

New York State Department of Environmental Conservation

Division of Environmental Permits

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Alexander B. Grannis
Commissioner

March 25, 2010

Mr. Thomas L. Hagner
Upstate NY Power Corp.
950-A Union Road
Suite 20
Buffalo, New York 14224-3454

Re: Hounsfield Wind Farm, Town of Hounsfield, Jefferson County
DEC #: 6-2238-00193/00002 - Freshwater Wetlands
6-2238-00193/00004 - Water Quality Certification
6-2238-00193/00006 - Excavation & Fill in Navigable Waters
6-2238-00193/00001 - SPDES NY0270181
Article 11-0535 Special License #194 -- Incidental Take of State Listed Species

Dear Mr. Hagner:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permits for the above facility.

The State Pollutant Discharge Elimination System (SPDES) permit for the referenced facility authorizes the discharge of 21,550 gallons per day (gpd) average (for the first 3 years of construction, then 5,720 gpd), of treated sanitary waste to Lake Ontario. The permit term will begin on May 1, 2010 and expire on April 30, 2015. An application to renew this permit must be submitted to the Department at least 180 days prior to permit expiration pursuant to 6 NYCRR Part 621.11(b). Please be aware that an annual regulatory fee will be assessed. Questions regarding the regulatory fee should be directed to the Regulatory Fee Unit at 1-800-225-2566. Should you have any technical questions on permit content, please contact the Regional Water Engineer, Ann Rice, at (315) 785-2523.

In addition, this transmittal includes the Endangered/Threatened Species Special License #194 for Incidental Take of State Listed Species, issued by the Division of Fish, Wildlife and Marine Resources – Special Licenses Unit.

Please be reminded that Upstate NY Power Corp. is responsible for informing its contractors, employees, agents and assigns of their responsibility to comply with terms and conditions of these permits while acting as its agent with respect to permitted activities, and such persons are subject to the same sanctions for permit violations as prescribed for Upstate NY Power Corp.

Please read all terms and conditions of the permits carefully. If you have any questions, please contact me at (518) 486-9955.

Sincerely,



Stephen Tomasik
Project Manager
Energy Projects & Management Unit

enc: Permit
Discharge Permit
Special License

cc: T. Sccc, Town of Hounsfield Supervisor
D. Whelpley, Schwerzann & Wise
D. Ward, Young Sommer
A. Davis, DPS
T. Lyons, NYSOPRHP
J. Bonafide, NYSOPRHP
J. Zappieri, NYSDOS
S. Metivier, USACE
T. Sullivan, USFWS
L. Ambeau, RPA
S. Botsford, RWE
A. Rice, Permit Writer
C. Jamison, CO-BWP Permit Coordinator
NYSDOH District Office
J. Goeddertz, URS
USEPA Region II
DEC Review Team