

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 8

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www.dec.ny.gov

September 6, 2022

Brian Ahlefeld  
Plug Power  
968 Albany Shaker Road  
Latham, NY 12110

RE: STAMP Substation – 5 Acre Waiver Request  
GP-0-20-001  
6576 Crosby Road  
Alabama, NY 14013                      Genesee County

Dear Brian Ahlefeld:

We have received CPL's request dated May 4, 2022, to disturb greater than 5 acres of soil at any one time at the above referenced site. Based upon the information contained in the request letter and the additional information submitted by CPL on June 27, 2022, July 1, 2022, and July 11, 2022, the request to disturb greater than 5 acres has been approved. Work must be done as described in CPL's May 4, 2022 letter and as per the project SWPPP last revised July, 2022, and comply with the following conditions:

1. All erosion and sediment control features must be properly maintained during construction.
2. The *owner or operator* shall have a *qualified inspector* conduct at least two (2) site inspections in accordance with the General Permit every seven (7) calendar days for so long as greater than five (5) acres of soil remain disturbed and allow two (2) calendar days between inspections.
3. In areas where soil disturbance activity has been temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated August 2016. For work occurring between November 15 and April 1 soil stabilization measures must instead be implemented within three (3) days.
4. The *owner or operator* shall install any additional measures needed to protect water quality.

5. Establish a SWPPP communication track to be followed among permittee, inspector, contractor, municipality, and this office to secure prompt (within 48 hours) corrections to site deficiencies identified by each inspection.
6. Any changes to the SWPPP must be clearly identified in the on-site SWPPP.
7. Documents related to revisions submitted to the Department shall be kept with the project's SWPPP.
8. The owner or operator includes the requirements above in their SWPPP (may be incorporated by inclusion of this document in site log book).
9. This approval shall expire when all construction work described in the request for the above referenced project has been completed and all exposed soils have achieved final stabilization.
10. Compliance with other ECL permits for this site must be maintained for this approval to remain in full force and effect.
11. The owner or operator shall notify the NYSDEC regional water engineer as soon as they know or have reason to believe that any activity has occurred or will occur that would result in the discharge of any pollutant that is not authorized by GP-0-20-001.

Should you have any questions regarding this letter or the requirements of our general permits, please contact me at (585) 226-5427 or [Luke.Scannell@dec.ny.gov](mailto:Luke.Scannell@dec.ny.gov).

Sincerely,

*Luke Scannell*

Luke Scannell, PhD, PE  
Professional Engineer (Environmental)  
Division of Water

Ecc: Tara Blum – NYSDEC  
Andrew Kosa – CPL  
Matt Smith – O'Connell Electric  
Mark Masse – GCEDC  
Kim Merchant – NYSDEC  
Lisa Schwartz – NYSDEC