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ENB - Statewide Notices 12/24/2014

Public Notice

Rescheduled due to weather: New York State Department of Environmental Conservation (NYS DEC) to Recognize Six Innovative Programs at the 11th Annual NYS Environmental Excellence Awards Ceremony - Registration Now Open

NYS DEC will recognize six organizations for their innovative programs and commitment to environmental sustainability, social responsibility and economic viability at the 11th Annual New York State Environmental Excellence Awards ceremony at 10:00 a.m. on Wednesday, January 14, 2015.

The event will take place at the Colleges of Nanoscale Science and Engineering, SUNY Polytechnic Institute's NanoFab South Rotunda and Auditorium in Albany. It is open to the public, however space is limited and those wishing to attend must pre-register at: <http://on.ny.gov/eearegistration>.

The event will showcase innovations by businesses investing in energy efficiencies and undertaking continuous improvements to become carbon-neutral; a university reducing solvent use through a comprehensive recycling program; an inter-municipal coalition creating and protecting critical wetlands and a municipal program that is

Outdoor Activities[Animals, Plants, Aquatic Life](#)[Chemical and Pollution Control](#)[Energy and Climate](#)[Lands and Waters](#)[Education](#)[Permit, License, Registration](#)**Public Involvement and News****Environmental Notice Bulletin (ENB)****ENB Current and Archives for January - December 2014****Environmental Notice Bulletin December 24, 2014****ENB - Statewide Notices 12/24/2014**[Regulations and Enforcement](#)[Publications, Forms, Maps](#)[About DEC](#)

resulting in an innovative, sustainable, economically viable and socially acceptable solution to replacing aging agricultural fuel tanks atop Long Island's sole source aquifer. The program will also include an update about the Colleges of Nanoscale Science and Engineering at SUNY Polytechnic Institute's role in building New York's innovation-driven economy as a global leader in high-tech education, research, and development.

Following the awards ceremony, there will be a tour of the Owens Corning facility in Glenmont, NY. Owens Corning, a 2012 Environmental Excellence Award winner, is implementing clean-tech solutions and innovative process changes as part of the production of insulation from natural minerals, recycled glass and an innovative starch-based binder that replaced a formaldehyde-based binder. Space is limited and those interested must pre-register.

DEC established the Environmental Excellence Award in 2004 to recognize and give visibility to selected businesses, schools, municipalities, governments and not-for-profit organizations achieving outstanding environmental sustainability, social responsibility and economic viability. Since then, DEC has recognized 60 organizations.

For more information about the awards ceremony, contact: Marna Posluszny, NYS DEC - Division of Environmental Permits and Pollution Prevention, 625 Broadway, Albany, NY 12233-1750, Phone: (518) 402-9467, Fax: (518) 402-9168, E-mail: awards@dec.ny.gov.

Notice of Complete Application

Notice of Legislative Public Comment Hearing

Applicants: Constitution Pipeline Company, LLC and Iroquois Gas Transmission System, Inc.

Project Title: Constitution Pipeline/Iroquois Compressor Station

Contact for this Page

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Permit and Application Numbers:**Constitution Pipeline:**

Application ID: 0-9999-00181/00009 - Water Quality Certification

Application ID: 0-9999-00181/00010 - Freshwater Wetlands

Application ID: 0-9999-00181/00011 - Water Withdrawal

Application ID: 0-9999-00181/00012 - Excavation and Fill in Navigable Waters

Application ID: 0-9999-00181/00013 - Stream Disturbance

Iroquois Gas Transmission System, Inc.:

Application ID: 4-4350-00008/00012 - Air Title V

Project Description:

Constitution Pipeline Company, LLC (Constitution) and Iroquois Gas Transmission System, Inc. (Iroquois), filed applications for a Certificate of Public Convenience and Necessity (Certificate) with the Federal Energy Regulatory Commission (FERC) on June 13, 2013 for approximately 124.14 miles of new interstate natural gas transmission pipeline, and an associated upgrade to the existing Iroquois Wright Compressor Station.

Constitution Pipeline:

Constitution Pipeline Company, LLC proposes new construction of approximately 124.14 miles of interstate natural gas transmission originating in in northeastern Pennsylvania and crosses into New York State in Broome County, extending in a northeasterly direction through Chenango, Delaware, and Schoharie Counties,

terminating at the existing Wright Compressor Station in Schoharie County. The pipeline will provide 650,000 dekatherms per day (Dth/d) of new firm natural gas transportation capacity from two receipt points in Susquehanna County, Pennsylvania, to a proposed interconnection with existing Iroquois Gas Transmission System, L.P. (Iroquois) and Tennessee Gas Pipeline Company LLC (Tennessee) facilities in Schoharie County, New York. In New York State, the Constitution project will include construction of approximately 99 miles of new 30-inch diameter pipeline; temporary and permanent access roads; one meter station; and additional ancillary facilities, such as main line valves (MLVs), cathodic protection, and internal inspection device launchers and receivers.

In New York State, temporary and permanent impacts to field surveyed wetlands along the proposed primary route from construction of the pipeline and access roads have been calculated to be a total of 80.73 acres. Of these total impacts, 65.65 acres are temporary. Permanent impacts are proposed to 15.08 acres of wetlands. Of these permanent impacts, 15.01 acres would be from the conversion of wetland cover type due to tree removal and 0.07 acres would result from fill for the construction of permanent access roads. Impacts to New York State Department of Environmental Conservation (NYS DEC) jurisdictional field surveyed wetlands include 5.41 acres of temporary impacts; 0.8 acres of permanent forest conversion impacts; and 4.54 acres of temporary and 4.32 acres of permanent impacts to DEC-jurisdictional adjacent areas. Impacts to remote sensed wetlands potentially under the NYS DEC jurisdiction include 1.67 acres of temporary impacts; 0.53 acres of permanent forest conversion impacts; and 2.42 acres of temporary and 0.80 acres of permanent impacts to NYS DEC jurisdictional adjacent areas.

Impacts to remotely sensed potential wetland areas from construction of the pipeline in New York State on properties where wetland surveys have not occurred are estimated at 31.18 acres, including temporary impacts of 26.13 acres. Permanent impacts resulting from conversion are estimated at 5.05 acres of wetlands. To mitigate impacts to NYS DEC jurisdictional wetlands that result from project

construction, Wetland Mitigation Areas (WMAs) are proposed to be developed. The WMAs include four NYS DEC jurisdictional wetlands, as follows: SC-65 on Beckers Corners Road in Schoharie County, DE-89 on Rod and Gun Club Road and DE-51 on Betty Brook Road in Delaware County; and BR-24 on Davey Mendenhall Road in Broome County. The WMAs will include the creation of 1.0 acres of forested wetlands and 0.3 acres of emergent wetlands; the restoration/enhancement of 6.8 acres of emergent wetlands, 7.0 acres of scrub-shrub wetlands, and 5.9 acres of forested wetlands; and the establishment of 7.5 acres of wetland adjacent areas. In addition to the mitigation listed above, WMA for United State Army Corp of Engineers (USACE) jurisdictional wetlands in NYS is supplemented by participation in the Susquehanna Basin Headwater In-Lieu Fee Program sponsored by The Wetland Trust, an approved in-lieu fee program dedicated to wetland mitigation, enhancement and restoration, and by providing site-specific mitigation at NYSDEC wetland SC-66 on Tower Road in Schoharie County.

Total impacts to NYS DEC and USACE jurisdictional streams include 2,954 linear feet of stream crossing length, 0.04 acres of permanent stream disturbance and 4.56 acres of temporary stream disturbance impacts. Impacts to DEC-jurisdictional streams only include 1,894 linear feet of stream crossing length, 0.02 acres of permanent stream disturbance and 2.20 acres of temporary stream disturbance.

Constitution is seeking a water withdrawal permit for a one-time, temporary withdrawal of a total volume of approximately 5,787,900 gallons of water from the Schoharie Creek for initial hydrostatic testing of the pipeline. Upon completion of hydrostatic testing, test water will be discharged within the Schoharie Creek Watershed.

A separate [Notice of Complete Application](http://www.dec.ny.gov/enb/20141224_reg0.html) for this project can be viewed at the following: http://www.dec.ny.gov/enb/20141224_reg0.html

Iroquois Wright Compressor Station:

Iroquois applied for a new Title V Facility permit for the Wright Compressor Station facility located on 330 Westfall Rd., Town of Wright, Schoharie County. Iroquois is proposing to install two additional combustion turbines to drive natural gas pipeline compressors. The modification will include two Solar Taurus 70 natural gas-fired turbines of about 11,000 horsepower (hP) each, along with an emergency generator reciprocating engine with a maximum rating of 940 kW. The facility currently consists of two natural gas combustion turbines of about 7,000 hP and one emergency generator reciprocating engine. Conditions were included in the permit to limit the emissions of nitrogen oxides to prevent the facility from contributing to a violation of the National Ambient Air Quality Standards.

A separate [Notice of Complete Application](#) for this project can be viewed at the following: http://www.dec.ny.gov/enb/20141224_reg4.html

National Environmental Policy Act (NEPA) Determination:

FERC is the lead agency for the environmental review of interstate gas pipelines. FERC staff has prepared a Final Environmental Impact Statement (FEIS), dated October 2014, for the Constitution Pipeline Project and Wright Interconnect Project (projects), proposed by Constitution and Iroquois, respectively, in Docket Nos. CP13-499-000 and CP13-502-000, in accordance with the requirements of NEPA. The FEIS can be viewed and downloaded at: http://elibrary.FERC.gov/idmws/file_list.asp?accession_num=20141024-4001

NYS DEC relies upon the federal review process conducted by FERC pursuant to NEPA and the permit applications submitted by applicants to NYS DEC to ultimately make a determination regarding issuing its authorizations.

National Historic Preservation Act (NHPA): These applications are being reviewed in accordance with Section 106 of the NHPA. The applications are not subject to the New York State Historic Preservation Act.

Coastal Zone Consistency: No portion of the proposed projects are located within a designated coastal zone area.

NYS DEC Policy 29, Environmental Justice and Permitting (CP-29): The permit applications for the Constitution Pipeline project are not subject to review and approval in accordance with DEC Commissioner's Policy 29. The Title V application for the Wright Compressor station project is subject to CP-29; however, review in accordance with methodology at Section V.B of the policy has resulted in a determination that no potential adverse environmental impacts related to the proposed action are likely to affect a potential environmental justice areas.

Statutory and Regulatory Provisions:

These applications were filed and reviewed pursuant to Environmental Conservation Law (ECL) Article 3, Title 3 (General Functions, Powers, Duties and Jurisdiction), and Article 70 (Uniform Procedures Act or UPA); and pursuant to Title 6 of Official Compilation of Codes, Rules and Regulations of the State of New York (6 NYCRR) Part 621- Uniform Procedures. For the Constitution Pipeline project the relevant regulations are found at: Part 608 (Protection of Waters), Part 663 (Freshwater Wetlands), Part 601 (Water Withdrawal Permitting), and Section 401 of the federal Clean Water Act (CWA) (33 USCA 1341). For the Wright Compressor Station project the relevant regulations are found at: ECL Article 19 (Air Pollution Control). In addition to these permits being considered under UPA, both projects are required to demonstrate the ability to obtain coverage under the State Pollutant Discharge Elimination System Stormwater General Permit for Construction Activities (GP-0-10-001) prior to conducting any construction activities that disturb greater than one acre.

Legislative Hearing:

Pursuant to 6 NYCRR 621.8, legislative public hearings for the receipt of public comments on the permit applications and Title V draft permit will be held on January 12, 13 and 14, 2015, at the locations listed below. Each public hearing will commence at 6:00 p.m. All persons, organizations, corporations, or government agencies which may be affected by the proposed project are invited to attend the hearing and to submit oral or written comments. It is not necessary to notify NYSDEC in advance to speak at the legislative hearing. Equal weight will be afforded to both oral and written statements. Lengthy statements should be in writing and summarized for oral presentation. The presiding Administrative Law Judge may set reasonable time limits for each speaker to afford everyone an opportunity to be heard. The hearings are fully accessible to persons with a mobility impairment. Interpreter services will be made available to the hearing impaired at no charge upon written request to the NYSDEC contact person named below, no less than one week prior to the hearing.

Parties may also file written comments to the NYSDEC representative listed below.

All written comments must be postmarked or submitted electronically by fax or email no later than Friday, January 30, 2015.

The hearings are scheduled as follows:

Date: January 12, 2015

Time: 6:00 p.m.

Location: East Middle School

The Auditorium

167 East Frederick Street

Binghamton, New York 13904

Date: January 13, 2015

Time: 6:00 p.m.

Location: SUNY Oneonta

Lecture Hall IRC #3

108 Ravine Parkway

Oneonta, NY 13820

Date: January 14, 2015**Time:** 6:00 p.m.**Location:** SUNY Cobleskill

Bouck Hall Theater

State Route 7

Cobleskill, NY 12043

Public Hearing and Comment:

Written comments submitted to NYS DEC during this comment period and oral comments given at the Legislative Hearing are considered part of the record. At the conclusion of the public comment period NYS DEC will determine pursuant to 6 NYCRR 621.8 whether substantive or significant issues have been raised in the public comments or legislative hearing to warrant an Adjudicatory Hearing, or whether the permits should be issued without any further review. If no issues are raised to warrant further adjudication, NYS DEC will proceed to develop a response to comments, provide public notice of the approval of the permits and issue the requested permits.

Availability of Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

In addition, application documents may be accessed at the following locations:

Constitution Pipeline:

On-line:

<http://constitutionpipeline.com/>

Printed copies:

Broome County Public Library
185 Court Street
Binghamton, NY 13901

Afton Free Library
105A Main Street
Afton, NY 13730

Bainbridge Free Library
13 N Main Street
Bainbridge, NY 13733

Franklin Free Library
334 Main Street
Franklin, NY 13775

Sidney Memorial Public Library
8 River Street
Sidney, NY 13838

Deposit Free Library
159 Front Street
Deposit, NY 13754

The Community Library
110 Union Street
Cobleskill, NY 12043

Schoharie Free Library
103 Knower Avenue
Schoharie, NY 12157

Iroquois Wright Compressor Station:

On-line:

http://www.iroquois.com/documents/WIP_-_NYSDEC_Air_Permit_Application_7-26-13.pdf

Printed copies:

Schoharie Free Library
103 Knower Avenue
Schoharie, NY 12157

Town of Wright Municipal Building
105-3 Factory Street
Gallupville, NY 12073

Contact: Stephen M. Tomasik, NYS DEC - Division of Environmental Permits, 625 Broadway, 4th Floor, Albany, NY 12233-1750, Phone: (518) 402-9167, Fax: (518) 402-9168, E-mail: dec.sm.constitution@dec.ny.gov.
