SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF YATES

In the Matter of the Application of
GREENIDGE GENERATION LLC,

Petitioner-Plaintiff,

For a Judgment Pursuant to Article 78 of the Civil Practice Law and Rules

-against-

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, and ACTING COMMISSIONER SEAN MAHAR, In his Official Capacity as Acting Commissioner,

Respondents-Defendants,

SENECA LAKE GUARDIAN, THE COMMITTEE TO PRESERVE THE FINGER LAKES, and SIERRA CLUB

Intervenors-Respondents.

AFFIDAVIT IN SUPPORT OF MOTION SEEKING LEAVE TO APPEAR AS *AMICUS CURIAE*

Index No.: 2024-5221

STATE OF NEW YORK)
) ss.:
COUNTY OF ALBANY)

KENNETH J. POKALSKY, being duly sworn deposes and states:

1. I am the Vice President of The Business Council of New York State, Inc. ("The Business Council"). In this role, I am responsible for management of The Business Council's legislative and regulatory advocacy efforts on climate, environmental, energy and taxation issues. I have been the Vice President of The Business Council since December, 2013.

2. I submit this Affidavit in support of The Business Council's motion for permission to appear as *amicus curiae* in support of Petitioner-Plaintiff Greenidge Generation LLC's

("Greenidge") Verified Petition and Complaint (the "Petition and Complaint") seeking to annul the Department of Environmental Conservation's (the "Department" or "NYSDEC") Notice of Denial of Greenidge's application to renew its Title V air permit (the "Denial"), as affirmed by the Regional Director Dereth Glance on May 8, 2024 (the "Final Decision").

THE BUSINESS COUNCIL'S INTEREST IN THIS MATTER

3. The Business Council is New York State's largest statewide, industry-wide employer association, representing more than 3,300 private sector businesses and business groups.

4. The Business Council's mission is to advance economic growth, creating good jobs and strong communities across New York State. Based on significant input from Business Council members, we are very concerned about the state's economic competitiveness. New York is widely cited as having a challenging business climate, with high taxes and an expansive and stringent regulatory system. As a result, the state typically lags the nation and many other states in job growth, and has a high level of net outmigration to other states, exacerbating the shortage of skilled workers.

5. We have consistently raised concerns about the overall costs of implementing the CLCPA, and the significant uncertainty it poses for the adequacy, reliability and cost of electric power and natural gas, and the future compliance obligations of businesses with regard to greenhouse gas and related emissions.

6. One of the Business Council's key functions is to advocate for our members' interests before the state legislature and regulatory agencies, with occasional federal and municipal advocacy as well.

7. Over the years, The Business Council has participated in multiple legal actions, most often filing *amicus curiae* briefs in support of litigation with significant and/or widespread impact on our members.

8. The Business Council seeks to appear as *amicus curiae* in this matter in order to protect its members from the Department's overreach and erroneous interpretation and application of provisions of the Climate Leadership and Community Protection Act ("CLCPA") that it used to deny Greenidge's application to renew its Title V air emissions permit.

9. We recognize the Department's challenge in implementing the aggressive emission reduction and renewable energy mandates of the CLCPA, especially as it becomes increasingly likely that two principal CLCPA mandates – a 40 percent reduction in greenhouse gas emissions from 1990 levels by 2030 and the renewable generation of 70 percent of electric power by 2040 will be not be achieved on time. We are also very concerned that the challenges of meeting these CLCPA goals could result in increasingly costly and damaging compliance mandates being imposed on the state's business community.

10. As such, in addition to the direct impact of the Department's Denial, the Final Decision calls into question the Department's handling of permit renewals for other facilities with greenhouse gas ("GHG") emissions, (and frankly, any permit application otherwise eligible for adjudication between an applicant the NYSDEC) and what additional requirements or limitations will be applied to renewed permits under the provisions of the CLCPA.

11. Section 7(2) of the CLCPA directs all state agencies to "consider" whether their actions, including decisions to issue permits, are "inconsistent with or will otherwise interfere with the attainment of statewide greenhouse gas emissions limits[.]" Should there by an inconsistency,

the CLCPA clearly states that the state agency must provide a detailed statement of justification as to why the "limits/criteria may not be met, and identify alternatives or greenhouse gas mitigation measures to be required where such project is located."

12. The CLCPA provides no guidance on what "inconsistent" means, nor other parameters for reviewing agencies to use.

13. The Denial is based on the Department's interpretation and application of this overly broad and vague provision of the CLCPA, which found that the Greenidge facility is inconsistent with the CLCPA. Preliminarily, the Department made clear that their interpretation of the CLCPA is that they can determine that a given application is inconsistent – and can stop their evaluation there, regardless of the justification and amount of mitigation offered. This cuts short the review contemplated by the CLCPA, and allows DEC to give itself further arbitrary decision-making authority.

14. Further, this case evaluates crucial questions regarding what it means to be "inconsistent with" or to "interfere with" the attainment of the CLCPA's statewide GHG emission caps, to what extent the CLCPA requires the Department to consider possible justification of permits that may be "inconsistent with" or to "interfere with" achievement of those caps, and what emission mitigation measures may be required as a condition of permit renewals. Most importantly for Greenidge, and any company in New York State, the breadth of this authority with respect to a renewal of an existing, permitted facility, proposing no new emissions, must be determined, and must be determined in a common sense way.

15. Importantly, the Department has not adopted (or even proposed) regulations to define the key concepts being used to evaluate and make decisions on permit renewals (and applications for new permits) based on CLCPA consistency.

16. Given the lack of clear standards in the CLCPA, and lack of promulgated regulations that will be applied to GHG emission sources, The Business Council is very concerned with the establishment of Departmental policy though permit-specific determinations, determinations that may be inconsistent with or unsupported by statute, and inconsistent with other CLCPA-related policy actions.

17. Equally important, given the CLCPA's provisions regarding the justification of non-CLCPA consistent actions, including permit renewals, and the lack of statutory or regulatory guidance as to how "consistency" is to be determined, it is essential that the Department work with applicants on "alternatives or greenhouse gas mitigation measures" before taking the extraordinary action of denying the renewal of a permit for – and in effect precluding the continued operation of -- an existing facility. We are concerned that the Department's denial of the Greenidge permit renewal will usher in a decision-making practice that assumes that CLCPA 7(2) only provides for a binary outcome – approval or denial – without the opportunity for a robust discussion between the Department and applicant as to what permit modifications would adequately address CLCPA inconsistency, or at least allow for the approval of a "inconsistent" permit whose emission impacts have been mitigated to the degree practical.

18. Aside from the fact that a binary approach ignores the express language of the CLCPA, it would require denials in many circumstances where both the CLCPA's goals and keeping businesses in New York can be accomplished.

19. At the same time, there must be a balance between the mitigation necessary and the impact to existing businesses. The Department's approach to CLCPA implementation used in its review and denial of the Greenidge renewal application could subject other renewal applicants to demands for facility alternations and/or emission reductions that are excessively costly or technically infeasible, calling into question the viability of their continued operations in New York State should they not be denied outright. Further, as here, the Department could determine they are under no obligation to consider any justification, no matter how vital to maintaining New York's grid or economy, or considering mitigation.

20. These potential consequences of the precedents that would be set through the Department's Greenidge permit denial must be carefully considered by this Court in assessing Greenidge's petition for judicial review.

INTEREST OF *AMICUS CURIAE*

I. Criteria for Permit Review and Denial of Permit Renewal

21. The Department states that its denial of the Greenidge permit renewal was based on a finding that the facility's continued operation in its "current manner" would be inconsistent with or interfere with achievement of statewide GHG limits mandated by the CLCPA, based on several factors, including but not limited to assertions that the facility's GHG emissions had "drastically increased" since its initial Title V permit issuance and the permit renewal would allow the facility's actual GHG emissions to continue to increase.

22. The Business Council has several concerns regarding the Department's Denial in this regard.

23. Initially, there is nothing in the law or the legislative record indicating that the Legislature ever intended Section 7(2) of the CLCPA to impart unlimited denial authority on each and every state agency with respect to each and every decision to decide what economic activity should be allowed or disallowed in the state on climate grounds based on alleged "need" or other public policy determinations.

24. Moreover, Section 7(2) does not provide all state agencies with the authority, express or implied, to deny a permit for perceived inconsistencies with the statewide GHG emission limits. In fact, the words "deny" and "denial" are absent from Section 7(2) and anywhere else in the CLCPA. *See People v. Finnegan*, 85 N.Y.2d 53, 58 (1995) (The "Legislature's failure to include a substantive, significant prescription in a statute is a strong indication that its exclusion was intended.").

25. As the Court is aware, an administrative agency, such as the Department, possesses only the powers expressly delegated to it by the Legislature and an agency cannot assume additional powers not contained in its enabling legislation. *Matter of NY State Superfund Coalition, Inc. v. NY State Dept. of Envtl. Conservation*, 18 N.Y.3d 289, 295 (2011).

26. Here, CLCPA Section 7 does not amend the Department's enabling statute, the Environmental Conservation Law, or the enabling statutes of any other state agency. Since Section 7(2) fails to modify or expand the statute that governs the Department, it cannot be interpreted as granting the Department any authority beyond what it already exercises. This is particularly true given the draconic and severe consequence resulting from the Denial.

27. Accordingly, in the "absence of clear and definite language conferring without ambiguity jurisdiction" upon the Department to approve or deny of a permit based solely on a

Section 7(2) analysis, the Court should find that the legislature has not delegated any of its powers to the Department by enacting Section 7(2). *Quinby v. Public Service Commission of State of New York for Second Dist.*, 223 N.Y. 244, 263 (1918).

28. Importantly, Greenidge's application for a permit renewal did not request any substantive changes to the pre-existing permit that would result in a higher level of allowable emissions. Greenidge would not be increasing its potential-to-emit, which is the maximum emissions covered by its permit. Indeed, should any changes have been made to the emissions, or even the brand of equipment used, a modification, not renewal, would have been required by NYSDEC.

29. As such, while its actual GHG emissions may increase under a new permit, they would still be subject to and remain under the emission levels authorized under its pre-existing permit.

30. As discussed in more detail below, regardless of the level of emission allowed under a facility's "potential to emit" under its permit, its emissions will also ultimately be regulated under the Department's pending "cap and invest" rule ("NYCI"), which the Department has indicated will be one of its principle regulatory mechanisms to assure compliance with the CLCPA statewide GHG emissions cap.

31. This program, for which the Department is currently developing regulations, will require all sources of GHG above a certain threshold – economy wide[1] – to obtain allowances to emit GHG. Over time, the number of allowances would decrease, requiring technology or

[1] This also demonstrates how arbitrary the Denial is – NYSDEC is working on a program that would allow GHG to be reduced economy-wide, yet the Denial, and NYSDEC's position in this proceeding, is that unilateral, *ad hoc* determinations are required to accomplish this result.

operational changes, or other solutions, to decrease the amount of GHG emitted within the timeframes established in the CLCPA.

32. A key question is whether the CLCPA authorizes the Department to limit facility production or mandate its purchase of renewable energy to qualify for a renewed permit, even when the permit does not seek an increase in allowable emissions. This would turn the Department into a body that can extinguish long-standing operations, no matter the financial or economic consequences, that otherwise meet all state and federal permitting requirements, with the swipe of a pen. Such an approach is wholly inconsistent with the Department's NYCI "Pre-proposal Outline" which describes a process by which designated "energy intense, trade exposed" facilities that are eligible for reduced-cost allowance allocations would have their annual allocations adjusted based on increased production and related increased GHG emissions.

33. Even setting aside the inconsistency the Denial has with NYCI, the permit extension being applied for would have been effective through 2026, well before the CLCPA's 40 percent statewide GHG emission reduction mandate takes effect in 2030.

34. The Business Council questions how the issuance of a renewed permit that expires prior to 2030 would "interfere with" achievement of the 2030 emission reduction mandate. This is particularly the case given that Greenidge also proposed a condition mandating a 40% reduction in its current GHG prior to 2030.

35. The Department offered limited justification for this finding, other than stating that, "a facility may continue to operate and emit GHGs even beyond the permit term," a reference to the Department's uniform procedure rules. It's unfortunate that the due process rights that should

be held by any operating facility, such as Greenidge, are also viewed by the Department as an impediment to reaching CLCPA goals.

36. 6 NYCRR Part 621.11(l) provides:

> "when a timely and sufficient application for renewal of a permit for an activity of a continuing nature . . .is submitted, the existing permit does not expire until the department has made a final decision on the renewal application and if the renewal application is denied, the permit is in effect until the last day for seeking review of the denial or any later date set by a court order."

37. Given that Title V permits have a five-year term, the relationship between the duration of a Title V permit extension and the CLCPA's 2030 GHG emission limit will apply to fewer renewal applications over time. However, it is still an issue for a number of pending renewal applications in a variety of industries. Other than the impact of potential administrative and judicial reviews, the duration of the permit review process is largely within the control of the Department.

38. The Department also stated the Denial was based on the facility creating a significant new demand for energy, with such demand to be met "exclusively through the combustion of fossil fuels." This was so regardless of Greenidge's commitment to becoming carbon free as a permit condition.

39. This calls into questions the Department's treatment of permit applications by facilities across various industries that are expecting or planning for increased level of productions that may result in increased GHG emission (even, as in the case of the Greenidge renewal application, the applicant is not requesting an increase in the permit's allowable emissions.) The Business Council has serious concerns regarding a governmental position that any increase in energy usage for long term or new sources is *problematic* – especially given New York's

regulatory and tax climate and the exodus of residents and businesses from New York State over the past ten years.

40. The Denial's position on future fossil fuels also ignores another key CLCPA mandate, namely, that electricity must transition to renewable energy sources with 70% of electricity being generated by renewable sources by 2030.[2] This, coupled with the commitment of Greenidge to become carbon-free, renders the Denial arbitrary and capricious.

II. Regulatory Mechanism to Achieve CLCPA Statewide GHG Emissions Cap

41. The Department's denial of the Greenidge application for a permit renewal included concerns that the applicant failed to propose or commit to adequate GHG emission reduction mechanisms, and as a result, renewal would have been inconsistent with or interfered with achievement of the CLCPA's statewide GHG emission reduction cap for 2030.

42. However, this focus on facility-specific permit conditions is not specifically authorized by the CLCPA, and is inconsistent with the state's overall approach to CLCPA implementation and achievement of the GHG emissions cap, as presented in the CLCPA Final Scoping Plan and Departmental descriptions of future regulations.

43. The pending NYCI program is intended to address the CLCPA mandate for regulations to assure achievement of its statewide GHG emission limits.

44. While not stated in the DEC's NYCI "Preproposal Outline," it is fully expected that the NYCI rule will require that Title V and state facility permits held by "obligated sources" (i.e., those sources required to offset emissions with emission allowances) will be modified to

[2] Obviously this renders the Denial arbitrary and capricious, as, by the time any future renewal is issued, renewable electricity is mandated to be available.

include a permit condition requiring compliance with NYCI. The most recent draft contemplates a CO2-equivalent of 25,000 tons per year as the threshold for defining "obligated sources". Facilities that emit far fewer GHG than a Title V facility could come under this umbrella. This is the case for compliance with the Regional Greenhouse Gas Initiative (established at the state level in 6 NYCRR Part 242.)

45. For example, Part 242-3.1 requires that each CO2 source subject to this part "must have a permit issued by the department" and that "Each CO2 budget permit shall contain all applicable CO2 Budget Trading Program requirements and which shall be a complete and distinguishable portion of the permit."

46. In fact, even though the Department has yet to formally propose regulations implementing NYCI, it has already issued Title V permit renewals that include enforceable conditions related to the CLCPA GHG emission cap, as illustrated in the permit for Arthur Kill Power LLC, which includes the following condition:

> Condition 1-13: CLCPA Applicability Effective between the dates of 10/20/2022 and 02/11/2023 Applicable State Requirement: 6 NYCRR 201-6.5 (a) Item 1-13.1: Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.[3]

47. Therefore, regardless of the level of emissions allowable under a permitted facility's permit based on its "potential to emit," its actual legally allowable GHG emissions will be a function of the facility's ability to comply with the provisions of the "cap and invest" program,

[3] It is arbitrary and capricious that Greenidge was denied a permit renewal when it offered to comply with a similar proposed condition in its permit.

i.e., to secure and surrender sufficient GHG allowances to cover the facility's actual emissions. If Greenidge was able to obtain adequate emission allowances under a final NYCI program, by definition its permit renewal would not be inconsistent with the CLCPA.

48. The proposed design of the NYCI regulatory regime is to set an annual statewide emissions cap that would decrease annually so as to assure that the cap meets the CLCPA's 2030 emission cap mandate.

49. As such, The Business Council questions the need for and impact of facility-specific emission reduction mandates and commitments as a condition of permit renewals, particularly given the drastic result that will impact not just Greenidge and its related energy users, but could result in any facility in New York being denied a permit renewal, and all consequences that flow to New York's businesses and economy from such a policy.

III. Facility-Specific GHG Emission Reduction Mandates

50. The Petition and Complaint raises a key issue that will likely be confronted by all Title V and state facility air permit holders – what will they be required to commit to in terms of GHG emission reductions in order to secure a permit renewal.

51. The CLCPA does not impose any facility-specific GHG emission limits, and neither the CLCPA's Final Scoping Plan nor the Department's NYCI "Pre-Proposal Outline" recommend imposition of site-specific or permit-specific GHG emission reductions as a general CLCPA implementation strategy.

52. Instead, the Final Scoping Plan recommends adoption of a "cap and invest" program, stating that it would "implement a declining, enforceable cap on emissions overall and a

mechanism for State enforcement of such limits against individual sources, thus ensuring that aggregate emissions do not exceed the statewide emission limits."

53. Further, in its "NYCI Pre-Proposal Outline," the Department's only reference to facility-specific emission limits is their consideration for "protecting against the potential for net increases in emissions or other disproportionate impacts on designated disadvantaged communities."

54. Notwithstanding their position in the NYCI Pre-Proposal Outline, the Denial cites that Greenidge failed to provide "a concrete and immediately effective mitigation plan." This inconsistent policy position is worsened given that Greenidge proposed inclusion of enforceable permit conditions that would require a 40 percent reduction in GHG emission by the end of 2025 and require that Greenidge operate as a zero-carbon emitting power generating facility by 2035.

55. The Department's Denial also states that "limited" mitigation measures proposed by Greenidge were insufficient because they would only provide "minimal GHG mitigation and not fully account for the substantial increase in GHG emissions due to the facility's change in its primary purpose of operation" and that they only provided "vague assurances that it would decrease GHG emissions over time", pointing out that "there are less energy intensive cryptocurrency mining alternatives which were not mentioned in Greenridge's application."

56. It is unclear what the Department meant by an "immediately effective mitigation plan," or how specific an applicant needs to be in specifying physical or operational modification to emission sources to qualify as a "concrete" plan. However, offering a similar permit condition to one that has been approved in another permit, and a permit condition that would *exceed* what is required by the CLCPA is by definition, not "minimal."

57. Moreover, it is unclear how far the Department can go in demanding alternative production or operational mechanisms that it deems to be less energy intensive and otherwise feasible for implementation by the applicant as a condition for a permit renewal. If a proposal would meet the CLCPA's goals, the Department should not be able to demand more. Leaving these decisions to the arbitrary determinations of NYSDEC will result in more denials, and facility shut downs. This is not the result intended by the CLCPA.

58. The Business Council's expectation is that facilities with Title V and state facility air permits will be subject to permit conditions requiring them to comply with any applicable requirements, including those set forth in a "cap and invest" rule, when and if adopted.

59. In discussing CLCPA compliance with Business Council member companies, we have heard from a number of facilities that have fossil fuel-based production equipment and processes that there are limited opportunity for significant replacement of fossil-fuel inputs and related reductions in GHG emissions, absent a reduction in production levels.

60. These include production operations for which no commercially available or viable electricity-based options exist, and those for which it would be financially infeasible to replace or make significant physical alterations to the facility within the period covered by a renewed permit. The fact of the matter is, as is admitted in the Final Scoping Plan, that technologies for industries to reduce emissions simply does not exist and is not expected to exist even by the 2050-outside date for the CLCPA.

61. While they may be able to make some reductions in GHG emission from non-production sources, for these facilities assuring compliance with NYCI mandates would be their primary mechanism for limiting GHG emissions (an approach that would also likely pose

significant additional costs and uncertainty on facilities, due to an expected, and growing over time, shortfall of available emission allowances under NYCI's declining annual allowance cap.)

62. As such, facilities may need additional time to identify, evaluate, finance and implement GHG emission reduction strategies – timeframes that extend well past the timetable for the review of permit renewal applications.

63. Does the Department's approach in Greenidge preclude such review efforts? If so, it is inconsistent with the Final Scoping Plan, and with the goals of the CLCPA to transition to a green economy while making these changes – not to shut down facilities without thinking about the policy consequences.

64. Overall, the Department's approach to reviewing and denying the Greenidge permit renewal calls into question its approach to other permit renewal applications, and accordingly, the viability, and place in New York's economy, for all nature of businesses and industries that require air (or other) permit renewals, let alone for new businesses entering the market or existing businesses seeking to grow or change.

65. The Business Council's key question is, even with a final NYCI rule in place, does the CLCPA authorize, and will the Department routinely require, that permit renewals commit to specific (and/or "immediate") capital investments or operational changes that reduce GHG emissions. Here, even with such a commitment, it was rejected as insufficient, and the Department has ordered this facility to be shuttered, regardless of the impact on electricity reliability and business development in New York State.

IV. "Leakage of GHG Emissions"

66. The CLCPA includes specific requirements for the state to consider and mitigate potential GHG emissions "leakage," i.e., the likelihood that a company will simply leave New York and operate elsewhere in a state without similar air pollution control mandates. Here, there is no indication that leakage was considered in the Department's review of the Greenidge renewal application. The Denial sends strong messaging that New York is not open for business for new technologies, and that certain businesses should go elsewhere.

67. Given the worldwide demand for cryptocurrency, it is reasonable to expect that crypto production now occurring at the Greenidge facility would be supplanted by production elsewhere if the Greenidge's permit to operate is denied, resulting in the leakage of both emissions and economic activity out of New York State.

68. We note that one of the core principles of the CLCPA is a specific requirement that the State evaluate and mitigate the "leakage" of GHG emissions from the State due to CLCPA implementation.

69. ECL §75-0101.12 defines "leakage" as "a reduction in emissions of greenhouse gases within the state that is offset by an increase in emissions of greenhouse gases outside of the state."

70. The CLCPA created the "New York State Climate Action Council," (the "CAC") (see ECL §75-0103.8) and, under the CAC, a "just transition working group" (see §75-0103.8.d), which was required to "with respect to potential for greenhouse gas emission limits developed by the department . . . advise the council on the potential impacts of carbon leakage risk on New York State industries and local host communities, including the impact of any potential carbon reduction

measures on the competitiveness of New York State business and industry" . . . and to "prepare and publish recommendations to the [Climate Action] council on . . . measures to *minimize the carbon leakage risk and minimize anti-competitiveness impacts of any potential carbon policies and energy sector mandates*." (emphasis added).

71. Moreover, ECL § 75-0103.13. requires that the CAC's scoping plan identify and make recommendations on regulatory measures and other state actions that will ensure the attainment of the CLCPA's statewide greenhouse gas emissions limits, specifying that such recommendations, "shall at a minimum include . . . mechanisms to limit emission leakage as defined in subdivision eleven of section 75-0101 of this article."

72. Finally, the CLCPA directs the Department (see ECL §75-0109), to "promulgate rules and regulations to ensure compliance with the statewide emissions reduction limits" mandated by the CLCPA, and *specifically mandates* (in § 75-0109.3.e) that such regulations "shall . . . *Incorporate measures to minimize leakage*." (emphasis added).

73. The statutory requirements of the CLCPA with regard to emission leakage, and the practical considerations of whether the State's overall environmental and economic development objectives are served by forcing emission-producing economic activity out of state should have been factors in determining whether the Department evaluated possible justification of the Greenidge permit renewal and potential emission mitigation measures.

74. These issues are amongst the highest concern for the Business Council and its members. New York's economy needs to grow, not be subject to continued shut down based on arbitrary decision-making.

75. For all of the foregoing reasons, The Business Council respectfully requests that the Court grant it *amicus curiae* status as part of the Court's review of Greenidge's Petition and Complaint, and requests that the Court grant the Petition and Complaint in its entirety.

Kenneth J. Pokalsky

Sworn to before me this
15th day of October, 2024.

Notary Public
01JI4874472 exp. 10/27/26
Albany County