

State Environmental Quality Review

NEGATIVE DECLARATION

Notice of Determination of Non-significance

Date: **July 22, 1999**

DRAFT

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The Department of Environmental Conservation, as the lead agency, has determined that the proposed action described below will not have any significant adverse environmental impacts

Title of Action:

Revision of the State Implementation Plan (SIP) for Ozone: Establishment of a Statewide Emission Budget for Oxides of Nitrogen (NOx SIP Call).

SEQR Status:

Unlisted Action

Description of Action:

The Department of Environmental Conservation (the “Department”) is proposing to revise the State Implementation Plan for Ozone by establishing a statewide emissions budget for Nitrogen Oxide (NOx) emissions, in order to comply with the Environmental Protection Agency’s (EPA) final rulemaking known as the NOx SIP Call (63 FR 57396, October 27, 1998). The SIP revision explains how the Department intends to meet the budget. The Department is proposing no actions other than 6 NYCRR Part 204, “NOx Budget Trading Program,” in order to meet this budget. An environmental impact statement and negative declaration for Part 204 has been submitted and is on file with the Department.

The SIP revision referred to in this negative declaration establishes a statewide emissions budget for NOx of 240,123 tons per ozone season for 2007.

Location:

All of New York State.

Reasons Supporting This Determination:

As this action will reduce air pollution, it will not result in any significant adverse environmental impacts. Other impacts of this action are discussed below:

Pollution Impacts:

EPA's final NOx SIP Call rulemaking establishes a NOx emission budget for New York of 240,123 tons per ozone season for 2007. This is a reduction of 13,536 tons per season from the 2007 baseline which would have occurred without Part 204. This demonstrates a reduction of air pollution levels.

Public Health Impacts:

NOx is a precursor of ozone. NO2 is toxic. Reductions of NOx and NO2 will provide for improvements to public health.

Economic Impacts: Please refer to the negative declaration for Part 204.

Energy Impacts: Please refer to the negative declaration for Part 204.

Other Information:

This Negative Declaration pertains only to the Department's intent to revise the ozone SIP to establish a NOx emissions budget as required by EPA's NOx SIP Call rule. As stated above, the supporting documentation demonstrating how Part 204 complies with SEQR is on file with the Department and is available upon request. This negative declaration and the Department's filing of a short Environmental Assessment Form fulfill the requirements of SEQR for the SIP revision.

For Further Information:

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