

STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
625 Broadway  
Albany, New York 12233-1550

In the Matter

-of the-

REVISIONS TO THE NEW YORK STATE IMPLEMENTATION PLAN  
FOR THE 2008 OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS  
PERTAINING TO THE NEW YORK-N. NEW JERSEY-LONG ISLAND, NY-NJ-CT  
NONATTAINMENT AREA

HEARING REPORT

by

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Lisa A. Wilkinson

August 23, 2017

## PROCEEDINGS

The New York State Department of Environmental Conservation (Department or DEC) scheduled a public hearing to provide an opportunity for comment on two State Implementation Plan (SIP) revisions pertaining to the New York-Northern New Jersey-Long Island, NY-NJ-CT nonattainment area (NYMA) that the Department will submit to the United States Environmental Protection Agency (EPA).

Notice of the hearing was published in the Department's Environmental Notice Bulletin on July 19, 2017. The public hearing was held on August 21, 2017 at 1:00 p.m. at the Department's Region 2 office at 1 Hunters Point Plaza in Long Island City, New York before Administrative Law Judge Lisa Wilkinson. The deadline for written comments on the SIP revisions, as stated in the ENB notice, is August 28, 2017. The SIP revisions are available on DEC's website.

Mr. Scott Wajda-Griffin, Environmental Engineer, of the Department's Division of Air Resources spoke at the hearing and provided an overview of the SIP revisions. Mr. Wajda-Griffin explained that the proposals are federal requirements and pertain to the New York portion of the NYMA nonattainment area. The New York portion consists of the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester.

The Department is submitting the first SIP revision pursuant to Clean Air Act section 182(b). The NYMA nonattainment area is not expected to attain the 2008 ozone NAAQS by the July 20, 2018 attainment date applicable to areas with a moderate classification. The Department is requesting via-a-vis the SIP submission that EPA immediately reclassify the New York portion of the NYMA area as serious nonattainment, which will impose additional requirements and a new attainment deadline of July 20, 2021.

This proposed SIP revision includes a 2011 baseline and 2017 projection inventory, and demonstrates that the area is meeting the three-percent-per-year reasonable further progress requirements and a certification that the requirements for emission inventories, emission statements, vehicle inspection and maintenance, nonattainment new source review, and Reasonably Available Control Technology, or RACT, remain adequate for the 2008 ozone NAAQS.

The Department is submitting the second SIP revision pursuant to Clean Air Act section 172(c)(1). This demonstration shows that the New York portion of the NYMA nonattainment area is meeting the requirements for RACT in a moderate nonattainment area. Subject sources within the nonattainment area are controlled by standards that, at a minimum, meet RACT.

Following Mr. Wajda-Griffin's presentation, the hearing went into recess. No members of the public attended the public hearing and Mr. Wajda-Griffin was the only speaker. The hearing concluded at 1:35 p.m.