

**Notice of Proposed Rule Making
6 NYCRR Part 203 – “Oil and Natural Gas Sector”**

Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) filed a Notice of Proposed Rule Making with the New York State Department of State on April 21, 2021 to propose a new 6 NYCRR Part 203, “Oil and Natural Gas Sector.” The primary need for this rulemaking is to protect the health and welfare of New York residents and resources by: 1) reducing methane, a greenhouse gas, in support of the goals of the Climate Leadership and Community Protection Act, 2) reducing associated volatile organic compounds, an ozone precursor, and 3) fulfilling the requirements of the United States Environmental Protection Agency’s (EPA) 2016 Control Techniques Guidelines for the oil and gas industry. Attendant revisions are also being made to 6 NYCRR Part 200, “General Provisions.” This is not a mandate on local governments. It applies to any entity that owns or operates a subject source in the oil and natural gas sector. Further, the Department proposes to submit Part 203 to the EPA as a revision to the State Implementation Plan (SIP) for New York State.

Public comment hearing webinars for the proposed rule will be held on July 20, 2021 before Administrative Law Judge (ALJ) Lara Q. Olivieri via electronic webinar as follows and, accordingly, are reasonably accessible to persons with impaired mobility:

Date: July 20, 2021

Time: 2:00 p.m.

Access: To join through the internet, visit www.webex.com and click “Join a meeting.”

Event Number: 129 091 5244

Password: July20-2PM

To join by phone only, dial: 1-518-549-0500

Access Code: 129 091 5244

Date: July 20, 2021

Time: 6:00 p.m.

Access: To join through the internet, visit www.webex.com and click “Join a meeting.”

Event Number: 129 559 3866

Password: July20-6PM

To join by phone only, dial: 1-518-549-0500

Access Code: 129 559 3866

Persons wishing to comment on the proposed rule will have the opportunity to make a statement at the public comment hearing webinars. **Any person wishing to provide a public statement must register in advance of the hearings no later than**

10:00 a.m. July 19, 2021. Persons are requested to register to speak at only one hearing session. Additional hearing sessions may be scheduled if more than 60 persons register to speak for either session.

Any person who wishes only to observe the webinars online must also register. Any person may listen to the hearings by phone without pre-registration.

To register electronically: Persons who will login to the hearings electronically must register. To register, visit <http://www.webex.com>, click “Join a meeting,” input the event number listed above, click “Register,” and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

On the appropriate date and time of the hearing, participants should visit <https://www.webex.com>, click “Join a meeting” at the top right-hand corner of the screen, and input the appropriate event number for the hearing. Participants will be asked to “select audio system.” It is recommended that participants choose to have the system “call me” or “call using computer.” The “call me” option will require participants to enter their phone numbers.

To register by telephone: Any person who is not able to login electronically may participate by telephone. Call-in participants must register to speak in advance by calling the Department at 518-402-9003 no later than 10:00 a.m., **July 19, 2021**. Please provide your first and last name, address, email address if any, and telephone number and reference the Part 203 public comment hearing.

On the day and time of the hearing, use the phone access phone number, (518) 549-0500, and the appropriate access code listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJ will call each person who has requested to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Reasonable time limits may be set for each speaker as necessary to afford all participants an opportunity to be heard. We also recommend that lengthy comments be summarized for oral presentation and submitted in writing as provided below. The hearings will be recorded for inclusion in the record.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than **June 29, 2021**. The written request must be addressed to ALJ Lara Q. Olivieri, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Olivieri at ohms@dec.ny.gov.

Public Comment on the Proposed Rule Making

The public comment period on the rule making concludes on **July 26, 2021**. Written statements may be submitted to NYSDEC, 625 Broadway, 11 Floor, Albany, NY 12233-3250, ATTN: Ona Papageorgiou or by email to air.regs@dec.ny.gov. Written statements must be submitted to the NYSDEC by 5 p.m. on July 26, 2021.

Requests for information related to the SIP revision may be obtained from Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov. Written comments on the SIP revision may be submitted to Mr. Bielawa until 5 p.m. on **July 26, 2021**.

Environmental and Regulatory Impact Review

NYSDEC has determined that the proposed rule making will not have a significant adverse environmental impact. NYSDEC has prepared a Regulatory Impact Statement, a Regulatory Flexibility Analysis for Small Businesses and Local Governments, a Rural Area Flexibility Analysis and a Job Impact Statement, in accordance with the State Administrative Procedures Act.

Available Documents

Copies of the documents for the proposed rule making described above, along with the Express Terms (text of proposed rule), are available on the NYSDEC website at <https://www.dec.ny.gov/regulations/propregulations.html> or by contacting the NYSDEC (see below).

Contact: New York State Department of Environmental Conservation, 625 Broadway, 11 Floor, Albany NY 12233-3250, ATTN: Ona Papageorgiou, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov.

Authority

NYSDEC is conducting the rule making proceedings, including the above-mentioned public hearing, pursuant to New York State Environmental Conservation Law §§ 1-0101, 3-0301, 3-0303, 19-0103, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 71-2103, 71-2105 and 75-0107.