

VIA EMAIL & U.S. MAIL

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**Re: Crypto Draft GEIS
Comments regarding DEC’s Draft General Environmental Impact
Statement for Cryptocurrency Mining Operations using Proof-of-Work
Authentication**

Ms. Leady,

On behalf of the undersigned organizations and individuals, we respectfully submit these comments regarding the New York State Department of Environmental Conservation’s (“DEC”) General Draft Environmental Impact Statement (“DGEIS”) for Cryptocurrency Mining Operations Using Proof-of-Work Authentication, which was published for public comment in the Environmental Notice Bulletin on May 28, 2025.¹ As we detail in our comments below, the only reasonable alternative for DEC to select is section 5.3, “Limit, or Limit the Expansion of, PoW Cryptocurrency Mining Operations.” *We urge the DEC to (a) finalize the DGEIS as soon as possible; and (b) work collaboratively with the State Legislature and sister agencies to reign in the affordability, energy, and environmental harms of PoW CMOs, and do everything it can to protect New Yorkers.*

As the DEC heard from the vast majority of public commenters in the eight public hearings held from July 9, 2025 through July 30, 2025, the State must do everything it can to protect New Yorkers from the well-documented community, economic, and environmental harms of Proof-of-Work (“PoW”) Cryptocurrency Mining Operations (“CMOs”) in the state. Without safeguards, PoW CMOs are already posing substantial threats to energy affordability, the stability of the electric grid, water and air quality, community character, and the state’s ability to comply with our landmark climate law, the Climate Leadership and Community Protection Act (“CLCPA”).

New York is home to a significant share of cryptocurrency mining. While reliable data is hard to come by, New York likely has between 8.5 and 20% of the cryptocurrency mining in the United States.² Our research, albeit constrained by the lack of data, indicates that the current and near-term load in New York due to cryptocurrency mining is enough to power approximately 971,060 homes each year, more than all other cities in New York besides New York City and that New York could be as much as 4% closer to meeting the CLCPA’s 2030

¹ N.Y. DEC, *Notice of Availability of Draft GEIS and Public Comment Period*, <https://dec.ny.gov/news/environmental-notice-bulletin/2025-05-28/public-notice/statewide-notice-of-availability-of-draft-geis-and-public-comment-period> (last visited Sept. 19, 2025).

² MacKenzie Sigalos, CNBC, *Bitcoin Miners Beef Up Texas Operations Ahead of Extinction-Level Event, Exclusive Data Shows* (Sept. 26, 2023), <https://www.cnbc.com/2023/09/26/where-are-bitcoin-miners-in-2023-texas.html>; MacKenzie Sigalos, CNBC, *New York and Texas Are Winning the War to Attract Bitcoin Miners* (Oct. 9, 2021), <https://www.cnbc.com/2021/10/09/war-to-attract-bitcoin-miners-pits-texas-against-new-york-kentucky.html>.

mandates of a 70% renewable energy grid and a 50% reduction in greenhouse gas emissions from 1990 levels without these cryptocurrency mining operations.³

Additionally, this large energy consumption is coming at the expense of regular New Yorkers and driving up energy costs in three major ways:

1. **Cryptocurrency miners pay extremely low rates for electricity**, which are effectively subsidized by the people of New York via disproportionately higher electricity rates for households and small businesses, as well as by the health and environmental impacts from greenhouse emissions, air pollution, water pollution, noise pollution, electronic waste, and more.⁴
2. Cryptocurrency miners often enjoy additional subsidies in form of **state and local tax breaks** for which New Yorkers also foot the bill.⁵
3. After decades of stable electricity demand in New York State, high energy consumption from PoW CMOs can also **strain local grid infrastructure, driving up utility costs for local communities and small businesses**.

To add insult to injury, PoW CMOs do not bring meaningful economic development or jobs. As New Yorkers struggle from an ongoing energy affordability crisis and the worsening impacts from climate change, which will only be exacerbated by the actions of the current federal administration, it is critical for DEC to swiftly finalize this DGEIS and to take action to address the harms associated with PoW CMOs and take action to end the various subsidies they receive.

Thank you for the agency's tremendous work on this and consideration of our comments.

I. The Draft GEIS Demonstrates How PoW CMOs Negatively Impact Host Communities and the State of New York

The undersigned organizations applaud the DEC for appropriately describing the many impacts of PoW CMOs that cannot be adequately mitigated or avoided, including: unsustainable energy consumption, strains on local grid infrastructure, greenhouse gas emissions, air pollution, electronic waste, and waste heat generation. Each of these impacts are incompatible with the CLCPA and New York's Cumulative Impacts Law and underscore the necessity of regulating this industry to mitigate the harms to New York's people and its environment.⁶ We also note that some negative impacts can be more fully described, including but not limited to: impacts to water pollution, noise pollution, impacts on state-designated

³ *Comments of Earthjustice on the Draft Clean Energy Standard Biennial Review*, N.Y. PSC Case No 15-E-0302 (Sept. 23, 2024), https://earthjustice.org/wp-content/uploads/2024/09/2024.09.23_earthjusticecomments.pdf.

⁴ See, e.g., Matteo Benetton et al., *When Cryptocurrency Comes to Town: High Electricity-Use Spillovers to the Local Economy*, SSRN at 3 (2022) (finding that Plattsburgh residents and small businesses paid \$189 million and \$90 million, respectively, more in electricity bills due to cryptocurrency mining); Tech Transparency Project, *Cryptocurrency Miners' Sweetheart Deal with Texas Threatens an Already Fragile Grid* at 2–3 (July 21, 2022), <https://www.techtransparencyproject.org/articles/cryptocurrency-miners-sweetheart-deal-texas-threatens-already-fragile-grid>.

⁵ See e.g., Earthjustice & Sierra Club, *The Energy Bomb – How Proof-of-Work Cryptocurrency Mining Worsens the Climate Crisis and Harms Communities Now* 20 (Sept. 2022), https://earthjustice.org/wp-content/uploads/energy_bomb_bitcoin_white_paper_101322.pdf (hereinafter “Energy Bomb”).

⁶ CLCPA §§ 7(2), 7(3); see also N.Y. DEC, *The Environmental Justice Siting Law*, <https://dec.ny.gov/environmental-protection/environmental-justice/the-environmental-justice-siting-law>.

disadvantaged communities (“DACs”), affordability and energy rates, the lack of jobs and economic development, and transparency from CMOs.

A. Energy Consumption of PoW CMOs Strain Local Energy Grids

The DGEIS sets forth a strong analysis on the enormous energy consumption of PoW CMOs, and demonstrates the alarming impacts of this energy consumption. Section 7 of the DGEIS correctly identifies that PoW CMOs require significant amounts of electricity to operate, and that all PoW CMOs result in high amounts of concentrated electricity consumption.⁷ After decades of stable electricity demand in New York State, high energy consumption from PoW CMOs produces a strain on local grid infrastructure, driving up utility costs for local communities and small businesses.

As DEC noted in the DGEIS, this significant consumption of electricity produces undue cost and environmental burdens for local communities and small businesses without providing adequate local benefits to mitigate the burden of increased utility costs and potential grid issues.⁸ The DEC draft indicates that the 11 CMOs across the state represent a total electric demand of approximately 7.7 terawatt hours (TWh),⁹ or 7,700,000 megawatt hours (MWh).¹⁰ This would be the equivalent of powering approximately 770,000 homes per year.¹¹ Additionally, Earthjustice’s own analysis found CMOs in New York could power as many as 971,060 homes, based on limited data. Efforts can be made to mitigate this impact on New Yorkers, as detailed below in Section II.

B. Commenters Urge DEC to Expand on these Energy Affordability Impacts in the Final Version of DEC’s GEIS

Although the DGEIS acknowledges the enormous energy consumption from PoW CMOs, it fails to adequately capture how this energy consumption can lead to increased electricity rates for residents and small businesses in New York.

Cryptocurrency miners pay extremely low rates for electricity, which are effectively subsidized by the people of New York via disproportionate electricity rates paid by households and small businesses, as well as by New York’s health and environmental impacts from greenhouse emissions, air pollution, water pollution, noise pollution, electronic waste, and more.¹² In addition to low electricity rates, cryptocurrency miners often enjoy other subsidies in form of state and local tax breaks for which New Yorkers also foot the bill.¹³

Though there is little transparency and accountability from the cryptocurrency mining industry, the limited records available show that many cryptocurrency mining companies pay

⁷ N.Y. DEC, *Draft Generic Environmental Impact Statement for Cryptocurrency Mining Operations Using Proof-of-Work Authentication* at 12–14, 42 (May 22, 2025), <https://dec.ny.gov/sites/default/files/2025-05/cryptocurrencygeis.pdf> (hereinafter “DGEIS”).

⁸ *Id.* at 40.

⁹ *Id.* at 12.

¹⁰ Unit Converters.net, *Convert Terawatt to Megawatt*, <https://www.unitconverters.net/power/terawatt-to-megawatt.htm> (last visited Aug. 27, 2025).

¹¹ This assumes the average household consumes approximately 10,000 kWh per year, U.S. Energy Info. Admin., <https://www.eia.gov/energyexplained/use-of-energy/electricity-use-in-homes.php>.

¹² See, e.g., Benetton et al, Tech Transparency Project, *supra* note 4.

¹³ See, e.g., Energy Bomb at 20.

as little as one tenth of the amount regular households pay for electricity. According to the U.S. Energy Information Administration, in 2023, the last year for which reporting exists:

- Residential ratepayers in New York paid an average of 22.25 cents per kilowatt hours (kW/h) for their electricity.
- Commercial rate payers in New York paid an average of 18.01 cents/kWh.
- Industrial rate payers in New York paid an average of 6.87 cents/kWh.¹⁴

In contrast, Digihost pays the equivalent of 3 cents/kWh.¹⁵ Cryptominers in Plattsburgh, NY paid approximately 2 cents/kWh¹⁶ before the town instituted a new rate to protect their community.¹⁷

Terawulf, a large CMO in Somerset, New York, appears to pay less than 5 cents/kWh via subsidized power through NYPA's ReCharge NY High Load Factor Power program.¹⁸ In addition, NYPA supplied power to Weitsman Shredding LLC, the owner of a cryptocurrency mine in Owego through the ReCharge program.¹⁹

Several localities have seen local electricity prices rise when proof-of-work cryptocurrency miners show up. For example, in Plattsburgh, New York, residents' electricity bills increased 30% when a mining boom came to town a few years ago. One study found that Plattsburgh residents and small businesses paid \$189 million and \$90 million, respectively, more in electricity bills due to crypto's arrival.²⁰ The New York Municipal Power Authority increased the rates for electricity used by cryptocurrency mining operations to ensure that the local residents had access to low-cost power.²¹

¹⁴ U.S. Energy Info. Admin., *New York Electricity Profile 2023* (Nov. 6, 2024), <https://www.eia.gov/electricity/state/newyork/>.

¹⁵ Energy Central, *Digihost Acquires 60 MW Power Plant Increasing Hashrate Capacity to 3 EH* (Mar. 24, 2021), <https://waterfrontonline.blog/wp-content/uploads/2021/04/digihostbuys60mwpower.pdf>.

¹⁶ Thuy Ong, *Plattsburgh Has Become the First City in the US to Ban Cryptocurrency Mining*, CNBC (Mar. 16, 2018), <https://www.cnbc.com/2018/03/16/plattsburgh-has-become-the-first-city-in-the-us-to-ban-cryptocurrency-mining.html>.

¹⁷ Order Adopting Action and Tariff Amendments on a Permanent Basis, N.Y. PSC Case No. 18-E-0126 (June 15, 2018).

¹⁸ Jenny Ahn & Nick Gibson, *Coal, Crypto, and False Branding: Inside TeraWulf's Greenwashing Machine*, Hunterbrook (Aug. 5, 2024), <https://hntbrk.com/terawulf/>; N.Y. Power Auth'y, 2020 Report to the Governor and Legislative Leaders on Power Programs for Economic Development (Apr. 2021), <https://www.nypa.gov/-/media/nypa/documents/document-library/governance/2020govrep.pdf>; N.Y. Power Auth'y, *Recharge NY Energizes the State's Economy*, <https://www.nypa.gov/services/incentives-and-grants/recharge-ny> (last visited Aug. 29, 2025); U.S. Sec. & Exch. Comm'n, *Terawulf Inc. Form 10-K Annual Report*, <https://investors.terawulf.com/sec-filings/all-sec-filings/content/0001558370-23-005301/wulf-20221231x10k.htm> (last visited Sept. 2, 2025).

¹⁹ Bob Joseph, *First Look as Adam Weitsman Sets Up Owego Crypto Mining Farm*, WNBC News Radio (Dec. 20, 2021), <https://wnbf.com/adam-weitsman-sets-up-owego-crypto-mining-farm/>.

²⁰ Benetton, *supra* note 4.

²¹ McKenzie Delisle, *Mining Operation Moves Out of City for Winter*, Press-Republican (Nov. 11, 2019), https://www.pressrepublican.com/news/local_news/mining-operation-moves-out-of-city-for-winter/article_4c86c044-4e1e-5ad6-8e6d-0ad19b875e35.html.

C. The Lack of Good Local Jobs or Significant Local Economic Development from PoW CMOs

The DGEIS should add details to the final GEIS concerning the lack of local jobs and economic development associated with PoW CMOs.²² These facilities fail to create long-term full-time employment opportunities for local community members. The jobs at the sites are typically maintenance level as opposed to the ‘high-paying, high-tech’ jobs crypto companies tout when luring in unsuspecting communities.

As a U.S. House of Representatives committee recognized, “[w]hile cryptomining facilities do create jobs for communities, the number of jobs is limited due to the highly automated nature of cryptomining and limited need for skilled technicians on-site.”²³ Similarly, the former head of the Bonneville Power Administration and Chelan County Public Utility District testified before the U.S. House Energy and Commerce oversight subcommittee panel, stating that: “we heard substantial reservations from our community about supporting cryptocurrency mining due to ... [the r]elatively low number of local jobs per unit of electricity consumed.”²⁴ Examples of this failed promise for jobs have been seen across the United States: Blockware Mining operation in Kentucky provided just 10 full-time jobs, the Marathon Digital Holdings CMOs in Montana and Texas with only nine full-time employees, in Rockdale, Texas a CMO only generated 14 out of the 350 jobs it had promised.²⁵

This is borne out in New York as well. In *The Bitcoin Dilemma*, SUNY Professor and former mayor of Plattsburgh, New York Colin Read estimates that PoW CMOs typically employ less than a dozen people.²⁶ Professor Read has said that: “when you look into it, and I have—[the jobs,] they just don’t materialize.”²⁷ He also highlighted that the biggest mine operation has fewer jobs than a new McDonald’s.²⁸

Regarding the Fortistar power plant in North Tonawanda, New York, Niagara County’s economic development commissioner Michael A. Casale stated that such projects are not “as economic development-friendly as [he] would like to see.”²⁹ A cryptocurrency mining operation in Lockport pledged to create seven jobs, and in return received \$149,000 in

²² DGEIS at 31.

²³ Memorandum from Committee on Energy and Commerce Staff to Subcommittee on Oversight and Investigations Members and Staff (Jan. 17, 2022),

<https://docs.house.gov/meetings/IF/IF02/20220120/114332/HHRG-117-IF02-20220120-SD002-U1.pdf>.

²⁴ Steve Wright, *Testimony Before the Subcommittee on Oversight and Investigations, House Energy and Commerce Committee* at 3 (Jan. 20, 2022),

<https://www.congress.gov/117/meeting/house/114332/witnesses/HHRG-117-IF02-Wstate-WrightS-20220120.pdf>.

²⁵ *Energy Bomb* at 20–21.

²⁶ Colin L. Read, *The Bitcoin Dilemma: Weighting the Economic and Environmental Costs and Benefits* (2022).

²⁷ Pia Singh, CNBC, *Bitcoin Miners Flocked to an Upstate New York Town for Cheap Energy — Then it Got Complicated* (June 24, 2021), <https://www.cnbc.com/2021/06/24/bitcoin-miners-flocked-to-upstate-new-york-for-cheap-energy-then-it-got-complicated.html>.

²⁸ Lois Parshley, *How Bitcoin Mining Devastated this New York Town: Between Rising Electricity Rates and Soaring Climate Costs, Cryptomining Is Taking its Toll on Communities*, MIT Technology Review (Apr. 18, 2022), <https://www.technologyreview.com/2022/04/18/1049331/bitcoin-cryptocurrency-cryptomining-new-york/>.

²⁹ Thomas J. Prohaska, *Cryptocurrency Firms Search for WNY Sites Amid Concerns for Their Economic Development Worth*, Buffalo News (Dec. 21, 2021), https://buffalonews.com/news/local/cryptocurrency-firms-search-for-wny-sites-amid-concerns-of-their-economic-development-worth/article_3bbd0054-5a24-11ec-934e-231b10be9bbd.html.

property tax breaks and \$8,000 in sales tax breaks. In 2023, the company abandoned the premises “with no notice or heads-up.”³⁰

In fact, cryptocurrency mining as an industry poses unique stranded asset risks that further diminish the potential for stable job creation. No other industry has the ability to scale both up and down as quickly and move locations as rapidly.³¹ Mining operations are often housed outdoors in highly-mobile shipping containers or pods, and the biggest financial investment and most valuable asset of cryptocurrency miners—the specialized computers—are easily relocatable.³² When mining operations relocate, they take any jobs with them, but they often leave behind energy infrastructure costs that are then passed on to other ratepayers.

By contrast, the New York State Climate Action Council Employment study found that at least 211,000 new jobs are expected to be created from the renewable energy industry.³³ Additionally, agriculture and tourism in the Finger Lakes region employs over 59,000 people, and is jeopardized by the adverse environmental impacts from PoW CMOs in that region.³⁴ The development of PoW CMOs risks the prosperity of these industries, and the widespread economic development and job opportunities that come with them.

³⁰ Jonathan D. Epstein, *Data Firm Shuts Down Lockport Operations, Loses Tax Benefits*, Buffalo News (Feb. 24, 2024), https://buffalonews.com/news/local/business/data-firm-shuts-down-lockport-operations-loses-tax-benefits/article_7389cf58-d5fb-11ee-a6c9-d34893ea749f.html.

³¹ See, e.g., *Crypto Mining Poses Challenges to Public Power Utilities*, Fitch Ratings (Jan. 22, 2024), <https://www.fitchratings.com/research/us-public-finance/crypto-mining-poses-challenges-to-public-power-utilities-24-01-2022>; Lisa Sorg, *Behind the Scenes of the Ill-Fated Compute North Cryptomining Project, Greenville Officials Pressed to Seal the Deal*, NC Newsline (Oct. 12, 2022), <https://ncnewsline.com/2022/10/12/behind-the-scenes-of-the-ill-fated-compute-north-cryptomining-project-greenville-officials-pressed-to-seal-the-deal/> (“Cannon told the GUC [Greenville Utilities Commission] that Compute North’s original energy usage estimate of 30 to 100 megawatts would increase to 150 megawatts over a period of a year to 18 months. The 150-megawatt figure represented 45% of the GUC’s available power of 340 megawatts Last month Compute North declared bankruptcy. According to court filings, the company owes money to several groups and individuals in Greenville, including Blount, the City, Pitt County, the Stanton House Fire Department and the GUC. The amounts aren’t listed.”).

³² See, e.g., EZ blockchain, *EZ Smartbox Mobile Mining Container* <https://ezblockchain.net/smartbox/> (last visited Aug. 28, 2025). (“Road legal, fully mobile solution for crypto mining It’s easily deployed to follow the best energy prices anywhere.”); Greenidge Generation LLC, *Greenidge Pod X Information Deck* at 10 (Aug. 2024), <https://greenidge.com/wp-content/uploads/2024/08/PodXInformationDeck.pdf> (advertising its mining pod as ready for installation and energized in 20 weeks from the day it is ordered); BMarko Structures, *The Ultimate Guide to Crypto Mining Containers*, <https://bmarkostructures.com/crypto-mining-containers/> (last visited Aug. 28, 2025) (“A crypto mining container, also known as a mining farm or a mobile mining unit, is a self-contained unit that is specifically designed to house and operate cryptocurrency mining rigs. It is a modular solution that comes in various sizes and configurations, depending on the needs of the mining operation Crypto mining containers are designed to be portable and can be easily transported to different locations, providing flexibility to miners who need to adapt to changing market conditions or take advantage of favorable energy costs in different regions.”).

³³ New York State Climate Action Council, Meeting 17 (Nov. 2021), <https://climate.ny.gov/-/media/Project/Climate/Files/2021-11-30-CAC-Meeting-Presentation.ashx>.

³⁴ Press Release, Sen. Kristen Gillibrand, *Legislation to Designate Finger Lakes Region as a National Heritage Area Passes Key Committee* (Mar. 12, 2018), <https://www.gillibrand.senate.gov/news/press/release/senator-gillibrands-legislation-to-designate-finger-lakes-region-as-a-national-heritage-area-passes-key-committee>. See also Tourism Economics, *Economic Impact of Visitors in New York* (2019), <https://esd.ny.gov/sites/default/files/NYC-2019-NYS-Tourism-Economic-Impact.pdf>; Tourism Economics, *Economic Impact of Visitors in New York* (2018), https://assets.simpleviewinc.com/simpleview/image/upload/v1/clients/fingerlakesvc/NYS_Tourism_Impact_2018_Finger_Lakes_CLIENT_294d3cec-3088-4351-bf64-2439830d34d1.pdf; Finger Lakes Reg’l Econ. Dev. Council, *Upstate Revitalization Initiative Plan 37–38* (Oct. 2015), https://www.ny.gov/sites/default/files/atoms/files/FLREDC_URI_FinalPlan.pdf.

This failure to provide meaningful local economic development and job creation should be referenced in the final GEIS, to showcase the need for regulation of CMOs to ensure that the severe environmental and social harms to not outweigh the negligible economic benefits.

D. State and Local Subsidies to PoW CMOs

The final GEIS should further elaborate how state and local governments have implemented subsidies to incentivize the development of PoW CMOs despite the large environmental and social costs associated with the facilities, as a poor use of limited public funds. Examples of state and local subsidies include sales and use tax exemptions, property abatements and credits, payments in lieu of taxes, and economic development subsidy packages for single projects.³⁵ Across the country, subsidies for PoW CMOs are vast. In 2021 alone, 33 states had bills supporting cryptocurrency developments and 17 enacted new laws to create working groups, provide tax breaks, and/or establish subsidies for cryptocurrency mining operations, according to the National Conference of State Legislatures.³⁶

While proponents of PoW CMOs may argue that some job creation is better than none, studies have found that tax breaks for data centers, which have similar operational needs to PoW CMO facilities, may end up costing counties and municipalities across the U.S. millions in lost revenues for local residents and schools.³⁷

E. PoW CMOs Increase Greenhouse Gas Emissions (GHGs)

The DGEIS provides a robust review of the significant and serious increase in GHGs caused by PoW CMOs, including the negative impacts of these emissions on New Yorkers. The DGEIS shows that the vast majority of PoW CMOs in the state are powered by fossil fuels.³⁸ The DGEIS estimates that the total annual GHGs from plants used to power these CMOs equate to over 5,038,175 metric tons.³⁹ This is roughly equivalent to more than 1 million gasoline-powered passenger vehicles emit driving each year.⁴⁰

The DGEIS also appropriately identifies the high costs of carbon and the societal damage it incurs in Section 3.9.2, for example, the estimated \$10.6 billion in damages from 2024 and 2050 due to the cost of carbon emitting to power PoW CMOs.

³⁵ See generally Good Jobs First, *Money Lost to the Cloud – How Data Centers Benefit from State and Local Government Subsidies* at 7 (Oct. 2016), <https://www.goodjobsfirst.org/wp-content/uploads/docs/pdf/datacenters.pdf>.

³⁶ Josh Saul, *Georgia Is Becoming the New Hot Spot for Growing Crypto in the U.S.—and Bitcoin Miners Are Taking Notice*, *Fortune* (Feb. 7, 2022), <https://fortune.com/2022/02/07/georgia-hot-spot-bitcoin-mining-us-crypto-energy/>.

³⁷ See, e.g., David Jeans, *Data in the Dark: How Big Tech Secretly Secured \$800 Million in Tax Breaks for Data Centers*, *Forbes* (Aug. 19, 2021), <https://www.forbes.com/sites/davidjeans/2021/08/19/data-in-the-dark-how-big-tech-secretly-secured-800-million-in-tax-breaks-for-data-centers/?sh=2e6992fc6b43>; Good Jobs First, *Study: State and Local Governments Pay \$2 Million per Job to Tech Giants for Data Centers* (2016) <https://goodjobsfirst.org/study-state-and-local-governments-pay-2-million-job-tech-giants-data-centers/>; Good Jobs First, *Cloudy with a Loss of Spending Control: How Data Centers Are Endangering State Budgets*, <https://goodjobsfirst.org/cloudy-with-a-loss-of-spending-control-how-data-centers-are-endangering-state-budgets/> (2025).

³⁸ DGEIS at 14.

³⁹ *Id.* at 17.

⁴⁰ EPA, *Greenhouse Gas Equivalencies Calculator*, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator> (last updated Feb. 24, 2025).

Additionally, the DGEIS provides a strong explanation for the negative public health impacts that GHGs create as a result of exacerbating climate change. This includes increases in the frequency and severity of heat waves leading to greater rates of mortality, and heavy precipitation, flooding, landslides, and other extreme events also lead to fatalities and injuries across the state.⁴¹

Some PoW CMOs in the state already resulted in large increases in GHGs from repurposing fossil-fuelled power plants that ran infrequently to run nearly full-time to predominantly power onsite PoW CMOs.⁴² The state-wide moratorium of fossil-fuelled PoW CMOs expired at the end of 2024. The GHG emissions from PoW CMOs continues to increase, and it is critical to keep the emphasis of the negative consequences from GHGs associated with PoW CMOs in the final GEIS so that the state can take adequate steps to prevent these adverse impacts.

The DGEIS identifies suggestions regarding how the state can reduce GHGs from PoW CMOs, including by phase out and prohibiting behind-the-meter fossil combustion to power CMOs, and in requiring CMOs to only use energy from zero emission sources, which commenters support.⁴³

F. PoW CMOs Increase Local Air Pollution, Especially in and near State-Designated Disadvantaged Communities

The DGEIS correctly identifies that impacts to local air and water quality are the result of energy generation to power CMOs, both often raising environmental justice concerns because of the disproportionate impact to certain groups.⁴⁴ Section 7(3) of the CLCPA requires that agency decisions do not disproportionately burden the state's DACs.⁴⁵ The State's Cumulative Impacts Law requires that applications for permit renewals or modifications "which may cause or contribute more than a de minimis amount of pollution to any disproportionate pollution burden on a" DAC must include an "existing burden report."⁴⁶

Of the 11 known PoW CMOs in the state, the DGEIS highlights that 8 are located within DACs.⁴⁷ The two that directly combust fossil fuels on site, Greenidge and Fortistar, are either directly in a DAC, or adjacent to one. And for the PoW CMOs on the grid, the communities that reside near fossil plants that serve the grid bear the brunt of that pollution. If a PoW CMO uses on-site back-up diesel generation, communities bear the brunt of local air pollution and additional noise pollution.

The DGEIS raises the important concerns of air quality impacts of combustion by-products – including CO, CO₂, and other GHGs, NO₂, PM_{2.5} and PM₁₀, HAPs, VOCs, and SO₂ – occur within DACs, exacerbating existing public health issues for those that live in the area.⁴⁸ Along with dangerous climate pollution, the DGEIS also appropriately outlines the

⁴¹ DGEIS at 29.

⁴² Press Release, Earthjustice, New York Court Rescinds Approval of Fracked Gas Power Plant Sale to Cryptocurrency Mining Company in North Tonawanda (Nov. 14, 2024), <https://earthjustice.org/press/2024/victory-new-york-court-rescinds-approval-of-fracked-gas-power-plant-sale-to-cryptocurrency-mining-company-in-north-tonawanda>.

⁴³ DGEIS at 36.

⁴⁴ *Id.* at 44.

⁴⁵ CLCPA § 7(3); *see also* DEC, DEP 24-1, *Permitting and Disadvantaged Communities* at 3 (May 8, 2024).

⁴⁶ ECL 70-0118(2)(b).

⁴⁷ DGEIS at 45.

⁴⁸ *Id.* at 45.

harmful co-pollutants emitted from fossil-fuel power generation, such as nitrogen oxides, particulate matter, benzene, and formaldehyde,⁴⁹ which have serious impacts on local air quality.

The public health impacts of fossil fuel combustion should be emphasized, as “[a]ir pollution is one of the biggest environmental threats to human health, alongside climate change.”⁵⁰ Air pollution exposure, especially to particulate matter, is estimated to cause 7 million premature deaths annually and result in the loss of millions more health years of life across the globe.⁵¹ Therefore, the air quality impacts on New York, and in DACs especially, from fossil fuel combustion for powering PoW CMOs is incompatible with the CLCPA Section 7(3) and the Cumulative Impacts Law.

DEC should add additional details to the final GEIS about the burdens in DACs from PoW CMOs and the energy infrastructure needed to power them under both the Cumulative Impacts Law and Section 7(3) of the CLCPA, including expanding on the need for CMOs to provide “existing burden reports” under the Cumulative Impacts Law and a “disproportionate burden analyses” under CLCPA Section 7(3). The Cumulative Impacts Law was adopted precisely because of, and to address, the historical siting and automatic permit renewals of multiple polluting facilities in DACs.

G. PoW CMOs Cause Significant Water Impacts

Cryptocurrency mining operations consume a significant amount of fresh water.⁵² A 2024 report described how water usage from Bitcoin mining increased by 166% from 2020 to 2021, from 591.2 to 1,573.7 GL.⁵³ This increase highlights the concerns around PoW CMO water usage, especially in a global context of escalating water insecurity exacerbated by climate change.⁵⁴ The DGEIS must further expand on the ways in which the water usage of PoW CMOs adversely affects local water supply and freshwater ecosystems. Below are several of the water-related issues from PoW CMOs that should be expanded in the DGEIS to appropriately demonstrate the water-related impacts of these facilities:

PoW CMOs require large amounts of water, primarily used in two ways as identified in the DGEIS.⁵⁵ The first involves onsite, direct water use for cooling systems and air humidification which depends on the type of cooling system and local climate, and the second is water consumption associated with energy use.⁵⁶ Many PoW CMOs run on grids powered by fossil-fuels, or like Greenidge or Fortistar, mine on the site of a fossil-fuelled power plant, directly using its power and its direct water use and discharge. Fossil-fuelled

⁴⁹ *Id.* at 17.

⁵⁰ World Health Org., *New WHO Global Air Quality Guidelines Aim to Save Millions of Lives from Air Pollution* (Sept. 22, 2021), <https://www.who.int/news/item/22-09-2021-newwho-global-air-quality-guidelines-aim-to-save-millions-of-lives-from-air-pollution>; see also U.S. EPA, *Research on Health Effects from Air Pollution*, <https://www.epa.gov/air-research/research-health-effects-air-pollution> (last updated Feb. 16, 2022).

⁵¹ *Id.*

⁵² Alex de Vries, *Bitcoin’s Growing Water Footprint*, 1 Cell Reports Sustainability at 1 (2024) (“As of 2023, Bitcoin’s annual water footprint may equal 2,237 GL.”); see also Md Abu Bakar Siddik et al., *The Water and Carbon Footprint of Cryptocurrencies and Conventional Currencies*, 411 Cleaner Prod. 137268 (2023).

⁵³ de Vries, *supra* note 52.

⁵⁴ *Id.*

⁵⁵ DGEIS at 22.

⁵⁶ de Vries, *supra* note 52.

power generation requires 18 times more freshwater consumption than renewable power generation.⁵⁷

The DGEIS correctly outlines that water used for power plant cooling poses potential impacts to aquatic species, their habitats, and overall water quality in the form of increased temperatures and potential pollutant discharge.⁵⁸ In the cases of Greenidge and Fortistar, water is consumed and discharged to cool the power plants that provide the power to those cryptomining machines. For example, at the Fortistar North Tonawanda gas plant, the company that purchased the plant in 2021 estimated that the new operations would consume 500,000 gallons of water per day for cooling purposes once ramped up for full-time mining operations, approximately 12% of the City of North Tonawanda's current total water consumption.⁵⁹ That water is discharged into an old wastewater system in dire need of upgrades. Likewise, the Greenidge gas plant is permitted to intake and discharge up to 134 million gallons of water, at temperatures up to 108 degree Fahrenheit, into a trout stream and into Seneca Lake.⁶⁰ This thermal pollution can endanger health and wildlife habitability, including but not limited to potential harmful algal blooms, fish deaths, biodiversity loss and migration, oxygen depletion, direct thermal shock, and changes in dissolved oxygen.⁶¹

The water required for PoW CMO cooling systems and air humidification is typically taken from municipal water systems, groundwater, or local freshwater bodies. The DGEIS outlines that “ecosystem level effects should also be taken into consideration” in regard to water intakes, with adverse impacts including the disruption of the aquatic food web, nutrient cycling, and other biochemical processes.⁶² Examples of the negative impacts of water intake have already been seen in the state. In Seneca Lake, the Greenidge Generating Station, used to power a PoW CMO, has a Water Withdrawal Permit to withdraw freshwater directly from Seneca Lake.⁶³ This enormous amount of freshwater withdrawal has negative impacts on the lake itself, the surrounding ecosystem, and local biodiversity. It also harms the local aquatic life. Before screens were installed, fish, fish eggs, and crayfish were entrained, or killed upon

⁵⁷ Int'l Energy Agency, *Global Water Consumption in the Energy Sector by Fuel and Power Generation Type in the Stated Policies Scenario, 2021 and 2023*, <https://www.iea.org/data-and-statistics/charts/global-water-consumption-in-the-energy-sector-by-fuel-and-power-generation-type-in-the-stated-policies-scenario-2021-and-2030> (last updated Mar. 22, 2023).

⁵⁸ DGEIS at 40.

⁵⁹ Digihost, *Full Environmental Assessment Form* at 5 (Aug. 12, 2021), https://www.northtonawanda.org/documents/legal%20notice/fortistar%20amended%20seqr_2.pdf. The City's current usage averages 4 million gallons per day.

⁶⁰ DEC, *Greenidge Generating Station*, <https://dec.ny.gov/environmental-protection/facilities-in-your-neighborhood/greenidge-generating-station> (last visited Aug. 27, 2028).

⁶¹ U.S. EPA, *Nat'l Pollutant Discharge Elimination System — Cooling Water Intake Structures at Existing Facilities & Phase I Facilities*, 76 Fed. Reg. 22,174, 22,246 (proposed Apr. 20, 2011), <https://www.federalregister.gov/documents/2011/04/20/2011-8033/national-pollutant-discharge-elimination-system-cooling-water-intake-structures-at-existing>; U.S. EPA, *Harmful Algal Blooms and Drinking Water Factsheet*, https://www.epa.gov/sites/default/files/2016-11/documents/harmful_algal_blooms_and_drinking_water_factsheet.pdf (last visited Sept. 2, 2025); see generally Steven C. Chapra, *Surface Water-Quality Modeling*, McGraw-Hill (1997).

⁶² DGEIS at 22.

⁶³ DEC, *Greenidge Generating Station*, <https://dec.ny.gov/environmental-protection/facilities-in-your-neighborhood/greenidge-generating-station> (last visited Aug. 27, 2028); Ben Arnoldy, Earthjustice, *Crypto Miners Bought Their Own Power Plant. It's a Climate Disaster*. (Sept. 27, 2023), <https://earthjustice.org/article/cleaning-up-crypto>.

intake.⁶⁴ Mitigation measures that were ultimately made at Greenidge, and other protective measures, should be referenced in the DGEIS.

When CMOs discharge hot water into freshwater bodies, it creates impacts that cannot be adequately mitigated and can reduce water quality. This thermal pollution endangers health and wildlife habitability, including but not limited to potential harmful algal blooms, fish deaths, biodiversity loss and migration, oxygen depletion, direct thermal shock, and changes in dissolved oxygen. The DGEIS does describe the numerous harmful impacts on water quality from hot water discharges,⁶⁵ but commenters request that DEC expand on the risks of harmful algae blooms. Thermal water pollution is a key fuel for toxic cyanobacteria.⁶⁶

The DGEIS outlines that water contaminants is also a concern, which can include chemicals (such as acids and/or salts) used to clean the cooling systems that can release into the groundwater or a receiving water body.⁶⁷ Some cooling systems use dielectric oil or other oils, and oftentimes the contents of that oil mixture and its proper disposal are not clear. This can cause negative impacts on local communities and sensitive ecological and cultural areas, which could be expanded on in the DGEIS, and must be mitigated.

PoW CMOs can also overwhelm local municipal water systems, given their need for water usage. The risks are heightened in municipalities with aging infrastructure, which cannot handle the increase in flow within its water treatment plants and its pipes. For example, in the City of North Tonawanda, it is estimated that the PoW CMO facility and the accompanying gas plant accounts for 12% of the city's water usage, averaging 4 million gallons per day.⁶⁸ In 2022, North Tonawanda requested \$3 million in emergency aid to repair its sewer plant and \$30 million for long-term repairs.⁶⁹ Commenters request DEC supplement its DGEIS with the need to mitigate impacts on local municipal infrastructure, especially for aging wastewater treatment plants, pipes, and other municipal infrastructure.

H. Noise Pollution from PoW CMOs Adversely Impacts Local Communities, Pets and Wildlife

Further analysis is needed in the DGEIS on the harmful impacts of noise pollution from PoW CMOs on local communities. In Section 4.2, the DGEIS notes in summary fashion that PoW CMOs create significant amount of noise pollution, emitting a constant low frequency hum between 60 and 90 decibels,⁷⁰ and also outlines how chronic noise pollution can negatively affect wildlife, inhibiting activities such as reproduction, feeding, and evading

⁶⁴ Jessica McKenzie, *This Power Plant Stopped Burning Fossil Fuels. Then Bitcoin Came Along*, Grist. (May 6, 2021), <https://grist.org/technology/bitcoin-greenidge-seneca-lake-cryptocurrency/>.

⁶⁵ DGEIS § 3.7.3 at 23.

⁶⁶ Peter Mantius, *DEC Ignores Warnings on Toxic Blooms*, Water Front (Nov. 15, 2017), <https://waterfrontonline.blog/2017/11/15/dec-ignores-warnings-on-toxic-blooms/>.

⁶⁷ DGEIS at 23.

⁶⁸ Digihost, *Full Environmental Assessment Form* at 5 (Aug. 12, 2021), https://www.northtonawanda.org/documents/legal%20notice/fortistar%20amended%20seqr_2.pdf.

⁶⁹ Thomas J. Prohaska, *North Tonawanda Asks for \$30 Million in Emergency Aid to Replace Sewer Plant*, Buffalo News (Mar. 12, 2022), https://buffalonews.com/news/local/government-and-politics/north-tonawanda-asks-for-30-million-in-emergency-aid-to-repair-sewer-plant/article_91b32598-a145-11ec-b35d-7314fe498fd0.html; *Energy Bomb*.

⁷⁰ DGEIS at 35.

predation.⁷¹ This analysis should be expanded to detail the severe impacts noise pollution has on host communities.

Cryptocurrency mining introduces significant noise pollution.⁷² In North Tonawanda, New York, one neighbour described it as “that whistling and that howling and it’s nonstop.”⁷³ Another resident stated “she continues to hear the whine one mile away from the plant. In Plattsburgh, New York, one local resident described the “constant, high-frequency whine . . . like a small-engine plane getting ready to take off. . . It registers at this weird level, like a toothache that won’t go away.”⁷⁴

Noise pollution has serious and harmful impacts on local communities, pets, and wildlife.⁷⁵ Exposure to noise pollution can cause sleep disorders, discomfort, sensitivity and irritability to noise, annoyance, stress, hearing loss, reduced performance, fatigue, heart rate and cardiovascular diseases, tension and blood pressure, anxiety, depression, and more.⁷⁶ Even low levels of chronic noise can lead to serious health impacts, including hypertension, cardiovascular disease, and sleep disruption, which can in turn result in exacerbation of psychological disorders and even premature mortality.⁷⁷ Because the sound’s intensity multiplies by 10 with every increase of 10 decibels, a small increase in decibels represents a large increase in the intensity of noise.⁷⁸ For example, 20 decibels is *ten times* more intense than 10 decibels.⁷⁹ The DGEIS properly identifies that low-frequency or C-weighted decibel noise pollution has uniquely negative impacts on humans and animals. Commenters thus urge the DEC to include more detailed information on noise pollution harms from PoW CMOs.

⁷¹ *Id.* § 4.2 at 35.

⁷² See, e.g., Jeff Keeling, *Professor: Bitcoin Mining’s Model Brings not Just Noise, but Environmental Cost that’s Under Scrutiny*, WJHL (May 19, 2021), <https://www.wjhl.com/news/local/professor-Bitcoin-minings-model-brings-not-just-noise-but-environmental-cost-thats-under-scrutiny/>; Robert Houk, *Officials Press Bitcoin Company to Find a Solution to Noise Issues*, Johnson City Press (Aug. 23, 2021), https://www.johnsoncitypress.com/news/officials-press-bitcoin-company-to-find-a-solution-to-noise-issues/article_78e62c44-0434-11ec-af1c-bf43ccb2b545.html; Andy Koen, *Noise Complaint Over Crypto Mining Business Led City to Buy New Equipment*, KOAA News (Jul. 26, 2019), <https://www.koaa.com/news/covering-colorado/noise-complaint-over-crypto-mining-business-led-city-to-buy-new-equipment>; Andy Fox, *What’s That Noise? One of World’s Largest Bitcoin Facilities Is Too Loud, VB Neighbours Say*, Wavy (Aug. 15, 2018), <https://www.wavy.com/news/whats-that-noise-one-of-worlds-largest-Bitcoin-facilities-is-too-loud-vb-neighbors-say/>; *Norway Council May Shut Down Noisy Bitcoin Miner*, The Local (Aug. 21, 2018), <https://www.thelocal.no/20180821/norway-council-may-shut-down-noisy-Bitcoin-miner/>.

⁷³ Rob Hackford, WGRZ, *Tough Questions about North Tonawanda Cryptocurrency Facility* (Mar. 16, 2022), <https://www.wgrz.com/article/news/local/complaints-continue-about-north-tonawanda-cryptocurrency-facility-erie-avenue/71-3f0949bc-9aed-49dd-abad-2fd95dd855db>.

⁷⁴ Lois Parshley, MIT Tech. Review, *How Bitcoin Mining Devastated this New York Town* (Apr. 18, 2022), <https://www.technologyreview.com/2022/04/18/1049331/%20bitcoin-cryptocurrency-cryptomining-new-york/>.

⁷⁵ Am. Pub. Health Ass’n, *Noise as a Public Health Hazard* (Oct. 26, 2021), <https://apha.org/Policies-and-Advocacy/Public-Health-Policy-Statements/Policy-Database/2022/01/07/Noise-as-a-Public-Health-Hazard>.

⁷⁶ Juliana AraújoAlves et al., *Low-Frequency Noise and Its Main Effects on Human Health—A Review of the Literature Between 2016 and 2019*, 10 *App. Scis.* 5205 (2020), <https://www.mdpi.com/2076-3417/10/15/5205>.

⁷⁷ Am. Pub. Health Ass’n, *supra* note 75.

⁷⁸ Linda Malone, § 11:2. *Sources of Noise Pollution*, 1 *Envtl. Reg. of Land Use* (last updated Oct. 2022).

⁷⁹ *Id.*

I. PoW CMOs Increase Electronic Waste Pollution

The specialized machines used for cryptocurrency mining have a limited lifespan of just a few years, and are often replaced even faster than that, as companies race to increase computing power. A study estimated that, in 2021 alone, PoW CMOs generated as much e-waste as produced by the whole country of the Netherlands.⁸⁰

The DGEIS also properly identified that even with anticipated recycling efforts, some portions of electronic hardware from PoW CMOs will not be feasible for recycling.⁸¹ This pollution leaves communities with unrecyclable waste that contains harmful materials some of which are toxic to the environment.⁸² As related to the serious lack of transparency of the PoW CMO industry, there is no reliable data on: (1) how often Application-Specific Integrated Circuit (ASIC) miners are replaced; (2) where they are disposed; (3) how the liquids in which ASIC miners are immersed, if cooled by immersion cooling, are disposed of, and especially if there are known PFAS chemicals in the immersion oil. While e-waste recycling efforts are necessary to mitigate its detrimental impact, at least some e-waste is an unavoidable consequence of PoW CMOs which has a detrimental impact not only to New York State, but also countries in the Global South which are likely to receive this e-waste without adequate mechanisms for its storage or recycling.

J. PoW CMOs Carry Fire and Explosion Risk

Commenters recommend that the DEC include more detailed information on fire and explosion risks. Because the specialized machines that mine cryptocurrency are so hot, there is also fire and explosion risk associated with mining operations, as well as the electric grid equipment serving them. For example, in Buffalo, New York, there was a fire and explosion from “faulty equipment” serving a mining operation.⁸³ Many municipalities are beginning to mitigate these risks here, for example, with specialized fire response guidelines.⁸⁴

K. Transparency Concerns with PoW CMOs

The DGEIS rightly acknowledges that there is little public information on CMOs across the state.⁸⁵ At present, most CMO facilities that are not directly associated with a power plant do not need state permits and have little to no public reporting requirements.⁸⁶ This lack of transparency makes it difficult for even the DEC to demonstrate the full impacts of PoW CMO

⁸⁰ Alex de Vries & Christian Stoll, *Bitcoin's Growing E-Waste Problem*, 175 Res., Conserv. & Recycling 105901 (2021), <https://www.sciencedirect.com/science/article/abs/pii/S0921344921005103?dgcid=author>.

⁸¹ DGEIS at 42.

⁸² De Vries & Stoll, *supra* note 80; Digiconmist, *Bitcoin Electronic Waste Monitor*, <https://digiconmist.net/bitcoin-electronic-waste-monitor/> (last visited Sept. 2, 2025).

⁸³ Turner Wright, Cointelegraph, *3K+ Bit Digital Hosting Partner's Crypto Miners Go Offline After Explosion and Fire* (May 20, 2022), <https://cointelegraph.com/news/3k-bit-digital-hosting-partner-s-crypto-miners-go-offline-after-explosion-and-fire>.

⁸⁴ See, e.g., Int'l Ass'n of Fire Fighters, *Data Centers Are Booming — and Fire Fighters Must Adapt to New Challenges* (Mar. 13, 2025), <https://www.iaff.org/news/data-centers-are-booming-and-fire-fighters-must-adapt-to-new-challenges/>.

⁸⁵ DGEIS at 13.

⁸⁶ Press Release, Earthjustice, *U.S. Energy Information Administration Announces It Will Require Cryptocurrency Mining Companies to Report Their Energy Use for the First Time* (Jan. 31, 2024), <https://earthjustice.org/press/2024/u-s-energy-information-administration-eia-announces-it-will-require-cryptocurrency-mining-companies-to-report-their-energy-use-for-the-first-time>.

operations across the state. Due to this lack of transparency, it is extremely difficult for local communities to access information on how potential CMOs may operate in their community.

State action is critical to ensuring communities have the information to evaluate the industry's impacts. The data on cryptocurrency's energy use is crucial for grid operators, regulators, and communities who host these facilities.⁸⁷ Greater transparency mechanisms are needed for communities to know, understand, and mitigate the externalities and the risks.

Additional cryptocurrency mining operations in New York may be flying under the radar and not included in forecasted load estimates, because New York does not currently require on-the-grid cryptocurrency mines to register with the State in order to operate. In contrast, states such as Texas⁸⁸ and Arkansas⁸⁹ require CMOs to register with the state.

II. Policy Recommendations New York State Should Enact Immediately

There is no scenario that would make selection of the "No Action Alternative" in Section 5.1 acceptable for New York State. As described above, unregulated PoW CMOs are incompatible with New York law and create negative environmental and economic impacts for host communities and for the state.

As evidenced in the DGEIS, the testimony at the eight public hearings in July, and written comments, the significant harms posed by PoW CMOs demand action. Without question, the only reasonable scenario to select is in section 5.3, "Limit, or Limit the Expansion of, PoW Cryptocurrency Mining Operations." The action that would provide the strongest protections for the public and environment would be to ban PoW authentication; however, short of this, we urge the Governor, State Legislature, and State Agencies to enact the following policies as quickly as possible to safeguard communities and small businesses from the ongoing threats that PoW CMOs pose.

A. Affordability Protections for New Yorkers

1. Implement a State Digital Asset Mining Energy (DAME) Tax

The DGEIS correctly identifies that an electricity tax on CMOs to be a potential measure in regulating CMOs.⁹⁰ Most PoW CMOs pay significantly less than other ratepayers for electricity, as noted above. To ensure that PoW CMOs pay their fair share, New York State should implement a Digital Asset Mining Energy (DAME) tax. Such a tax would ensure that CMOs within the state pay their fair share, especially since most CMO profits often flow out of state. Proceeds from this tax will help to mitigate the environmental, social, and economic impacts associated with these operations.

Proposals for a DAME tax have been made at the federal and state levels. In the President's Draft Budget Proposal for 2024,⁹¹ CMOs would have been subject to an excise tax

⁸⁷ *Id.*

⁸⁸ Tex. Public Utility Regulatory Act § 39.360, *Large Flexible Load Registration*; 16 Tex. Admin. Code § 25.114, *Registration of Virtual Currency Mining Facilities*.

⁸⁹ Ark. Code § 23-119-103; Arkansas Act 174 of 2024.

⁹⁰ DGEIS at 34, 37.

⁹¹ White House, *The DAME Tax: Making Cryptominers Pay for Costs They Impose on Others* (May 2, 2023),

to 30% of the costs of electricity, which was estimated to bring in \$3.5 billion in tax revenue over 10 years to help mitigate the negative environmental impacts from CMOs.⁹² Earlier this year, Nebraska’s Legislature considered Bill LB526 to impose a tax on the electricity used for CMOs, proposing an excise tax that would have been two and one half cents per kWh.⁹³ Although the final version of the bill did not include this tax, the early drafts of the bill sets forth yet another model that New York can apply to ensure that PoW CMOs pay their fair share, in light of the many adverse environmental and energy impacts from these facilities.

2. Eliminate State Tax and Other Subsidies for PoW CMOs

The state should prohibit state dollars from subsidising PoW CMOs. This includes programs like discounted electricity through NYPA’s Recharge, discussed above, as well as moneys allotted by Industrial Development Agencies, Regional Economic Development Councils, and other state dollars from supporting operations that harm the state by increasing pollution and contributing to affordability issues.

In other places, discounted electricity rates for PoW CMOs have been denied or revoked. In 2023, Norway eliminated a preferential electricity tax rate of PoW CMOs and data centers, citing that these incentives conflicted with the country’s climate goals.⁹⁴ Norway also implemented a VAT CMO tax increase.⁹⁵ Similarly, in 2023, Sweden abolished its PoW CMO tax incentive and began increasing its taxes on the industry as a whole.⁹⁶ In Kentucky, economic development rates have been denied for large cryptominers.⁹⁷

3. Explore Protective Electricity Tariffs

Many states, and many utilities in other states, have observed cryptocurrency mining’s detrimental impacts on other ratepayers and the grid and have taken action. State utility commissions around the country have used their rate-making authority to set rates for cryptocurrency mining operations that better protect other ratepayers from having to

<https://bidenwhitehouse.archives.gov/cea/written-materials/2023/05/02/cost-of-cryptomining-dame-tax/>; U.S. Dep’t Treasury, *General Explanations of the Administration’s Fiscal Year 2025 Revenue Proposals* (Mar. 11, 2024), <https://home.treasury.gov/system/files/131/General-Explanations-FY2025.pdf>.

⁹² White House, *supra* note 91.

⁹³ Legis. B. 526, 109 Leg. 1st Sess. (Neb. 2025),

<https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB526.pdf>; *see also* Brian Beach, *Senators Consider Tax on Electricity Used for Cryptocurrency Mining*, Neb. Public Media (Feb. 12, 2025),

<https://nebraskapublicmedia.org/en/news/news-articles/senators-consider-tax-on-electricity-used-for-cryptocurrency-mining/>.

⁹⁴ Charles Hayes, *Norway’s Regulatory Shift on Crypto Mining: A Catalyst for Green Tech Investment*, AInvest (June 20, 2025), <https://www.ainvest.com/news/norway-regulatory-shift-crypto-mining-catalyst-green-tech-investment-2506/>.

⁹⁵ Eliza Gkritsi, *Sweden Drives Final Nail into its Bitcoin Mining Industry with Tax Hike*, Coin Desk (Apr. 14, 2023), www.coindesk.com/policy/2023/04/14/sweden-drives-final-nail-into-its-bitcoin-mining-industry-with-tax-hike/.

⁹⁶ *Id.*

⁹⁷ Ky. PSC, Order, In the Matter of: Electronic Tariff Filing of Kentucky Power Co. for Approval of a Special Contract with Ebon Int’l, LLC, Case No. 2022-00387 (Aug. 28, 2023); Ethan Howland, *Kentucky PSC Rejects AEP Utility’s 250-MW Cryptomining Power Supply Contract*, Utility Dive (Aug. 30, 2023), <https://www.utilitydive.com/news/kentucky-psc-aep-kentucky-power-cryptomining-power-supply-ebon/692237/>.

subsidize their operations, and to ensure adequate electricity supply for the grid as a whole.⁹⁸ Examples of utilities establishing tariffs specific to CMOs can be found in the Energy Futures Group, *Review of Large Load Tariffs to Identify Safeguards and Protections for Existing Ratepayers*.⁹⁹

One early example is from Plattsburgh, New York, where the municipality was able to protect its residents through implementing a new protective rate for the cost of electricity for CMOs to protect its residential rate payers and small businesses.¹⁰⁰ Plattsburgh Rider A, approved in 2022,¹⁰¹ defines High Density Load customers as “generally involved in mining for cryptocurrencies, which requires significant amounts of electricity but generates few, if any, jobs, and can move to new location with little effort.”¹⁰² In approving Rider A, the Public Service Commission acknowledged the need to provide safeguards to municipal utility customers by requiring High Density Load customers to provide a deposit or letter of credit because such customers can relocate easily, and their energy bills can reflect a significant portion of the municipal utilities’ total supply cost.¹⁰³ This can be impeded at the state level. The state could also require best management practices for high-density load energy users, including increasing energy efficiency requirements, or power density limits that set caps on the number of kW of energy consumption or load per thousand square feet, and take service as fully interruptible load.

⁹⁸ Energy Futures Group, *Review of Large Load Tariffs to Identify Safeguards and Protections for Existing Ratepayers* (Jan. 28, 2025), <https://energyfuturesgroup.com/wp-content/uploads/2025/01/Review-of-Large-Load-Tariffs-to-Identify-Safeguards-and-Protections-for-Existing-Ratepayers-Report-Final.pdf> (citing Idaho Power Co., *Schedule 20: Speculative High-Density Load* (Jan. 1, 2024); N.Y. PSC, *Order Adopting Action and Tariff Amendments on a Permanent Basis, Tariff Filing by the New York Municipal Power Agency to Implement a New Rider A - Rates and Charges for High Density Load Service*, N.Y. PSC Case 18-E-0126 (June 15, 2018); *In the Matter of the Application of Entergy Arkansas, LLC for a Proposed Tariff Regarding Large Power High-Load Density (Crypto-Mining)*; Order Granting Approval, *Matter of Application of Mecklenburg Elec. Coop.* (Dec. 14, 2021); see also *Blocktree Prop., LLC v. Pub. Util. Dist. No. 2 of Grant Cnty., WA*, 447 F. Supp. 3d 1030 (E.D. Wash. 2020), *aff’d sub nom*, 849 F. App’x 656 (9th Cir. 2021) (upholding Grant County’s ability to institute special rates for cryptocurrency mining companies).

⁹⁹ *Id.*

¹⁰⁰ Delisle, *supra* note 21.

¹⁰¹ N.Y. PSC, *Order Adopting Action and Tariff Amendments on a Permanent Basis, Tariff Filing by the New York Municipal Power Agency to Implement a New Rider A - Rates and Charges for High Density Load Service*, N.Y. PSC Case 18-E-0126 (June 15, 2018).

¹⁰² *Id.* at 2–3.

¹⁰³ *Id.* (cryptocurrency mining loads “impose capital and commodity costs on NYMPA members because of their unusually high energy demands while not maintaining a long-term presence in the community, [and] increase[e] costs for all NYMPA members and their ratepayers while providing no corresponding benefit to the community.”).

4. Explore a Temporary Moratorium

State utility commissions around the United States¹⁰⁴ and Canada¹⁰⁵, as well as U.S. grid operators,¹⁰⁶ have paused service requests from cryptocurrency miners to give the municipality or utility time to address and mitigate the concerns laid out above and through the DGEIS. Most recently, Norway instituted a temporary moratorium noting its energy intensity and that it “generates little in the way of jobs and income for the local community.”¹⁰⁷

We recommend that the state seriously consider a temporary moratorium on new connections and expansion of existing load for cryptocurrency mining until protective measures for communities and affordability can be instituted, such as: protective electricity rates for residential rate payers, including but not limited to safeguards from socializing the

¹⁰⁴ See, e.g., *Application for Approval of New Tariffs by Ohio Power Co., Matter of the Application of Ohio Power Company*, Ohio PUC Case No. 24-508-EL-ATA (pausing new service requests from data centers and cryptocurrency mines, and applying for a Data Center Power tariff and Mobile Data Center tariff to “justly and reasonably balances the interests of these new classes of data center and cryptocurrency miner customers with the other existing (and future) AEP Ohio Customers”); Statement of Steve Wright of Public Utility District No. 1 of Chelan County, *Cleaning Up Cryptocurrency: the Energy Impacts of Blockchains Before the Subcomm. on Energy and Commerce*, 117th Cong. 2, 5 (2022); see also *Questions for the Record re: Hearing on Cleaning Up Cryptocurrency: The Energy Impacts of Blockchains Before the Subcomm. on Energy and Commerce*, 117th Cong. (2022) (the Chelan County Public Utility District in Washington instituted two moratoriums on new mining operations as well as a new rate structure to discourage miners from setting up shop within its footprint after the utility was overwhelmed by demand for cheap hydropower from crypto miners).

¹⁰⁵ See, e.g., Jacques Poitras, *Province Banning N.B. Power from Selling Electricity to Crypto Mines*, CBC (Nov. 1, 2024), <https://www.cbc.ca/news/canada/new-brunswick/province-banning-nb-power-selling-electricity-crypto-mines-1.7014210> (New Brunswick banned new electrical grid connections for Bitcoin miners citing the strain on grid and need for supply to meet other core demands); Sam Reynolds, *British Columbia Court Backs Ban on Crypto Mining in Canadian Province*, CoinDesk (Feb. 6, 2024), <https://www.coindesk.com/policy/2024/02/06/british-columbia-court-backs-ban-on-crypto-mining-in-canadian-province/> (British Columbia’s provincial power utility, B.C Hydro’s, moratorium on crypto mining projects was upheld by judge in 2024).

¹⁰⁶ Electric Reliability Council of Texas (ERCOT), *Notice to Interconnecting Market Participants: W-A032522-01 Interim Large Load Interconnection Process* (Mar. 25, 2022), https://www.ercot.com/services/comm/mkt_notices/detail?id=fc84b65f-72fe-4704-9974-b52974cdb81e (ERCOT has temporarily paused requests for “load interconnection requests that have not been modelled and studied in a completed ERCOT planning assessment . . . and meet the following applicability requirements: New loads not co-located with a Resource with total demand within the next two years of 75 MW or greater; Existing loads not co-located with a Resource increasing total demand by 75 MW or greater within the next two years; New loads co-located with a Resource with total demand within the next two years of 20 MW or greater; or Existing loads co-located with a Resource increasing total demand by 20 MW or greater within the next two years”).

¹⁰⁷ See, e.g., Reuters, *Norway plans temporary ban on power-intensive cryptocurrency mining* (June 20, 2025) <https://www.reuters.com/technology/norway-plans-temporary-ban-power-intensive-cryptocurrency-mining-2025-06-20/> (“Norway aims to impose a temporary ban on the establishment of new data centres that mine cryptocurrency with the most power-intensive technology, in order to conserve electricity for other industries . . . ‘Cryptocurrency mining is very power-intensive and generates little in the way of jobs and income for the local community.’”).

costs associated with new infrastructure from digital loads;¹⁰⁸ protections from stranded assets and unpaid bills, for example via security deposits, surety bonds, or letters of credit; rightsized demand response programs that do not disproportionately reward cryptocurrency miners for demand response (and ensure that they do in fact respond at times of peak load, since some evidence indicates inconsistency in behaviour¹⁰⁹), when residential ratepayers and local businesses are not afforded the same terms;¹¹⁰ adequate and clean generation that provides 1) new clean supply, 2) hourly matching and 3) regional deliverability;¹¹¹ requirements that all cryptocurrency miners purchase Tier 1 Renewable Energy Credits¹¹² or pay a system benefit charge; and other safeguards to ensure that mining facilities do not increase electricity or capacity costs for existing customers.

A temporary moratorium on large digital loads would allow the state to ensure affordability and adequate power, and allow communities to protect themselves. It is an acute

¹⁰⁸ See, e.g., Sierra Club, *Demanding Better: How Growing Demand For Electricity Can Drive A Cleaner Grid* (Sept. 2024), https://www.sierraclub.org/sites/default/files/2024-09/demandingbetterreportfinal_sept2024.pdf; Shankar Chandramowli, et al., ICF, *Power surge: Navigating U.S. Electricity Demand Growth: How the Rapid Rise in Electricity Demand Could Impact the Transition to Clean, Reliable, and Affordable Electricity* 17 (Sept. 12, 2024), <https://www.icf.com/insights/energy/impact-rapid-demand-growth-us> (recommendations include: “Allowing tariffs that enable fair recovery of grid maintenance and investment costs, based on usage by different kinds of customer groups[;] Considering alternatives for cost recovery and return on investment for non-traditional investments[; and] Balancing investment risks of new technologies with safe, secure, reliable, and affordable electricity. Performance-based rate structures, market participation, and other solutions should all be considered.”).

¹⁰⁹ See, e.g., ERCOT Large Flexible Load Task Force (LFLTF), *Public Overview of Large Load Revision Requests for 8.16.23 Workshop* at Slide 10 (Nov. 8, 2023), <https://www.ercot.com/files/docs/2023/11/08/PUBLIC-Overview-of-Large-Load-Revision-Requests-for-8-16-23-Workshop.pptx> (“Large Loads have exhibited inconsistent behavior during Resource scarcity events . . . In the last two years, ERCOT has acquired some information regarding Large Load behavior during periods of Resource scarcity. Experience shows inconsistent response from Large Load sites that should be expected to reduce consumption.”).

¹¹⁰ In Texas, a BloombergNEF report and ERCOT’s independent market monitor both found that energy prices in Texas will increase by \$1.5 to 1.8 billion if Bitcoin mining continues its rapid expansion in Texas. That same modeling shows peak energy prices increasing by 30% in a scenario where cryptocurrency mining peak load roughly triples and increasing by 80% if cryptocurrency mining peak load increases sixfold. Wood Mackenzie, *The Key Takeaways from our PJM, MISO and ERCOT Seasonal Outlook Webinars* (Sept. 27, 2023), <https://www.woodmac.com/news/opinion/the-key-takeaways-from-our-pjm-miso-and-ercot-seasonal-outlook-webinars/>; Robert Walton, *Conservative Approach to Texas Grid Operations Could Cost Consumers \$1.5B This Year, Says Market Monitor*, Utility Dive (June 24, 2022), <https://www.utilitydive.com/news/texas-grid-ercot-market-monitor-consumers-puc/626018/>. By way of illustration, five facilities in Texas collectively made at least \$60 million from demand response programs since 2020, and Riot Blockchain specifically, in just one summer month’s heat wave last year, profited more than \$31.7 million alone. Those payments will be paid for by other Texans. See, e.g., MacKenzie Sigalos & Jordan Smith, *Texas Paid Bitcoin Miner Riot \$31.7 Million to Shut Down During Heat Wave in August*, CNBC (Sept 6, 2023), <https://www.cnbc.com/2023/09/06/texas-paid-bitcoin-miner-riot-31point7-million-to-shut-down-in-august.html>.

¹¹¹ American Clean Power, *3 Pillars for Building a Green Hydrogen Industry for Decarbonization* (June 2023), https://cleanpower.org/wp-content/uploads/gateway/2023/06/ACP_GreenHydrogenFramework_OnePager.pdf; Rachel Fakhry, NRDC, *New Analysis: The 3 Pillars Will Support Large Hydrogen Deployment* (June 20, 2023), <https://www.nrdc.org/bio/rachel-fakhry/new-analysis-3-pillars-will-support-large-hydrogen-deployment>.

¹¹² 5 cents per kwh is still significantly disproportionate to what everyday New Yorkers pay for their electricity, as discussed above. NYSERDA, *Tier 1 - New Renewables*, <https://www.nyserda.ny.gov/All-Programs/Large-Scale-Renewables/RES-Tier-One-Eligibility> (last visited Sept. 9, 2024); Jenny Ahn & Nick Gibbons, *supra* note 18 (“TeraWulf’s operating cost would increase by an estimated 60% if the company purchased enough RECs to cover its planned capacity at the keystone facility. This would bring TeraWulf’s energy cost to around the industry average.”).

issue, as the large load interconnection queue has only grown, much which are requests that may never be built.¹¹³

B. Energy Conservation and Energy Efficiency Measures Are Needed

DEC was correct to reference waste heat recycling as an effective measure to minimize the impact of CMOs in Section 4.3. PoW CMOs produce heat from their electricity use that, can be reused or co-located to ensure that energy is being used efficiently.

An example of this can be found in Plattsburgh, New York municipal code, as part of the town's comprehensive legislation to regulate CMOs and protect local health and safety, the city mandated that CMOs using over 300 kW of electricity per month implement heat transfer apparatuses in order to operate.¹¹⁴

C. Reporting Requirements Are Needed

Commenters urge reporting requirements for PoW CMOs that include measurable data on each of the adverse impacts noted above: energy consumption and source, GHG emissions, local air pollution, water pollution, noise pollution, electronic waste, fire and safety, jobs, and subsidies. The DGEIS correctly cites to Arkansas and Oregon law that require such reporting.¹¹⁵ Texas also has passed a law and implementing regulations requiring information and reporting for PoW CMOs.¹¹⁶ To comply with New York state law, PoW CMOs should also disclose burdens in DACs including "existing burden reports" under the Cumulative Impacts Law and disproportionate burden analyses required by CLCPA Section 7(3). We urge the state to work with the legislature and other state agencies toward providing information and sunshine on this unregulated industry.

D. Permitting and Regulatory Reforms Are Needed

Under current law in New York, when an air permit renewal is denied, a facility can continue to operate under an expired air permit so long as the permittee applied on time and had a complete application. This can continue as long as adjudicatory proceedings are underway, which poses substantial harm to the people and communities that are by these facilities, and undermine the state's ability to meet the obligations of the CLCPA. New York currently has two CMOs operating in fossil fuel power plants that are running on expired air permits. *We urge the department to promulgate regulations that reduce the overall amount of time that an adjudicatory proceeding can continue to ensure that communities are protected and all parties have a timely resolution.*

DEC issues permits to certain sources of air pollution that require permits under Title V of the federal Clean Air Act.¹¹⁷ Each Title V permit lasts for a maximum of five years, and

¹¹³ NYISO, *Gold Book – 2025 Load & Capacity Data Report* at 131, 134 (Apr. 2025), <https://www.nyiso.com/documents/20142/2226333/2025-Gold-Book-Public.pdf/088438e1-02f1-5316-211b-dbca17c01b4b>) (nearly all from data centers, largely known or suspected cryptocurrency mining projects).

¹¹⁴ City of Plattsburgh Code §§ 360-29(J), 360-29(F)(3)-(4); Plattsburgh Code, Appendix – Code Changes in the City of Plattsburgh Code Changes in the City of Plattsburgh in Response to Cryptocurrency Mining, Server 2(D); The Sun, Plattsburgh Cryptocurrency Regulations Unveiled (Oct. 12, 2018), <https://suncommunitynews.com/news/67515/plattsburgh-cryptocurrency-regulations-unveiled/>.

¹¹⁵ DGEIS at 35.

¹¹⁶ Tex. Public Utility Regulatory Act § 39.360, Large Flexible Load Registration; 16 Tex. Admin. Code § 25.114, Registration of Virtual Currency Mining Facilities.

¹¹⁷ ECL § 19-0311.

before their expiration, Title V facilities are required to apply for a permit renewal.¹¹⁸ In light of the CLCPA, DEC is required to consider New York’s climate and emission reduction mandates, and disadvantaged communities in its decision to approve, modify or deny a Title V permit renewal application.¹¹⁹ State Administrative Procedures Act (SAPA) section 401 applies broadly to all licensing and permitting activities administered by state agencies, including Title V permits administered by DEC.¹²⁰

Section 401(1) provides that “when licensing is required by law to be preceded by notice and opportunity for hearing, the provisions of this chapter concerning adjudicatory proceedings apply.”¹²¹ SAPA article 3, “Adjudicatory Proceedings,” contains detailed requirements to guide agencies in carrying out adjudicatory proceedings.¹²² This means that if a licensing statute provides for a “hearing” or an “opportunity to be heard,” the administering agency must provide the applicant with a hearing that complies with SAPA article 3.¹²³ Section 401(2) provides that “when a licensee has made timely and sufficient application for the renewal of a license or a new license with reference to any activity of a continuing nature, the existing license does not expire until the application has been finally determined by the agency, and, in case the application is denied or the terms of the new license limited, until the last day for seeking review of the agency order or a later date fixed by order of the reviewing court.”¹²⁴ This means when an agency denies a permit renewal application, if the permittee applies on time and its application is complete, it can keep operating under the expired permit until “final determination” by the agency.

Under the current legal framework, an applicant/permittee that applies for a renewed or modified permit within the required timeframe may continue to operate under its existing permit.¹²⁵ If DEC issues a permit and the applicant objects to any of its provisions, it may seek an adjudicatory proceeding.¹²⁶ If DEC issues a notice of intent to deny the renewal permit, issues a modification, or issues a permit with conditions, the applicant/permittee may seek an adjudicatory hearing to challenge the agency’s determination.¹²⁷ If the applicant/permittee requests a hearing, it is allowed to continue to operate under its prior permit—even where the denial, modifications or challenged provisions reflect updated law, science, and public health protection.¹²⁸

Because there is no regulatory time frame to complete adjudicatory hearings, and because the current rules invite delay from well-resourced applicants/permittees, applicant/permittees may operate under expired and outdated permits for many years until there is a final agency determination (and then state court appeals or other additional processes). As a recent Office of the Comptroller’s audit found, “the longer the permits remain extended [under SAPA], the greater the risk that facilities are not operating under

¹¹⁸ *Id.* § 19-0311(3)(b).

¹¹⁹ CLCPA § 7(2).

¹²⁰ N.Y. State Admin. Proc. Act §100 (2023).

¹²¹ *Id.* § 401(1).

¹²² *Id.* art. 3.

¹²³ *Id.* § 401(1).

¹²⁴ *Id.* § 401(2).

¹²⁵ *Id.* § 401(2).

¹²⁶ 6 NYCRR § 621.10(h).

¹²⁷ *Id.*

¹²⁸ N.Y. State Admin. Proc. Act § 401(2); 6 NYCRR § 621.13(e).

requirements that align with the most up-to-date air pollution control standards.”¹²⁹ The Audit, which focused solely on DEC’s Air Permitting, found that as of April 2022, over 182 facilities were active facilities under a SAPA permit extension, with 20% of these facilities likely operating longer than four years.¹³⁰

DEC should promulgate regulations that seek to reduce the overall amount of time an adjudicatory proceeding continues. We urge the DEC to consider additional regulatory reforms that add specific and enforceable timeframes to the adjudicatory process and preclude abuse of the administrative process by well-resourced applicant/permittees for purposes of extending their operations governed by a prior permit.

Given that the reform to Part 624 does not include any timelines for the length of an adjudicatory proceeding, *it is imperative that DEC ensure each aspect of the administrative appeal process be decided on a timely basis.* While we understand the need for some discretion to alter timelines established in the existing regulations, many intervals within proceedings are unacceptably long. This is especially concerning where a renewal permit has been denied or modified but the applicant/permittee continues to operate with an expired permit for the duration of the protracted proceeding. The existing regulations provide that an Issues Ruling should be issued no later than 30 days after an Issues Conference.¹³¹ In addition, while there may be times extensions are warranted, consistent delays throughout the Part 621 and Part 624 process accumulate and this can inflict significant harm on communities, as expired or denied permit applications continue to operate. For all of these reasons, proceedings should adhere to the existing timelines. *We also encourage DEC to consider a 60-day timeframe for the Commissioner to issue a decision on an interlocutory appeal.* As it stands, when an applicant/permittee or potential party files an interlocutory appeal, the Commissioner may decide the issue at any time. A review of past decisions shows that the Commissioner’s decisions can delay the entire appeal anywhere between 7–24 months. While the Commissioner may, in accordance with Section 624.6(g), extend the timeline for their own decision, DEC should adopt a default 60-day timeframe. This reasonable timeframe benefits all parties in obtaining a timely resolution.

¹²⁹ N.Y. State Comptroller, *Dep’ of Envtl Conserv.: Monitoring of Air Quality (Facility Permits and Registrations)*, Report No. 2021-S-4 at 13 (Sept. 2023), <https://www.osc.ny.gov/files/state-agencies/audits/pdf/sga-2023-21s41.pdf>; see also Melissa Hubbard, *Another Voice: Expired air permits must be addressed by the New York DEC*, Buffalo News (Aug 20, 2024), https://buffalonews.com/opinion/article_567477da-5bfa-11ef-b5cc-139575e805b5.html.

¹³⁰ N.Y. State Comptroller, *supra* note 147 at 12.

¹³¹ 6 NYCRR § 624.4(b)(5).

III. Conclusion

The undersigned organizations thank the DEC for its efforts to produce this comprehensive DGEIS. Considering the urgency of the myriad risks posed by PoW CMOs, we urge the DEC to finalize the DGEIS as soon as possible; and work collaboratively with the State Legislature and sister agencies to reign in the affordability, energy, and environmental harms of PoW CMOs and do everything it can to protect New Yorkers.

Thank you for the opportunity to comment.

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National Coalition Against Cryptomining
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North Tonawanda Climate Smart Communities Task Force
NYPAN Environmental Committee
Oxford Farmers' Market
People for a Healthy Environment
Reinvent Albany
Sane Energy Project
Seneca Lake Guardian
Sierra Club Atlantic Chapter
Stop the Constitution Pipeline
Sustainable Finger Lakes
The Clean Air Coalition of Western New York
The Climate Reality Project New York Chapters Coalition
The New York Geothermal Energy Organization (NY-GEO)
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