

**Asked to comment on the Sabin report, the DEC provided the following statement to WaterFront on March 21:**

“DEC has the legal authority to approve or deny applications for environmental permits based on whether they meet applicable requirements, including under the Climate Leadership and Community Protection Act (CLCPA).

Prior to issuing any permit for a proposed project, DEC needs to ensure compliance with the requirements of New York’s CLCPA. There are substantial greenhouse gas (GHG) emissions associated with the Greenidge project. Based on information currently available, the applicant has not demonstrated that the project is consistent with the attainment of statewide GHG emission limits established in the Climate Act, nor has the applicant provided a detailed justification notwithstanding this inconsistency or proposed sufficient alternatives or GHG mitigation measures. As part of the public review, DEC specifically sought public comments on the project’s compliance with the Climate Act, including the potential need or justification for the project as well as appropriate GHG mitigation measures.

Greenidge has “not shown compliance” because the air application does not currently meet the requirements of the CLCPA, notably it has not to date shown that it is consistent or would not interfere with the attainment of statewide greenhouse gas emission limits; nor has it provided sufficient justification or identified alternatives or sufficient mitigation.

The public comment period was extended and ended on Nov. 19, 2021. DEC is currently reviewing the approximately 4,000 public comments to determine next steps, including if a hearing would be held to obtain additional input on the air application prior to making a decision.”