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September 7, 2018

Scott Wajda-Griffin  
New York State Department of Environmental Conservation  
Division of Air Resources  
625 Broadway, 11th Floor  
Albany, NY 12233-3251

***Re: Proposed SIP Revisions of August 2018 Regarding Infrastructure Elements for the 2015 and 2008 Ozone National Ambient Air Quality Standards.***

Dear Mr. Wajda-Griffin,

The Connecticut Department of Energy and Environmental Protection (DEEP) appreciates the opportunity to comment on the New York State Department of Environmental Conservation's (NYSDEC's) proposed State Implementation Plan (SIP) revisions regarding CAA section 110 requirements for the 2008 and 2015 ozone standards. These SIP revisions, known as infrastructure SIPs, contain elements critical to solving ozone nonattainment problems, especially for areas such as Connecticut, New Jersey and New York that are subject to some of the highest ozone concentrations measured in the eastern United States.

DEEP agrees with NYSDEC's assessment that EPA's selection of 2023 as the year for determining significant contribution to nonattainment is inappropriately late for both the 2008 and 2015 ozone standards. Good neighbor emissions reductions for the 2008 ozone standard are long overdue, and reductions for the 2015 standard should be in place in time to benefit marginal nonattainment areas that are required to attain the 2015 standard by 2020. As such, Connecticut recommends New York also address its significant contribution to nonattainment of the 2015 standard in the Greater Connecticut marginal nonattainment area prior to 2020.

DEEP supports New York's commitment to revise Title 6 of New York Codes, Rules and Regulations (NYCRR) to obtain reductions in emissions of ozone precursor pollutants. These emission reductions are vital to regional attainment of the ozone standards, and once adopted can be used to fulfill New York's good neighbor obligations under CAA section 110. Though DEEP recognizes that New York pays \$5,500 per ton of emissions reduced under its Reasonably Available Control Technology (RACT) rules, far more than most upwind states, it does not match the cost of more than \$13,000 per ton that Connecticut business and industry pay.<sup>1</sup> Given that New York emissions reductions will have the greatest effect on reducing ozone in our shared nonattainment area, DEEP urges NYSDEC to revise and implement the NYCRR proposals to obtain the necessary emissions reductions without delay.

In particular, NYSDEC's current effort to revise 6 NYCRR Subpart 227-2 and implement short-term limits on simple cycle turbines will provide emissions reductions during critical hours of high electric demand. Recognizing the special importance of this particular commitment, NYSDEC should move

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<sup>1</sup> Regulations of Connecticut State Agencies section 22a-174-22e(h).

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forward with a proposed regulation without further delay. DEEP commented on the importance of quickly moving forward with this rule in our letter to Commissioner Seggos on December 19, 2016. We again provided our support for this rule by letter dated June 21, 2018,<sup>2</sup> in which we reiterated our recommendation that any proposal include limits and averaging times appropriate to addressing peak day emissions.

It is clear that additional regional emission reductions are needed if we are to attain the ozone standards. Contribution modeling has consistently shown that on-road and non-road emissions are significant source categories responsible for some of the region's highest ozone exceedances. As noted in New York's SIP proposal, federal rules reducing mobile source emissions are essential to providing the citizens of the states in and around the New York City metropolitan area with clean air and must not be weakened. DEEP shares NYSDEC's position that mobile source emissions must be further reduced and that any emission reductions relied upon in future year assessments should be made enforceable and permanent.

DEEP appreciates our partnership and NYSDEC's efforts to reduce emissions from within the state of New York as we strive for attainment of the ozone standards in the multistate region. Please feel free to contact Ms. Kathleen Knight of my staff at 860-424-3823 if you have any questions regarding these comments.

Sincerely,



Richard A. Pirolli

Director

Planning and Standards Division

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<sup>2</sup> Letter from Richard Pirolli/DEEP to Ona Papageorgio/NYSDEC regarding the Simple Cycle Combustion Turbine (Peaking Unit) Stakeholder Draft of June 7, 2018.