppose the transaction approval for the Fortistar of North Tonawanda property under the New York State Public Service Law Sections 70 and 83.

Clean Air was founded by Western New York residents concerned about the environmental health in their neighborhoods and who demanded an active role in the decisions that impact their communities. Clean Air organizes multiple Western New York communities around environmental health and justice issues, and makes the WNY region a healthier and greener place to live by developing grassroots leadership particularly among working class people and people of color, facilitating and supporting campaigns that their members lead, building and aligning shared interest to advance equity and community well-being, and by taking collective action.

Clean Air has major concerns regarding the proposed use of the former power plant as a natural gas-powered cryptocurrency mining operation.

Digihost's proposed operation will exacerbate climate impacts from the burning of fossil fuel, actively hamper NYS's progress towards these goals, and emit harmful contamination.

A report released by Intergovernmental Panel for Climate Change on August 9, 2021 states that "it is unequivocal that human influence has warmed the atmosphere, ocean and land," that "warming is driven by emissions from human activities," and is "largely driven by emissions from fossil fuel exploitation" including petroleum, coal, and natural gas. Additionally, The New

York State Climate Leadership and Community Protection Act (CLCPA) set the nation's most aggressive climate targets, including an 85% reduction in greenhouse gas emissions by 2050, and 70% renewable energy by 2030.

Digihost's plans to utilize natural gas to power the 60 MW facility is a cynical play to profit off of ecological destruction and our burning planet. In a recent Buffalo News article Digihost declared that they will be utilizing "sustainably-sourced renewable natural gas", an unproven technology that still generates greenhouse gas emissions and chemical byproducts, and in some cases **exceeds the carbon footprint of traditional natural gas combustion**.

In contrast to Digihost's public statements, their business plan is not clean, sustainable, or responsible. The Air Title V Facility Permit (9-2912-00059/0001) associated with the Fortistar plant indicates that the plant utilizes natural gas, diesel, and no. 2 fuel oil in power production, and in addition to CO₂ will emit CO, SO_x, NO_x, PM-10, and various VOCs, all of which have negative health and environmental impacts.

Finally, even if one takes Digihost's carbon-neutral claims at face value, cogeneration facilities must still source (including through fracking) and burn harmful fossil fuels. Fracked natural gas poisons water supplies and decimates local ecology. In addition, emitted water vapor in the form of generated steam is a potent greenhouse gas that will exacerbate global climate change even in the absence of carbon emissions.

Re-powering a decommissioned fossil fuel power plant using any type of fossil fuel, whether it be petroleum, coal, or natural gas directly hampers the goals of the CLCPA, New York's progress to a renewable energy economy, and hastens the destruction of the planetary climate. Additionally, re-powering a decommissioned fossil fuel plant so that a handful of foreign cryptocurrency investors get richer while impacting one of the poorest, most polluted communities in the nation is unconscionable. Clean Air urges that the NYSPCS deny the Transaction under PSL Sections 70 and 83 and or any other statutory or regulatory authority.

Sincerely,



Jennifer Carman
Chair, Board of Directors
Clean Air Coalition of WNY

JC:jb
