

NYSRC/DEC Conference Call Meeting Notes
June 14, 2018

Attendees:

- Mike Sheehan, Bob Bielawa, John Barnes (DEC)
- Chris Wentlent – (MEUA/NYMPA)
- Roger Clayton (NYSRC)
- Cathy Waxman, (National Grid)
- James Sweeney, Ben Cohen (NYISO)
- John Marabella (USNYPP)
- Radmila Miletich (IPPNY)
- Sandra Meier (EEANY)
- Andy Oliver (Eastern Gen)
- Tonya Grzeskowitz (Ethos Energy Group)
- Bill Slade (Con Ed)
- Paul Gioia (WOH)

1. RGGI review

- DEC involved in the discussions for NJ and VA participation in the RGGI program. VA intends to participate in RGGI in 2020. NJ will become a participating state as soon as they complete their regulatory process.
- RGGI states working on the latest model rule.
- DEC is developing revisions to Part 242 based on the RGGI model rule. The rule applicability may be changed to include electric generating units greater than 15 MW. The revisions will be released as a proposed rule late this year or early 2019.
- The compliance true-up for the third control period has passed. Only two facilities did not have sufficient allowances – Niagara Generation and Black River Generation.

2. NYISO Carbon Pricing Update

- On April 30th, IPPTF (Integrating Public Policy Task Force) released a straw proposal for including carbon dioxide emission costs in day-ahead and real-time energy markets. Stakeholder feedback was due on May 21st.

3. EPA Clean Power Plan

- DEC Commissioner Seggos signed on to a multi-state letter on the Clean Power Plan repeal through the Georgetown Climate Center. DEC submitted a separate comment letter in opposition of repealing the CPP on April 23rd. DEC will continue to track EPA actions and will comment as necessary.

4. NYS Clean Energy Standard

- Nothing to report.

5. EPA Cross State Air Pollution Rule (CSAPR)

- On May 16th, DEC released new versions of Parts 243-245 for public review and comment. These rules would give the DEC the authority to allocate CSAPR allowances to electric generating units in New York as well as NYSERDA. The public comment

period runs through July 29, 2018. Public hearings will be held on July 16th in Albany, July 18th in New York City and July 24th in Avon. The hearings will be at the DEC offices in those cities and will begin at 11:00 am.

6. DEC's Proposed Part 251 Regulations

- Proposed rule released for public review and comment on May 16th. The comment period ends on July 29, 2018. The hearings will coincide with the Part 243-245 hearings (see above).

7. DEC's Proposed Methane regulations

- DEC held a stakeholder webinar on May 24th. A copy of the slide deck can be found at <http://www.dec.ny.gov/chemical/113887.html>. DEC will start work on the express terms soon. Additional stakeholder outreach is planned for later this summer or in the fall.

8. NYSRC Min Oil Burn Rules (LOGMOB)

- Nothing new to report.

9. Indian Point update

- Nothing new to report.

10. REV update

- DPS will be hosting a technical conference regarding electric vehicle supply equipment and infrastructure in New York City on July 18-19, 2018 (see attached).
- NYSRC will conduct a one-day workshop at the NYISO in November to discuss whether new reliability rules need to be developed in response to the REV initiative.

11. Peaker turbine air quality

- The latest summary of the pre-proposal stakeholder draft of the peakers rule has been posted on the DEC's website at <http://www.dec.ny.gov/chemical/113887.html>. Comments on this proposal are due by July 10, 2018.

12. 2018 RNA

- The NYISO will be presenting preliminary 2018 RNA results to stakeholders on June 22nd at the joint ESPWG-TPAS meeting.

13. Regulatory update

- National Ambient Air Quality Standards (NAAQS)
 - 2010 Sulfur Dioxide (SO₂) NAAQS
 1. DEC plans to submit the next 40 CFR 51.1205(b) report to EPA shortly after the July 1, 2018 deadline. A draft report was released for public review and comment on June 6th. The comment period ends on July 6th.
 - 2010 Nitrogen Dioxide (NO₂) NAAQS
 1. NJ has submitted comments on draft permits. They are asking if NO₂ modeling has been done. No decision has been made as of

now regarding whether DEC or the applicant would be responsible for conducting NO₂ modeling.

- 2008 Ozone NAAQS
 1. The United States District Court, Southern District of New York issued an order on June 12th requiring EPA to propose Federal Implementation Plans by June 29, 2018 to fully address the Good Neighbor Provisions of the Clean Air Act for the states of IL, MI, PA, VA and WV. Final rules must be adopted by December 8, 2018. A copy of the order is attached.
- 2015 Ozone NAAQS
 1. On June 4th, EPA released a final rule designating Suffolk, Nassau, Richmond, Kings, Queens, New York, Bronx, Westchester and Rockland counties as moderate nonattainment with respect to the 2015 ozone NAAQS. The counties of Orange, Putnam, Dutchess and Ulster were designated as attaining the 2015 ozone NAAQS.
 2. An Infrastructure SIP for the 2015 ozone NAAQS is due to EPA on October 1, 2018. It will undergo a formal public comment period prior to submittal. A public notice will be published in the Environmental Notice Bulletin on a yet-to-be-determined date.
- EPA Mercury & Air Toxics (MATS)
 - No new update
- RICE Maximum Achievable Control Technology (MACT)
 - No new update
- Distributed Generation Rule (DG)
 - The latest pre-proposal stakeholder draft of Part 222 has been posted on the DEC's website at <http://www.dec.ny.gov/chemical/113887.html>. Comments on this draft are due by July 3, 2018

14. Coal Combustion Residuals

- DEC's revised Part 360 regulations are compliant with the federal CCR rule, but it's yet to be determined if we will voluntarily participate in the federal rule. There is no timetable for making such a determination.

15. Next Meeting

- August 16, 2018 via conference call at 9am.