

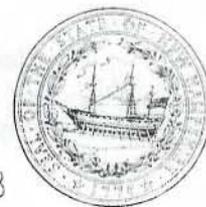


The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner

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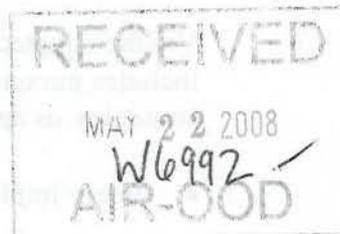


Bureau of
AIR QUALITY PLANNING

Rob

May 16, 2008

Alexander B. Grannis, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3251



Dear Commissioner Grannis,

This letter confirms the occurrence and outcomes of the consultation process we engaged in with your state via the Mid-Atlantic/Northeast Visibility Union (MANE-VU). In our letter of request for consultation to New York, we invited you to participate in consultations with ourselves and the other Class I states in MANE-VU to discuss ideas on the types and amounts of emissions reductions that are reasonable and, therefore, necessary to achieve reasonable progress in improving visibility at MANE-VU Class I areas. During consultation in early 2007, we provided New York with the results of technical analyses that showed that your state has emissions that are reasonably anticipated to contribute to impairment in the New Hampshire Class I areas, namely the Great Gulf Wilderness Area and the Presidential-Dry River Wilderness Area. Subsequent consultation conference calls and meetings over the past year allowed us to compare our work and findings, discuss any adjustments that might be appropriate, and develop mutually beneficial solutions. This information ultimately led to the MANE-VU Class I Area States' request for control measures.

The MANE-VU states began formal consultations in Washington, DC on March 1, 2007 with the first in-person meeting of MANE-VU members. At this meeting the states received information on the requirements of the regional haze rule and how to define reasonable progress for Class I areas. The states also discussed potential control options which, if determined to be reasonable, would be considered as part of the Class I states' long term strategy for making reasonable progress toward achieving natural conditions by 2064.

The second in-person consultation took place on June 7, 2007 in Providence, RI. At this meeting, a resolution was discussed that outlined the principles that the Class I states would follow in their consultations with contributing states. This resolution consisted of a set of statements developed by the Class I states, and outlined their requests for control measures for contributing states (the "Ask"), both within the MANE-VU region and outside of it. As a result of this discussion, member states developed a MANE-VU statement in response to the Class I state resolution. The intent of this statement was to get a regionally acceptable strategy that meets the emission reductions needed by the Class I Area States. This statement was then put to member states for their review, edits, and comments prior to the next meeting of the group.

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On June 20, 2007, a conference call was held in which all MANE-VU members attending voted to accept the resolution and statement. However, New York and Vermont were unable to participate on the call, therefore MANE-VU executive staff followed up with them by phone and email, and received their concurrence on the documents.

Via the adopted statement, the MANE-VU member states agreed to a course of action that includes pursuing the adoption and implementation of the following "emission management" strategies, as appropriate and necessary:

- timely implementation of Best Available Retrofit Technology (BART) requirements; and
- a low sulfur fuel oil strategy in the inner zone States (New Jersey, New York, Delaware and Pennsylvania, or portions thereof) to reduce the sulfur content of: distillate oil to 0.05% sulfur by weight (500 ppm) by no later than 2012, of #4 residual oil to 0.25% sulfur by weight by no later than 2012, of #6 residual oil to 0.3 – 0.5% sulfur by weight by no later than 2012, and to further reduce the sulfur content of distillate oil to 15 ppm by 2016; and
- a low sulfur fuel oil strategy in the outer zone States (the remainder of the MANE-VU region) to reduce the sulfur content of distillate oil to 0.05% sulfur by weight (500 ppm) by no later than 2014, of #4 residual oil to 0.25 – 0.5% sulfur by weight by no later than 2018, and of #6 residual oil to no greater than 0.5 % sulfur by weight by no later than 2018, and to further reduce the sulfur content of distillate oil to 15 ppm by 2018, depending on supply availability; and
- a 90% or greater reduction in sulfur dioxide (SO₂) emissions from each of the electric generating unit (EGU) stacks identified by MANE-VU (comprising a total of 167 stacks – dated June 20, 2007) as reasonably anticipated to cause or contribute to impairment of visibility in each mandatory Class I Federal area in the MANE-VU region. If it is infeasible to achieve that level of reduction from a unit, alternative measures will be pursued in such State; and
- continued evaluation of other control measures including energy efficiency, alternative clean fuels, and other measures to reduce SO₂ and nitrogen oxide (NO_x) emissions from all coal-burning facilities by 2018 and new source performance standards for wood combustion. These measures and other measures identified will be evaluated during the consultation process to determine if they are reasonable and cost-effective.

In addition, member states agreed to include consideration of these measures in the long-term strategy portion of their Regional Haze State Implementation Plans (SIP) with the expectation that each state would have up to 10 years to pursue adoption and implementation of reasonable and cost-effective NO_x and SO₂ controls. New York's adoption of the MANE-VU statement and the inclusion of the state's emission control measures into an approvable SIP, provides an acceptable resolution to New Hampshire's consultation "Ask".

Alexander B. Grannis
NY DEC
May 16, 2008

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It has been our pleasure to work with you and the other MANE-VU states throughout this process, and we look forward to our continued collaboration and consultation to meet our regional haze goals in 2064. Should you have any questions, please contact Robert Scott of my staff at 603-271-1088 or Robert.Scott@des.nh.gov.

Sincerely,

A handwritten signature in black ink that reads "Thomas Burack". The signature is written in a cursive style with a large initial "T".

Thomas Burack, Commissioner

cc:

David Shaw, NYDEC - Division of Air Resources
Robert Sliwinski, NYDEC - Division of Air Resources
Robert Scott, NHDES - Air Resources Division
Jeffrey Underhill, NHDES - Air Resources Division
Anna Garcia, MANE/VU