

June 26, 2026

Matthew J. Fitzgerald
Partner
Phillips Lytle, LLP
One Canalside
125 Main Street
Buffalo, NY 14203-2887
MFitzgerald@phillipslytle.com

**Re: Air Quality Services for STAMP
STREAM Data Center SEQRA Submittal**

Dear Mr. Fitzgerald:

C&S Engineers, Inc. (C&S) has reviewed the updated generator information associated with locating a data center at the Science, Technology, and Advanced Manufacturing Park (STAMP) facility in the Town of Alabama, Genesee County, New York (the Project). The information, provided by Matthew Fitzgerald of Phillips Lytle on June 3, 2026, included generator drawings and specifications for 3 proposed propane generators at the STAMP facility, operated by Stream U.S. Data Centers, L.L.C. (STREAM). It should be noted that this evaluation only addresses the redundant power supply and does not address other potential sources of emissions, if any, associated with the data center.

This letter report summarizes the air quality sections of the State Environmental Quality Review Act (SEQRA) submittal (last revised on April 6, 2026), the applicable air regulatory requirements, and the air permitting implications of the data center. A qualitative analysis of impacts to the surrounding community, including the Tonawanda Seneca Nation (Nation), has also been provided for your information.

The following provides a summary of applicable items associated with the operation of the facility, based on the latest proposal provided in the Phillips Lytle email of June 3, 2026.

- STREAM will reduce the number of emergency generators required for the project to a maximum of 3, from 12.
- STREAM will use propane generators, instead of generators powered by diesel fuel.
- STREAM proposes to use the REHLKO Industrial Generator Set, 300REZXD 60 Hz (or similar units), operating on propane as the emergency power supply for the buildings. According to the specifications, the generator set is EPA-certified for Stationary and Mobile Emergency and Non-Emergency Applications.
- Criteria pollutant emission factors are from the Exhaust Emission Data provided in the 300REZXD specifications and AP-42, Section 3.2, Natural Gas-fired Reciprocating Engines.¹
- Greenhouse gas (GHG) emission factors are from Emission Factors for Greenhouse Gas Inventories, 40 CFR 98, Tables C-1 and C-2.
- During commissioning, each generator may run for an extended period, typically less than 20 hours.

¹ It is noted that STREAM has calculated particulate matter (PM) based on an emission factor of 0.055 lb/MMBtu, derived from data for propane gas engines from EPA's Default Emission Factors for Internal Combustion Engines (ICE) 2005. STREAM's emissions factor results in approximately 30% higher emissions calculations of PM.

- For monthly maintenance and reliability testing, each generator will run between 15 to 30 minutes at 0% load, with annual testing of less than 4 hours at maximum load.
- The estimated annual operating hours for each generator are not expected to exceed 50.
- The Potential to Emit (PTE) is based on 500 hours run time to maintain each generator being an exempt activity.

During construction, it is our understanding that STREAM will implement the following measures:

- Dust and particulate generation will be controlled through established best management practices (BMPs).
- Exposed soil, haul routes, and work areas will be regularly treated with water or approved dust suppressants, particularly during dry or windy conditions.
- Soil stockpiles will be stabilized or covered, and trucks transporting loose materials will be covered.
- Stabilized construction entrances and/or wheel washing systems will be implemented to reduce tracking of sediment onto public roadways.
- Odors will be minimized through proper material handling, storage, and site management practices. Materials that may generate odors, including fuels and certain construction products, will be stored in accordance with applicable regulations and manufacturer recommendations.
- Waste materials will be removed from the site regularly to prevent accumulation. Equipment will be inspected and maintained to prevent leaks, and odor-generating activities will be limited in duration and coordinated to minimize off-site impacts.
- General environmental controls will be enforced through routine inspections, compliance monitoring, and contractor accountability measures.
- Construction personnel will receive environmental awareness training, including spill prevention and response procedures.

The Nation has been involved in the approval process and provided preliminary comments, dated January 30, 2025 and April 16, 2026, regarding the project, with supplemental comments regarding project air emissions provided on May 15 & May 25, 2026 (Nation's Comments). The Nation's Comments highlighted the negative impact of diesel fuel combustion on disadvantaged communities and potential contribution of NO₂ and CO₂ on respiratory illnesses and cardiac symptoms. To reduce emissions from the Project, STREAM will use a maximum of 3 smaller propane generators, instead of 12 larger diesel generators, and the emission levels are substantially lower than those referenced in the Nation's Comments.

Analysis

C&S calculated the projected actual emissions and PTE for criteria pollutants and GHGs. **Table 1** summarizes the estimated fuel usage and criteria pollutant emissions, while **Table 2** provides the calculation of GHGs.

The actual emissions were based on 50 hours of operation per year. PTE was based on the regulatory definition for an emergency generator, operating 500 hours per year in accordance with 6 NYCRR Section 200.1(cq). Both the actual emissions (based on 50 hours) and PTE (based on 500 hours) are below ½ the applicable Major Source Thresholds for criterial pollutants.² Therefore, STREAM will not be required to apply for an Air State Facility (ASF) Permit or Air Facility Registration (AFR) from the New York State Department of Environmental Conservation (NYSDEC).

² As discussed above, STREAM's emission factor for PM provides a more conservative calculation of PM emissions. However, even based on STREAM's emission factor for PM, the calculated PM PTE emissions are still well below 1/2 the applicable Major Source Thresholds for criterial pollutants.

Regulatory Review

According to 6 NYCRR 201-3.2(c)(6), emergency power generating stationary internal combustion engines as defined in Section 200.1(cq) are considered an “exempt activity.” Stationary internal combustion engines used for peak shaving and/or demand response programs are not exempt.

Emergency power generating stationary internal combustion engines are defined in Section 200.1(cq) as a stationary internal combustion engine that operates as a mechanical or electrical power source only when the usual supply of power is unavailable and operates for no more than 500 hours per year. The 500 hours of annual operation for the engine includes operation during emergency situations, routine maintenance, and routine exercising (for example, test firing the engine for one hour a month to ensure reliability). If a state disaster emergency is declared pursuant to Section 28 of the New York State Executive Law, the 500-hour limitation is suspended for the duration of the state disaster emergency. A stationary internal combustion engine used for peak shaving generation or demand response programs is not an emergency power generating stationary internal combustion engine.

However, 6 NYCRR 201-3.1 indicates that an emission source listed as an exempt or trivial activity is exempt from the registration and permitting provisions, but not exempted from other applicable requirements. Since no parameter’s PTE exceeds a major source threshold, an Air Facility Registration (AFR) is not required for the project. In addition, New Source Review requirements in 6 NYCRR 231 are not applicable.

Although the facility will not be required to obtain an AFR, STREAM would still be subject to comply with the following Federal and State regulations:

- New Source Performance Standard (NSPS), 40 CFR 60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines
- National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR 63 Subpart ZZZZ
- 6 NYCRR Part 200 (General Provisions)
- 6 NYCRR Part 201 (Permits and Registrations)
- 6 NYCRR Part 227 (Stationary Combustion Installations)

Qualitative Analysis of Impacts

Air emissions associated with combustion of fuels can potentially have an impact on the surrounding community as well as contribute to climate change with the release of GHGs. In addition, there will be minor temporary air quality impacts associated with construction of these facilities. Genesee County is classified as in attainment for parameters subject to National Ambient Air Quality Standards (NAAQS).

The Nation’s Comments expressed concern with the negative health impact of diesel fuel combustion on disadvantaged communities and potential contribution of NO₂, N₂O and CO₂ on respiratory illnesses and cardiac symptoms.

The emergency generators are smaller and will now combust propane, not diesel fuel, and the planned operating times are less than 50 hours per year. Therefore, the potential impact on the Nation and surrounding community are well below the levels analyzed in the initial STAMP Draft Generic Environmental

Impact Statement (GEIS). These levels of emissions from the project will not result in any violation of NAAQS.³ In addition, it is believed that prevailing winds travel west to east across the Nation's Territory through the STAMP Site, such that any emissions from the project, on balance, would typically travel away from the Nation Territory.

Temporary air quality impacts typical of any construction project, such as dust from material movement, are likely to occur during construction. The SEQRA document outlines a number of BMPs that STREAM plans to utilize to minimize dust, particulates, and odors. These practices include exposed soil, haul routes, and work areas being watered; soil stockpiles stabilized; trucks transporting loose materials being covered; implementing stabilized construction entrances; storing materials in accordance with applicable regulations and/or manufacturer recommendations; removing waste materials regularly to prevent accumulation; and conducting inspections and employee training.

Climate Leadership and Community Protection Act

The New York State CLCPA went into effect January 1, 2020 (Chapter 106 of the Laws of 2019) and includes economy-wide requirements to reduce GHG emissions in New York State by 40% below 1990 levels by 2030, and 85% below 1990 levels by 2050. When issuing permits, Section 7(2) of CLCPA requires all state agencies to consider "whether such decisions are inconsistent with, or will interfere with, the attainment of the statewide GHG emission limits established in Article 75 of the environmental conservation law." This policy applies to all applications for permit actions received by the NYSDEC.

Since the facility is not required to obtain an Air Permit, a CLCPA analysis is not required. **Table 2** provides an estimate of the actual and PTE for GHG emissions associated with the STREAM Project.

We appreciate this opportunity to provide environmental services for Phillips Lytle, LLP. If you have any questions regarding this report or require any additional information, please contact me.

Very truly yours,

C&S ENGINEERS, INC.



John R. Trendowski, P.E., LEED AP
Senior Principal

³ As discussed above, STREAM's emission factor for PM provides a more conservative calculation of PM emissions. However, even based on STREAM's emission factor for PM, the calculated PM PTE emissions are still well below the NAAQS for PM and will not result in any violation of same.

Table 1
Criteria Pollutant Summary of STREAM Data Center Proposal

Projected Actual Operations	STREAM Project
Number of Generators	3
Annual Generator Operating Time (hours)	50
Total Generator Operating Time (hours)	150
Maximum Horsepower/Generator	398
Maximum Horsepower (Total)	1,194
Annual Fuel Usage (cubic feet)	164,250

STREAM Annual Fuel Usage based on operating hours multiplied by 1,095 cubic feet/hour of propane.

Estimated Actual Emissions	Emission Factors	Actual Emissions (lb/yr)	Actual Emissions (tpy)
Oxide of Nitrogen (NOx) in g/HP-hr	0.0224	2.95	0.001
Volatile Organic Compounds (VOCs) in g/HP-hr	0.0000	0.00	0.000
Carbon Monoxide (CO) in g/HP-hr	0.1790	23.56	0.012
Particulate Matter (PM) in lb/MMBtu	0.0384	15.77	0.008
Sulfur dioxide (SO2) in lb/MMBtu	0.000588	0.24	0.00012

Emission factors for NOx, CO and VOC taken from the Exhaust Emission Data provided in the 300REZXD specifications.

Emission factors for PM and SO2 taken from AP-42, Section 3.2 Natural Gas-fired Reciprocating Engines.

Potential to Emit (PTE)	STREAM Project
Number of Generators	3
Annual Generator Operating Time (hours)	500
Total Generator Operating Time (hours)	1,500
Maximum Horsepower/Generator	398
Maximum Horsepower	1,194
Annual Fuel Usage (cubic feet)	1,642,500

STREAM PTE fuel usage based on operating hours multiplied by 1,095 cubic feet/hour of propoane.

	Emission Factors	PTE (lb/yr)	PTE (tpy)
Oxide of Nitrogen (NOx) in g/HP-hr	0.0224	29.48	0.015
Volatile Organic Compounds (VOCs) in g/HP-hr	0.0000	0.00	0.000
Carbon Monoxide (CO) in g/HP-hr	0.1790	235.59	0.118
Particulate Matter (PM) in lb/MMBtu	0.0384	157.68	0.079
Sulfur Dioxide (SO2) in lb/MMBtu	0.000588	2.41	0.0012

Emission factors for NOx, CO and VOC taken from the Exhaust Emission Data provided in the 300REZXD specifications.

Emission factors for PM and SO2 taken from AP-42, Section 3.2 Natural Gas-fired Reciprocating Engines.

Table 2
Summary of Greenhouse Gas Emissions

Actual STREAM Operations	STREAM Project
Number of Generators	3
Annual Generator Operating Time (hours)	50
Total Generator Operating Time (hours)	150
Annual Fuel Usage (cubic feet)	164,250

STREAM Annual Fuel Usage based on operating hours multiplied by 1,095 cubic feet/hour (100% Load) of propane.

Estimated Actual Emissions	Emission Factors	Actual Emissions (lb/yr)	Actual Emissions (tpy)
Carbon Dioxide (CO2) in kg/MMBtu	61.71	55,864.3	27.9
Methane(CH4) in g/MMBtu	3.00	2.7	0.0014
Nitrous Oxide (N2O) in g/MMBtu	0.60	0.5	0.0003

Emission Factors from Emission Factors for Greenhouse Gas Inventories, 40 CFR 98, Tables C-1 and C-2.

Potential to Emit (PTE)	STREAM Project
Number of Generators	3
Annual Generator Operating Time (hours)	500
Total Generator Operating Time (hours/yr)	1,500
Annual Fuel Usage (cubic feet/yr)	1,642,500

STREAM PTE Fuel Usage based on operating hours multiplied by 1,095 cubic feet/hour of propane.

Estimated PTE	Emission Factors	Actual Emissions (lb/yr)	Actual Emissions (tpy)
Carbon Dioxide (CO2) in kg/MMBtu	61.71	558,643.4	279.3
Methane(CH4) in g/MMBtu	3.00	27.2	0.014
Nitrous Oxide (N2O) in g/MMBtu	0.60	5.4	0.003

Emission Factors from Emission Factors for Greenhouse Gas Inventories, 40 CFR 98, Tables C-1 and C-2.