

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

In the Matter

- of the -

PROPOSED REVISION TO
NEW YORK STATE IMPLEMENTATION PLAN
OZONE (8-HOUR NATIONAL AMBIENT AIR QUALITY STANDARD)
ATTAINMENT DEMONSTRATION FOR NEW YORK METROPOLITAN AREA

HEARING REPORT

- by -

_____/s/_____
Helene G. Goldberger
Administrative Law Judge

October 5, 2007

Background

The New York State Department of Environmental Conservation (DEC or Department) is proposing to revise New York State's State Implementation Plan (SIP) for Ozone (8-hour National Ambient Air Quality Standard [NAAQS]) - Attainment Demonstration for the New York Metropolitan Area that is composed of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester, and Rockland counties. The Department is proposing this revision in order to meet the 8-hour ozone standard that was promulgated by the United States Environmental Protection Agency (EPA) on July 18, 1997. A copy of the proposed SIP is available for review on the Department's web site - <http://www.dec.ny.gov>.

Hearing Notice

Notice of the public hearing was published in the August 29, 2007 editions of the *New York Post*, *The Journal News*, and *Newsday*. In addition the hearing notice was also published in the August 29, 2007 *Environmental Notice Bulletin*. Written comments will be received by Department staff through October 10, 2007.

Hearings

The hearing took place as follows:

Tuesday, October 2, 2007 NYSDEC Annex, Region 2, 11-15 47th
Avenue
2:00 P.M. Long Island City, NY 11101

DEC Administrative Law Judge (ALJ) Helene Goldberger presided over the hearing.

At the Long Island City hearing, Kirk Wieber, a member of EPA's Region 2 office came to observe the proceedings but did not offer comment. No other members of the public attended. DEC Environmental Engineer Robert Bielawa of the Department's Division of Air Resources Air Quality Planning Bureau gave a summary of the purposes of the SIP revision. Mr. Bielawa explained that the proposed SIP revision meets the requirements of Section 182 of the Clean Air Act Amendments of 1990. He stated that the proposal contains the 2002 baseline emission inventory, projection inventories for 2008, 2011, and 2012, a predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by DEC to achieve attainment with EPA's 8-hour ozone standard promulgated in 1997.