

New York State Department of Environmental Conservation
Assistant Commissioner
Office of Air Resources, Climate Change & Energy, 14th Floor
625 Broadway, Albany, New York 12233-1010
Phone: (518) 402-8543 • **FAX:** (518) 402-9016
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

FEB - 8 2008

Honorable Alan J. Steinberg
Regional Administrator
U.S. EPA Region 2
290 Broadway
New York, NY 10007-1866

**Final Proposed Revision to the
New York State Implementation Plan For Ozone (8-Hour NAAQS):
New York Metro Area**

Dear Regional Administrator Steinberg:

The New York State Department of Environmental Conservation (Department) is submitting a final state implementation plan (SIP) revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) – Attainment Demonstration for New York Metro Area". The Department continues to demonstrate attainment of the 8-hour ozone national ambient air quality standard (NAAQS) in 2012. This submittal meets all of the requirements of a serious ozone non-attainment area, including an attainment demonstration and requisite rate of progress demonstration through 2012. It is being submitted pursuant to section 182 of the 1990 Clean Air Act Amendments.

On April 15, 2004 EPA designated as "nonattainment" areas throughout the country that exceeded the health-based standards for 8-hour ozone. The New York – N. New Jersey – Long Island, NY-NJ-CT area, which includes the New York State counties of Suffolk, Nassau, Richmond, New York, Kings, Queens, Bronx, Westchester and Rockland, was designated non-attainment with a moderate classification. The New York – N. New Jersey – Long Island, NY-NJ-CT non-attainment area also includes counties in the states of Connecticut and New Jersey.

On August 9, 2007, the Department proposed an ozone SIP revision that underwent a public review process. A Notice of Public Hearing was published in the Environmental Notice Bulletin, Newsday, New York Post and The Journal News on August 29, 2007. A public hearing was held in New York City on October 2, 2007. The Department accepted written comments

until the close of business on October 10, 2007. Comments were received from the United States Environmental Protection Agency and Manufacturers of Emission Controls Association.

Furthermore, the Department has analyzed the preliminary 2007 ozone data and determined that attainment prior to 2012 is unlikely. As a result, under separate cover, the Department is requesting a voluntary reclassification to "serious" in accordance with CAA section 181(b)(3). This is consistent with the 2012 attainment data put forth in the August 9, 2007 proposal and this February 2008 final proposed revision.

The following documents are enclosed:

1. Copies of the Public Notices published in the Environmental Notice Bulletin, Newsday, New York Post and The Journal News on August 29, 2007.
2. Legislative Hearing Transcript
3. Responsiveness Summary
4. February 2008 Final Proposed Revision: New York State Implementation Plan for Ozone – 8-Hour NAAQS – Attainment Demonstration for New York Metro Area

If you have any questions, please contact Mr. Robert D. Bielawa, P.E or Mr. Matthew Reis, P.E. at (518) 402-8396.

Sincerely,



J. Jared Snyder
Assistant Commissioner
Office of Air Resources, Climate Change
and Energy

Enclosures

cc: R. Ruvo, EPA
D. Shaw
R. Sliwinski
M. Reis
R. Bielawa
C. McCarthy



ENB - Statewide Notices

Public Notice

Data Solicitation for 2008 CWA Section 303(d) List

Section 303(d) of the Federal Clean Water Act (CWA) requires States to compile periodically (every two years) a list of impaired waters that do not meet water quality standards and where designated uses are not fully supported and where a Total Maximum Daily Load (TMDL) plan is necessary to address the impairment. States are scheduled to submit their next Section 303(d) Lists to USEPA by April 1, 2008.

To support the development of the Section 303(d) Lists, States are also required to assemble and evaluate existing and readily available water quality related data and information. The purpose of this notice is to announce the schedule for updating the New York State CWA Section 303(d) List and solicit data and information that may be useful in compiling the list.

The water quality assessment of New York State's waters is a continuous process. Every year waters in 2 or 3 of the 17 drainage basins in the state are scheduled to be re-assessed. This rotating basin approach allows for a re-assessment of water quality of the entire state every 5 years. The assessment of these waters is a public process which includes the participation of a wide range of state, federal and local agencies and non-governmental water quality partners (watershed groups, lake associations, academic researchers, etc.). NYSDEC is able to effectively manage the reassessment process by focusing the effort on specific drainage basins over a five-year period. Concentrating on a few basins each year allows NYSDEC to provide ample opportunity for the extensive list of interested groups to provide input and allows for a thorough evaluation of all available data. In order to maintain an effective and comprehensive review of solicited data and information, it is necessary to establish a cut-off date for the receipt of water quality data and information.

In order to be included for full consideration in the compiling of the 2008 CWA Section 303(d) List, data and information must be received by September 30, 2007. It is not the intent of this cut-off date to exclude additional information. Rather the date is necessary in order to provide adequate time to review data and information, complete water quality assessments, receive and respond to public comment on the assessments, compile a draft Section 303(d) List, public notice the List, and submit a List to USEPA by April 1, 2008.

In order to facilitate the review and inclusion of water quality data and information to be considered in the

compiling of the 2008 Section 303(d) List, such submissions should be accompanied by a completed Waterbody Inventory/Priority Waterbodies List Assessment Worksheet. This worksheet allows for the capture of water quality information based on general observation of conditions and/or local knowledge of designated use support/non-support of a waterbody absent specific (numeric) monitoring data. The worksheet and instructions for completing it can found on the NYSDEC website at http://www.dec.ny.gov/docs/water_pdf/PWLWorksht.pdf. Worksheet information can also be obtained by contacting the NYSDEC Bureau of Watershed Assessment and Management by mail at 625 Broadway, 4th Floor, Albany, NY 12233-3502, or by phone at (518) 402-8179. Completed WI/PWL worksheets and supporting water quality monitoring data should sent to the address above, or forwarded via E-mail to 4pwlinfo@gw.dec.state.ny.us. Water quality data and information should also include a copy of the corresponding Quality Assurance/Quality Control Plan, QA/QC results summary and description of measures used in the collection of the data.

Additional information regarding the NYSDEC Water Quality Assessment Program including the Waterbody Inventory/Priority Waterbodies List can be found on the NYSDEC website at <http://www.dec.ny.gov/chemical/23852.html>.

Notice of Availability of State Funds

New York State Department of Environmental Conservation

625 Broadway

Albany, NY 12233-1750

The Department of Environmental Conservation (hereafter, "the Department") is issuing a Request for Proposal (RFP) for eligible entities to submit proposals to develop and implement a pollution prevention institute (hereafter, "the Institute") in New York State. Applications will be accepted through December 5, 2007.

The Institute will be supported by a new category in the Environmental Protection Fund that provides up to \$2 million in state assistance funding for the formation of a "pollution prevention institute."

A contract will be awarded to one public or private university or non-profit institution, or to a consortium of such organizations.

For the purpose of this RFP, an eligible university will be defined as an institute of higher education with, at minimum, a masters degree program in a research field directly applicable to the purpose and intent outlined in Section II, A & B.

A non-profit institution must be a 501 (c) (3) organization as defined by the US Internal Revenue Service code.

Each member of a consortium must meet the eligibility requirements detailed above. Consortia must designate a lead proposer to file the RFP and to act as the lead organization.

The Institute must be established, operated, and maintained in New York State. Options may include a single center, a single center with satellite offices, or a group of multiple entities with specialty services. All centers, offices, facilities, entities and groups must be located in New York State.

The Institute will offer an unparalleled center for technology evaluation and development as well as training and assistance to state businesses and organizations involved in pollution prevention. The Institute will promote cost effective methods of reducing and eliminating the use of toxic substances in the manufacturing process.

The Institute will make businesses more competitive by enabling them to be more efficient. Incorporating research and development, technology transfer, technology demonstration, education, outreach, and workforce development, the Institute will focus on sustainability and toxic use reduction over the course of the product life cycle.

The Institute will foster partnerships between businesses, universities, state and local governments, health and environmental organizations. These partnerships will stimulate the research and development of cutting-edge environmental technologies that will promote sustainable economic development. The Institute shall focus on priorities that optimize environmental benefit and economic development.

RFPs will be mailed to prospective applicants on or after September 1, 2007. For further information or to request an RFP please write or e-mail, including name (first, MI, last), title, organization, address, city, state, zip, phone number, fax number and e-mail of the appropriate contact person. Write to:

Pollution Prevention Institute - RFP Information
New York State Department of Environmental Conservation
Division of Environmental Permits - Pollution Prevention Unit
Attn: Michelle Hinman
625 Broadway
Albany, NY 12233-1750
Fax: (518) 402-9168
E-mail: depprmt@gw.dec.state.ny.us

NOTICE OF PUBLIC HEARING
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration For New York Metro Area", which includes the counties of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester and Rockland, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: OCTOBER 2, 2007

TIME: 2:00 PM

PLACE: NYS DEC Annex, Region 2

11-15 47th Avenue

Hearing Room 106

Long Island City, NY 11101

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 17, 2007, to Laura Stevens, NYS DEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 10, 2007, and should be sent to: Robert D. Bielawa, P.E., NYS DEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone (518) 402-8396; email airsips@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from any of the following Department offices:

REGION 1, Building #40, State University of New York, Stony Brook, NY 11790, Attention: Ajay Shah

REGION 2, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich

REGION 3, 21 South Putt Corners Road, New Paltz, NY 12561, Attention: Ken Grzyb

NOTICE OF PUBLIC HEARING

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration for Poughkeepsie, NY Area", which includes Dutchess, Orange and Putnam Counties, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, and 2009, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: THURSDAY, OCTOBER 4, 2007

TIME: 2:00 PM

PLACE: Residence Inn by Marriott
14 Schuyler Blvd.
Fishkill, NY 12524

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 18, 2007, to Laura Stevens, NYS DEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 11, 2007, and should be sent to: Robert D. Bielawa, P.E., NYS DEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone (518) 402-8396; email airsips@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from the Region 3 Department office at 21 South Putt Corners Road, New Paltz, NY 12561 (Attention: Ken Grzyb).

Availability for Comment on Draft TMDL/Impaired Waters Restoration Plan

This notice announces that the deadline for comments on the DRAFT Total Maximum Daily Load (TMDL)/Impaired Water Restoration Plan proposed by New York State Department of Environmental Conservation to address twenty seven (27) specific shellfishing waters that are impaired by pathogens, has been extended to Close of Business, September 14, 2007. All comments must be received at the address below at that time to be considered.

BACKGROUND: States are required by Section 303(d) of the Clean Water Act and EPA's implementing regulations (40CFR Part 130) to develop TMDL plans for waterbodies and pollutants where water quality standards are not being met. By definition, a TMDL specifies the allowable pollutant loading from all contributing sources (e.g., point sources, nonpoint sources, and natural background) at a level necessary to attain the applicable water quality standards with seasonal variations and a margin of safety that takes into account any lack of knowledge concerning the relationship between the sources of the pollutant and water quality. In essence, a TMDL defines the assimilative capacity of the waterbody to absorb a pollutant and still

meet water quality standards.

The proposed TMDL/Impaired Water Restoration Plan for pathogens relies on current and ongoing stormwater and other point and nonpoint source reduction efforts to address existing water quality impairments.

INFORMATION: Copies of the proposed draft plans can be obtained by contacting the NYSDEC Bureau of Watershed Assessment and Management by mail at 625 Broadway, 4th Floor, Albany, NY 12233-3502, or by phone at (518) 402-8179, or via E-mail at dmwicker@gw.dec.state.ny.us.

Comments on the Draft TMDL should be sent by mail or e-mail to the same address. Comments must be received by COB September 14, 2007.

Notice of Adoption 6 NYCRR Part 41

Pursuant to the Environmental Conservation Law Sections 13-0307 and 13-0319, the Department of Environmental Conservation hereby gives notice of the following:

Notice of Adoption to amend 6NYCRR Part 41 relating to Sanitary Condition of Shellfish. This notice will be published in issue 36 of the State Register, dated 9/5/2007.

For further information, contact: Melissa Albino, NYS Department of Environmental Conservation, 205 N Belle Meade Road, Suite 1, East Setauket, NY 11733, Phone: (631) 444-0491, E-mail: maalbino@gw.dec.state.ny.us.

Notice of Proposed Rule-making to amend 6 NYCRR Section 1.31

Pursuant to the Environmental Conservation Law Sections 11-0303, 11-0903 and 11-0907, the Department of Environmental Conservation hereby gives notice of the following:

Notice of Proposed Rulemaking to amend 6NYCRR Section 1.31 relating to black bear. This notice will be published in issue 36 of the State Register, dated 9/5/2007.

For further information contact: Jeremy Hurst, NYS Department of Environmental Conservation, 625 Broadway Albany, NY 12233-4754, Phone: (518) 402-8867, E-mail: jehurst@gw.dec.state.ny.us.

Public Meeting Notice

NYS Trails Council Meeting

This is a public meeting of the New York State Trails Council, a trails advocacy group, comprised of delegates from 12 trail user groups. New York State Trails Council Meeting will be held September 15, 2007 at Schodack Island State Park, 1 Scodack Island Way, Schodack Landing, New York 12156 from 11:00 a.m. to 3:00 p.m.

This Meeting is open to the public.

For further information, contact: Robert Reinhardt, Phone: (518) 474-0415 or (518) 486-2909, E-mail: Robert.Reinhardt@oprhp.state.ny.us.

State of New York
COUNTY OF NEW YORK

SS:

609393

Neha Shah

being duly sworn,
says that he/she is the principal Clerk of the Publisher of the

New York Post

a daily newspaper of general circulation printed and published in the English language, in the County of New York, State of New York; that advertisement hereto annexed has been regularly published in the said "NEW YORK POST" once,

on the 29 day of August, 2007

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
PROPOSED REVISION TO THE STATE
IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration For New York Metro Area", which includes the counties of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester and Rockland, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: OCTOBER 2, 2007
TIME: 2:00 P.M.
PLACE: NYSDEC Annex, Region 2
11-15 47th Avenue
Hearing Room 106
Long Island City, NY 11101

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 17, 2007, to Laura Stevens, NYSDEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 10, 2007, and should be sent to: Robert D. Bielawa, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone (518) 402-8396; email airregs@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from any of the following Department offices:

REGION 1, Building #40, State University of New York, Stony Brook, NY 11790, Attention: Ajay Shah
REGION 2, Hummers Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich
REGION 3, 21 South Putt Corners Road, New Palz, NY 12561, Attention: Ken Grzyb

for me this

29th day of Aug 2007

Maranda M. Greene

Notary Public

MARANDA M. GREENE
Notary Public, State of New York
No. 01GR6144106
Qualified in Queens County
Commission Expires April 24, 2010

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New York Post, Wednesday, August 29, 2007 nypost.com



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Legal Notices

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN

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Long Island City, NY 11101

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REGION 2, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich
REGION 3, 21 South Putt Corners Road, New Paltz, NY 12561, Attention: Ken Grzyb

PUBLIC NOTICE

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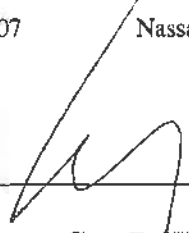
Legal


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of Newsday, Inc., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday, Inc., the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

WEDNESDAY AUGUST 29 2007 Nassau Suffolk Queens

Sworn To Before Me This
29 day of August , 2007
Notary Public



Guy P. Wasser
Notary Public, State of New York
No. 01WA6045924
Commission Expires 08/07/2010
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C1

NOTICE IS HEREBY GIVEN that a license serial number 119748 for restaurant wine license has been applied for by the undersigned to sell wine and beer at retail in a restaurant under the Alcoholic Beverage Control Law at East North Food Culture, Inc. 6-11 Main St, Store A, Flushing, NY 11354 for on-premises consumption.

NOTICE is hereby given that a license, number not yet assigned, has been applied for by the undersigned to sell Wine & Beer under the Alcoholic Beverage Control Law at: Belly Dancing Cafe Inc., 476 Woodward Ave, Ridgewood NY 11385 for on premises consumption.

attor. and of judgment is \$321,378.41 plus costs and interest. Sold subject to terms and conditions of filed judgment and terms of sale. PAUL ROUS-SILION, Referee. COHN & ROTH, Attys. For Plt., 100 East Old Country Rd., Mineola, NY. #70263

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NEWSDAY'S
CLASSIFIED SECTION

LABOR DAY DEADLINES

The following are deadlines
for the Labor Day Holiday:

DEADLINE	
Sunday 9/2	
A. Long Island Life (Real Estate, Pets, Auction, Merchandise)	
Display/Photo	Wednesday 8/29, 5pm
Agate	Thursday 8/30, 5pm
B. Money & Careers (Help Wanted)	
Display	Friday 8/31, 2pm
Agate	Friday 8/31, 2pm
C. Sports (Automotive)	
Display	Friday 8/31, 12pm
Agate	Friday 8/31, 2pm
Monday 9/3	Friday 8/31, 2pm
Tuesday 9/4	Friday 8/31, 2pm
Wednesday 9/5	Friday 8/31, 2pm

The Classified Advertising Department will be closed on Labor Day, September 3rd, and will reopen on Tuesday, September 4th.
Have a Happy & Safe Holiday

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Professional service limited liability company (PLLC). Fictitious name in NY State: SM Group Architects and Engineers, PLLC. Authority filed with Secy. of State of NY (SSNY) on 7/27/07. Office location: Suffolk County, PLLC formed in North Carolina (NC) on 4/24/06. SSNY designated as agent of PLLC upon whom process against it may be served. SSNY shall mail copy of process to principal office of PLLC: Smith-Group Inc., Attn: Bart Stasa, 500 Griswold St., Ste 1700, Detroit, MI 48226. Purpose: practice the profession of architecture and engineering.

Legal Notice 15344620

Notice of formation of FOREST POINT HOLDINGS, LLC. Articles of Organization filed with the Secretary of State of NY (SSNY) on 07/12/2007. Office location: Suffolk County. SSNY has been designated as agent upon whom process against it may be served. The Post Office address to which the SSNY shall mail a copy of any process against the LLC served upon him is c/o the LLC, 1490 William Floyd Parkway, Suite 102, East Yaphank, New York 11967. No specific date of dissolution. Purpose of LLC: to engage in any lawful act or activity. Street address of Principal Business location is 1490 William Floyd Parkway, Suite 102, East Yaphank, New York 11967.

Legal Notice 15352951

Notice of Qualification of Premier Energy Marketing LLC. Authority filed with Secy. of State of N.Y. (SSNY) on 7/11/07. Office location: Suffolk County. LLC formed in Michigan (MI) on 10/17/02. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o CT Corporation System, 111 8th Ave., NY, NY 10011, registered agent upon whom process may be served. MI address of LLC: 6111 Jackson Rd., Ann Arbor, MI 48103. Cert. of Org. filed with MI Labor & Economic Growth, Corp. Div., P.O. Box 30054, Lansing, MI 48909. Purpose: retail energy provider.

Legal Notice 15375329

Notice of Qualification of Westbury Investment Partners SBIC, L.P. Authority filed with Secy. of State of N.Y. (SSNY) on 7/11/07. Office location: Suffolk County. LP formed in Delaware (DE) on 3/27/07. SSNY designated as agent of LP upon whom process against it may be served. SSNY shall mail process to principal business location: Richard P. Sicoli, c/o Westbury SBIC, Inc., 100 Motor Pkwy, Ste. 165, Hauppauge, NY 11788; registered agent upon whom process may be served. DE address of LP: c/o National Registered Agents, Inc., 160 Grandville Dr., Ste. 101, Dover, DE 19904. Name/address of each gen. ptr. available from SSNY. Cert. of LP filed with DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful activity.

Party Ocean Properties II, LLC. Authority filed with NY Dept. of State on 7/18/07. Office location: Suffolk County. LLC formed in Florida (FL) on 5/10/05. NY Secy. of State designated as agent of LLC upon whom process against it may be served and shall mail process to: c/o CT Corporation System, 111 8th Ave., NY, NY 10011, registered agent upon whom process may be served. FL and principal business address of the LLC: 230 S. County Rd., Palm Beach, FL 33480. Arts. of Org. filed with FL Secy. of State, 200 Executive Center Circle, Tallahassee, FL 32301. Purpose: any lawful activity.

Legal Notice 15396677

Notice of Qualification of EV/ L-A GC Marina Holdings LLC. Authority filed with Secy. of State of N.Y. (SSNY) on 8/6/07. Office location: Suffolk County. LLC formed in Delaware (DE) on 8/1/07. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o CT Corporation System, 111 8th Ave., NY, NY 10011, registered agent upon whom process may be served. DE address of LLC: The Corporation Trust Company, 1209 Orange St., Wilmington, DE 19801. Arts. of Org. filed with DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: all lawful purposes.

Legal Notice 15396690

Notice of Qualification of EV/ L-A GC LLC. Authority filed with Secy. of State of N.Y. (SSNY) on 8/6/07. Office location: Suffolk County. LLC formed in Delaware (DE) on 8/1/07. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o CT Corporation System, 111 8th Ave., NY, NY 10011, registered agent upon whom process may be served. DE address of LLC: The Corporation Trust Company, 1209 Orange St., Wilmington, DE 19801. Arts. of Org. filed with DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: all lawful purposes.

Legal Notice 15396768

NOTICE PURSUANT TO STATE LAW, A SALE WILL BE HELD AT EXPRESSWAY NORTH SELF STORAGE DB/A A SPACE PLACE 3220 HORSEBLOCK RD MEDFORD NJ 07648 SATURDAY SEPTEMBER 15, 2007 @ 9:30 AM UNITS WILL BE SOLD AS A WHOLE. CASH BASIS ONLY ALL CONTENTS MUST BE REMOVED AT TIME OF SALE.
#123 - JERRY ESPOSITO;
#148 - TIM BISBEE; #312 - JEAN E. DEGUIRA; #331 - SHAKENA LOUGH; #410 - ANDRE BUTLER; #601 - KEVIN WHITE; #650 - LISA BEDELL; #851 - FRANK PIGGEE; #871 - RICHARD SMITH/SAMANTHA KLASS; #C10 - SCOTT WOODS; #C11 - JOHN HARTFORD; #C15 - CARMINE GEDDIS; #C16 - CARMINE GEDDIS; #C24 - MARY COCCIA-CRESCENT;

Organization filed with the Secretary of State on August 3, 2007. Managed by: Members. NY Office location: Suffolk County. Secretary of State is designated as agent upon whom process against the LLC may be served. Secretary of State shall mail a copy of any process against the LLC served upon him/her to c/o McLachlan & Eagan LLP, 241 Parkside Road, East Hampton, NY 11937. Purpose: To engage in any lawful act or activity.

Legal Notice 15396815

INC. VILLAGE OF SALTARE PUBLIC HEARING NOTICE IS HEREBY GIVEN that public hearing will be held at 103 or 105 Broadway, Saltare, 9:00 AM on September 1, 2007 to consider enactment of Local Laws # 12, 13 & 14 of 2007.
BE IT ENACTED BY the Board of Trustees of the Village of Saltare to modify Chapter 55 (Zoning) of the Village Code of the Village of Saltare relating to trees, and to modify Chapter 38 (Peace & Good Order) of the Village code of the Village of Saltare to regulate bamboo, and to modify Chapter 55 (Zoning) of the Village Code of the Village of Saltare relating to the maximum height of structures.
By order of the Board of Trustees
Mario Posillito, Village Clerk
August 24, 2007

Legal Notice 15396871

REVOCATION OF POWER OF ATTORNEY NOTICE IS HEREBY GIVEN that effective the 13th day of August 2007, I, James D. Sacco residing at 2011 Aldersgate, Riverhead, New York, 11901 do hereby revoke, cancel and annul all Power of Attorney, and all power and authority given or intended to be given to Julie Ann Diara residing at 11 North Trainor Avenue, Manorville, New York 11949), is now wholly revoked, cancelled and annulled. Signed and dated the 13th day of August, 2007, James D. Sacco; Notary Public: Beverly Johnson.

Legal Notice 15396906

NOTICE OF SALE OF PERSONAL PROPERTY Notice is hereby given that the undersigned will sell to satisfy lien of the owner by public sale by competitive bidding on 9/7/2007 at 10:30 at the Extra Space Storage Site Located at 3016 Express Drive South, Islandia, NY 11749 the personal goods stored therein by the following:
#1006 & #1345 - Ace Video; #1007 & #1008 - Ace Video; #1244 - Victor Velasco; #1246 - Bradley Hausman; #2108 - Justin Watson; #2186 - Nancy Sciri; #2308 - Cheryl Scheinin; #2340 - Dianne Galante; #2435 - Mei Yu; #2469 - Anan Harris; #2480 - Tanya Smith; #2483 - Shaquana Dandridge.
Purchases must be made with cash only and paid for at the time of the sale. All goods must be removed at the time of purchase. Sale is subject to adjournment.

on: Suffolk County. SSNY is designated as agent upon whom process against the PLLC may be served. SSNY shall mail a copy of any process served against the PLLC to the PLLC at 493 Main Ave, Islip, NY 11751. Purpose: Professional services - Certified Public Accounting and any other lawful purpose.

Legal Notice 15397261

on 7/12/07 NY office location: SUFFOLK County. Secy of State is designated as agent upon whom process against the PLLC may be served. Secy of State shall mail a copy of any process against the PLLC served upon him/her JOHN SEMIOLI, 312 O'CONNOR ROAD, NORTH BABYLON, NY 11703. Purpose: Engineering.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION PROPOSED REVISION TO THE STATE IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour AAQS) - Attainment Demonstration For New York Metro Area", which includes the counties of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester and Rockland, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: OCTOBER 2, 2007
TIME: 2:00 P.M.
PLACE: NYSDEC Annex, Region 2
11-15 47th Avenue
Hearing Room 106
Long Island City, NY 11101

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 17, 2007, to Laura Stevens, NYSDEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 10, 2007, and should be sent to: Robert D. Bielawa, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone (518) 402-8396; email airregs@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from any of the following Department offices:

- REGION 1**, Building #40, State University of New York, Stony Brook, NY 11790, Attention: Ajay Shah
- REGION 2**, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich
- REGION 3**, 21 South Putt Corners Road, New Paltz, NY 12561, Attention: Ken Grzyb

AFFIDAVIT OF PUBLI
from
The Journal N

Florence Bonilla

principal clerk of The Journal News, a newspaper published in
of New York, and the notice of which the annexed is a printed
area(s) on the date(s) below:

Note: The two-character code to the left of the run dates indic
published. (See Legend below)

GW 08/29/07
RK 08/29/07

Signed _____

Sworn to before me

This 30th day of August 20 07

Notary Public, Westchester County

Legend:

Northern Area (AN):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Briarcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):

Ardsey, Ardsley on Hudson, Dobbs Ferry, Elmsford, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains, Greenburgh

Southern Area (AS):

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

Greater Westchester (GW):

Includes Northern, Central and Southern Areas

Rockland Area (JN or RK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, West Haverstraw, West Nyack, Pearl River, Piermont, Valley Cottage, Pomona

Northern Westchester Express (XNW):

Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood.

Review Press (BVW):

Bronxville, Eastchester, Scarsdale, Tuckahoe

**NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
PROPOSED REVISION TO THE STATE
IMPLEMENTATION PLAN**

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration For New York Metro Area", which includes the counties of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester and Rockland, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: OCTOBER 2, 2007
TIME: 2:00 P.M.
PLACE: NYSDEC Annex, Region 2
11-15 47th Avenue
Hearing Room 106
Long Island City, NY 11101

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 17, 2007, to Laura Stevens, NYSDEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airsips@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 10, 2007, and should be sent to: Robert D. Bielawa, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone (518) 402-8396; email airsips@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from any of the following Department offices:

REGION 1, Building #40, State University of New York, Stony Brook, NY 11790, Attention: Ajay Shah
REGION 2, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich
REGION 3, 21 South Putt Corners Road, New Palz, NY 12561, Attention: Ken Grzyb

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Board

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THE FISCAL AFFAIRS OF THE RAMAPO CENTRAL SCHOOL DISTRICT FOR THE PERIOD BEGINNING ON July 1, 2006 AND ENDING ON February 28, 2007 HAVE BEEN EXAMINED BY THE OFFICE OF THE STATE COMPTROLLER AND THAT THE REPORT OF EXAMINATION PERFORMED BY THE OFFICE OF THE STATE COMPTROLLER HAS BEEN FILED IN MY OFFICE WHERE IT IS AVAILABLE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS, PURSUANT TO SECTION THIRTY-FIVE OF THE GENERAL MUNICIPAL LAW, THE GOVERNING BOARD OF THE RAMAPO CENTRAL SCHOOL DISTRICT MAY IN ITS DISCRETION, PREPARE A WRITTEN RESPONSE TO THE REPORT OF EXAMINATION PERFORMED BY THE OFFICE OF THE STATE COMPTROLLER AND FILE ANY SUCH RESPONSE IN MY OFFICE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS NOT LATER THAN (LAST DATE ON WHICH RESPONSE MAY BE FILED - 90 DAYS AFTER PRESENTATION OF REPORT TO BOARD).

Stephany Moe
School Business Executive

NOTES:

1. In order to be in compliance with General Municipal Law, Section 35, this notice must be published within 10 days of the filing of this report with the clerk of secretary.
2. If the board has made a decision to respond to the report prior to publication of this notice, the following sentence may be substituted for the last sentence

of the above Notice:

PURSUANT TO SECTION THIRTY-FIVE OF THE GENERAL MUNICIPAL LAW, THE (NAME OF GOVERNING BOARD) HAS AUTHORIZED THE PREPARATION OF A WRITTEN RESPONSE TO THE REPORT OF EXAMINATION PREPARED BY THE OFFICE OF THE STATE COMPTROLLER AND WILL FILE SUCH RESPONSE, WHEN COMPLETED, IN MY OFFICE AS A PUBLIC RECORD FOR INSPECTION BY ALL INTERESTED PERSONS NOT LATER THAN (LAST DATE ON WHICH RESPONSE MAY BE FILED - 90 DAYS AFTER PRESENTATION OF REPORT TO BOARD).

SUPREME COURT - COUNTY OF ROCKLAND

MORRIS LOWY

Plaintiff against HANNAH GETTER, et al Defendant (s). Pursuant to a Judgment of Foreclosure and Sale entered herein and dated May 8, 2007, I, the undersigned Referee, will sell at public auction at the lobby of the New Rockland County Court house, 1 South Main Street, New City, NY on the 7th day of September, 2007 at 9:30 AM premises situate, lying and being in the Village of Chestnut Ridge, Town of Ramapo, County of Rockland and State of New York, being more particularly bounded and described as follows:

PARCEL I BEGINNING at a point marked by a New York State monument in the Southerly line of lands now or formerly of the New York State Thruway, said point being the Northeastly corner of lands now or formerly of Brian; being a plot 186.93 feet by 172.33 feet by

155.12 feet by 335.69 feet by 99.95 feet by 86.68 feet by 50.74 feet.

PARCEL II BEGINNING at a point marked by a New York State monument in the Southerly line of lands now or formerly of the New York State Thruway, said point being the Northeastly corner of lands now or formerly of DeSande; being a plot 77.67 feet by 38.49 feet by 67.77 feet.

Said premises known as 179 SADDLE RIVER ROAD, MONSEY, NY Approximate amount of lien \$264,000.00 plus interest & costs. Premises will be sold subject to provisions of filed judgment and terms of sale. Also being sold subject to an existing Second Mortgage lien having an unpaid principal balance of \$50,000.00 as of October 10th, 2005 together with interest, late charges, costs and expenses thereon.

Index Number 7916/06.

RICKI BERGER, ESQ.,
Referee.

ABRAHAM HOSCHANDER, ESQ.

Attorney(s) for Plaintiff
777 KENT AVENUE, SUITE 228
Brooklyn, NY 11205

Legal Advertising

Deadlines

In-Column Liner Ads:

12 PM, 3 business days
prior to publication

Display Ads:

12 PM, 5 business days
prior to publication
(includes space reservation and materials)

Northern Westchester
Express and

Bronxville Review Press:
12 pm, 1 week prior to
Thursday's publication

Fax 914-696-8403
Affidavits 914-694-6177
legals@LoHud.com

Any questions, call
914-694-5123
Mon-Fri 8:00AM - 4:30PM

Legal Notices:
LLC and PLC

Legal Notice

Notice of Formation of Limited Liability Company, Name: Norcal Industries LLC, Art. of Org. filed with Secy. of State of N.Y. (SSNY) on 8/1/07. Office location: Rockland County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail a copy of process to: 48 Cragmere Road, Almont, NY 10901. Purpose: any lawful purpose.

Legal Notices:
LLC and PLC

Notice of Formation of a domestic Professional Service Limited Liability Company (PLLC). Name: ALMAX ENGINEERING LLC. Articles of Organization filed with Secy. of State of NY on 4/9/07. NY office location: ROCKLAND County. Secy of State is designated as agent upon whom process against the PLLC may be served. Secy of State shall mail a copy of any process against the PLLC served upon him/her THE LLC, 22 SHERIDAN AVENUE, SLOOTS BURG, NY 10974. Purpose: Engineering

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(914) 694-5111

Notice of Formation of Europe Contracting LLC Arts. Of Org. filed with NY Secy. Of State (SSNY) on 8/9/07. Office location: Rockland County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 31A Edison Court Monsey, NY 10952. Purpose: any lawful activity.

Legal Notices:
LLC and PLC

Notice of Formation of JHB PRO PELLERS LLC, a domestic Limited Liability Company. Arts. of Org. filed with the SSNY on 02/11/07. Office location: Rockland County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail a copy of process to: The LLC, 381 Washington St., Tappan, NY 10983. Purpose: Any Lawful Purpose.

LoHud.com/Orderad
(914) 694-5111

LoHud.com/Orderad
(914) 694-5111

NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY. NAME: R&C 177 LANDRY, LLC. Articles of Organization were filed with the Secretary of State of New York (SSNY) on 02/27/07. The name was amended to R&C 177 LANDRY, LLC on 03/01/07. The latest date of dissolution is 12/31/2099. Office location: Rockland County. SSNY has been designated as a agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 177 West 26th Street, New York, New York 10001. Purpose: For any lawful purpose.

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
PROPOSED REVISION TO THE STATE
IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration For New York Metro Area", which includes the counties of Suffolk, Nassau, Kings, Queens, Richmond, New York, Bronx, Westchester and Rockland, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: OCTOBER 2, 2007
TIME: 2:00 P.M.
PLACE: NYSDEC Annex, Region 2
11-15 47th Avenue
Hearing Room 106
Long Island City, NY 11101

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 17, 2007, to Laura Stevens, NYSDEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 10, 2007, and should be sent to: Robert D. Bielawa, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251; telephone (518) 402-8396; email airslps@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from any of the following Department offices:

REGION 1, Building #40, State University of New York, Stony Brook, NY 11790, Attention: Ajay Shah
REGION 2, Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Attention: Sam Lieblich
REGION 3, 21 South Putt Corners Road, New Paltz, NY 12561, Attention: Ken Grzyb

NEW YORK STATE DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
PROPOSED REVISION TO THE STATE
IMPLEMENTATION PLAN

Notice is hereby given that the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (Department) will hold a legislative PUBLIC HEARING on the following revision to the State Implementation Plan (SIP) for Ozone.

This proposed SIP revision entitled "New York State Implementation Plan for Ozone (8-Hour NAAQS) - Attainment Demonstration for Poughkeepsie, NY Area", which includes Dutchess, Orange and Putnam Counties, meets the requirements of section 182 of the Clean Air Act Amendments of 1990. It contains the 2002 baseline emission inventory, projection inventories for 2008, and 2009, predictive photochemical modeling attainment demonstration, and the control measures and programs that will be implemented by the Department in order to demonstrate attainment with the 8-hour ozone standard promulgated by EPA on July 18, 1997.

The PUBLIC HEARING on the proposed 8-hour Ozone SIP revision will be conducted as follows:

DATE: THURSDAY, OCTOBER 4, 2007
TIME: 2:00 P.M.
PLACE: Residence Inn by Marriott
14 Schuyler Blvd.
Fishkill, NY 12524

The PUBLIC HEARING is scheduled in a place that is reasonably accessible to persons with impaired mobility. At the hearing, the Department will provide interpreter services for deaf persons at no charge. Written requests for such services are required and should be submitted by September 18, 2007, to Laura Stevens, NYSDEC, 625 Broadway, Albany NY 12233-3250; (518) 402-8451; airregs@gw.dec.state.ny.us.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed action will not have a significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revision to the 8-hour ozone SIP to attend the hearing and/or to submit oral or written statements for the record. A cumulative record will be compiled of both oral and written statements received. It is not necessary for persons wishing to make an oral statement to request an appointment in advance. Written statements received prior to, during, or after the hearing and oral statements made at the hearing will be given equal weight.

Written statements must be received by October 11, 2007, and should be sent to: Robert D. Bielawa, P.E., NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3251; telephone (518) 402-8396; email airslps@gw.dec.state.ny.us.

The proposed SIP revision may be obtained from Mr. Bielawa or from the Region 3 Department office at 21 South Putt Corners Road, New Paltz, NY 12561 (Attention: Ken Grzyb).

STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the

PROPOSED AMENDMENTS TO
THE NEW YORK STATE IMPLEMENTATION
PLAN FOR OZONE (8-Hour National Ambient
Air Quality Standard) - ATTAINMENT
DEMONSTRATION FOR NEW YORK METRO AREA

New York State Department of
Environmental Conservation
Region 2 Annex
11-15 47th Avenue
Hearing Room 106
Long Island City, NY 11101

Tuesday, October 2, 2007
2:00 p.m.

LEGISLATIVE HEARING

Presiding: Helene G. Goldberger
Administrative Law Judge

ARTI Recording

516.741.5342 212.349.9692 888.242.DEPO(3376)
Toll Free Fax: 800.337.6769

142 Willis Avenue
Mineola, NY 11501

305 Madison Avenue
New York, NY 10165

P R O C E E D I N G S

MS. GOLDBERGER: Good afternoon. Welcome to the legislative hearing regarding the New York State Department of Environmental Conservation's proposed revision to the state Implementation Plan for Ozone. I am Administrative Law Judge Helene G. Goldberger of the department's office of hearings and mediation services. This hearing was noticed in the August 29, 2007 Environmental Notice Bulletin as well as in the New York Post, Newsday and Journal News on that same day. At this time there are no members of the public who have indicated an interest in speaking so I will call upon the staff member to give an opening statement.

MR. BIELAWA: Thank you, Ms. Goldberger. Good afternoon. My name is Robert Bielawa. I'm an environmental engineer in the Air Quality Planning Bureau of the Division of Air Resources at the New York State Department of Environmental Conservation. This proposed state implementation plan revision entitled "New York State Implementation Plan for Ozone 8-hour NAAQS Attainment Demonstration for New York

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1 Metro Area" which includes the New York State
2 Counties of Suffolk, Nassau, Kings, Queens,
3 Richmond, New York, Bronx, Westchester and
4 Rockland meets the requirements of section 182
5 of the Clean Air Act Amendments of 1990. It
6 contains the 2002 baseline emission inventory,
7 projection inventories for 2008, 2011 and 2012,
8 the predictive photochemical modeling attainment
9 demonstration, and the control measures and
10 programs that will be implemented by the New
11 York State Department of Environmental
12 Conservation in order to demonstrate attainment
13 with the 8-hour ozone standard promulgated by
14 the United States Environmental Protection
15 Agency on July 18, 1997. A copy of the proposed
16 state implementation plan is available for
17 review on the Department's website at
18 <http://www.dec.ny.gov>. The New York State
19 Department of Environmental Conservation will be
20 accepting written comments on the proposed
21 revisions to this State Implementation Plan
22 until 5:00 p.m. on October 10, 2007. I may be
23 reached at a 518 402 8396 to answer any
24 questions concerning this proposal. Thank you.

25 MS. GOLDBERGER: Off the record.

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1 (Recess taken.)

2 MS. GOLDBERGER: The time is now
3 approximately 2:30 p.m. and no members of the
4 public have arrived to provide public comment,
5 therefore, I am going to adjourn this
6 proceeding. Thank you.

7 (Time noted: 2:32 p.m.)
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C E R T I F I C A T E

I, SHANASIA ILGNER, a Hearing Reporter and Notary Public within and for the State of New York, do hereby certify: That the within is a true and accurate transcript of the proceedings taken on the 2nd day of October, 2007.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 2007.

Shanasia Ilgner

SHANASIA ILGNER

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RESPONSIVENESS SUMMARY

ATTAINMENT ANALYSIS

1. COMMENT: In the New York Metro Area's attainment demonstration, the table that identifies the predicted design values for 2009 does not support the narrative summary that attainment may be reached in 2009. The table shows a design value of 87 ppb, while the future design value must be less than 85 for the area to reach attainment. (United States Environmental Protection Agency (EPA))

RESPONSE: The State Implementation Plan contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, a predictive photo-chemical modeling attainment demonstration, and the control measures and programs that will be implemented by the state in order to demonstrate attainment with the 8-hour ozone standard. While attainment may be achieved as early as 2009 if certain conditions are met, application of "approved" EPA guidance supports a conclusion that attainment will be reached closer to 2012.

Discussion was included in various portions of the SIP to acknowledge that deviation from approved EPA modeling guidance could yield an "attainment" design value in 2009, but this was for illustrative purposes only.

Since the time of proposal of the attainment demonstration, the Department has analyzed the preliminary 2007 ozone data and determined that attainment in 2009 is unlikely. As a result, the Department, under separate cover, will be requesting a voluntary reclassification to "serious" in accordance with CAA section 181(b)(3), which is consistent with the June 15, 2013 (2010 – 2012 data) attainment data put forth.

2. COMMENT: New York's attainment demonstration uses an alternate design value calculation for 2009. This differs from EPA's modeling guidance. While EPA is open to evaluating the usefulness of alternative methods, in this case New York's method of using an un-weighted five year average gives more weight than EPA's guideline method for the years after the base year of 2002. The ozone seasons of 2003 and 2004 were influenced by the reductions (included in the modeling) in nitrogen oxide emissions that were due in 2003 in the northeast and in 2004 across the eastern United States. Other methods of determining a baseline design value can give higher values and would make predictions of attainment in

2009 unlikely to be fulfilled. In order to properly weight the evidence for attainment by 2009, states should preview a range of possible alternatives to the EPA guideline methods, not just those that provide lower predicted design values for 2009. (EPA)

RESPONSE: The alternate design value calculation for 2009 was used for illustrative purposes only to acknowledge that deviation from approved EPA modeling guidance could yield an “attainment” design value in 2009. Section 3.9 has been modified to clarify that the alternative design value calculation for 2009 was for illustrative purposes only.

Since the time of proposal of the attainment demonstration, the Department has analyzed the preliminary 2007 ozone data and determined that attainment in 2009 is unlikely. As a result, the Department, under separate cover, will be requesting a voluntary reclassification to “serious” in accordance with CAA section 181(b)(3), which is consistent with the June 15, 2013 (2010 – 2012 data) attainment data put forth.

3. COMMENT: Since preliminary air quality data for 2007 are now available, New York should include the effect of the recent leveling off of air quality improvement in any discussion of how the New York Metro Area could attain the ozone standard. (EPA)

RESPONSE: The Department has revised the attainment demonstration to include preliminary 2007 ozone data in New York State and the effect it has on the ability of the area to attain the ozone NAAQS (See section 3.8: Weight of Evidence).

4. COMMENT: New York’s discussion of the weight of evidence demonstration/analysis for the New York Metro Area needs to include a list and/or discussion of the control measures, arguments, trends, etc. that shows how attainment will be achieved. This information is needed in New York’s final submittal in order for EPA to approve New York’s attainment demonstration SIP revision. (EPA)

RESPONSE: The Weight of Evidence discussion in the SIP (Section 3.8) includes this information.

INVENTORY AND RFP

5. COMMENT: New York’s proposal does not include a projection inventory or reasonable further progress (RFP) for attainment year 2009. New

York will need to include the projection inventories and RFP for 2009 in its final submittal in order for EPA to approve New York's RFP and attainment demonstration SIP revision. (EPA)

RESPONSE: The State Implementation Plan contains the 2002 baseline emission inventory, projection inventories for 2008, 2011 and 2012, a predictive photo-chemical modeling attainment demonstration, and the control measures and programs that will be implemented by the state in order to demonstrate attainment with the 8-hour ozone standard. Application of EPA guidance supports a conclusion that attainment will be reached by 2012. The Department, under separate cover, will be requesting a voluntary reclassification under pursuant to CAA section 181(b)(3) to "serious" as a result.

6. COMMENT: New York's proposal does not include a list of control measures and corresponding emission reductions on how RFP and attainment will be achieved. New York will need to include this information in its final submittal in order for EPA to approve New York's RFP and attainment demonstration SIP revision. (EPA)

RESPONSE: Chapter 10, Reasonable Further Progress, includes emission reductions expected from each control strategy implemented to attain the ozone NAAQS.

7. COMMENT: New York's proposal does not show how the on-road and non-road inventories were calculated (Mobile 6 inputs, vehicle miles traveled projections, aircraft activity, etc. New York will need to include this information in its final submittal in order for EPA to approve New York's RFP and attainment demonstration SIP revision. (EPA)

RESPONSE: Both the on-road and nonroad inventory methodologies are outlined in Chapter 4, Emissions Inventories. The Department relies on the EPA's on-road model, Mobile6, and EPA's nonroad model as well as off model calculations for aircraft, commercial marine vessels and locomotives to complete these inventories. All of our Mobile6 inputs and outputs as well as our nonroad files are provided in electronic format as part of the appendices to the SIP.

8. COMMENT: New York's proposal does not clearly identify any motor vehicle emissions budgets (MVEBs). New York should include a table specifying the MVEBs by year for, at a minimum, the 2008 RFP and 2009 attainment year for the portion of the New York

Metropolitan Transportation Council that is located in the New York Metro nonattainment area. (EPA)

RESPONSE: The Motor Vehicle Emissions Budget is included in Section 10.5.

9. COMMENT: New York should also include a table specifying MVEBs by year for each metropolitan planning organization that is located in the Poughkeepsie nonattainment area. (EPA)

RESPONSE: The Motor Vehicle Emissions Budget is included in Section 10.5.

CONTROL STRATEGIES

10. COMMENT: Table 10.2, page 9-1 of New York's proposal includes a tentative schedule for future adoption/implementation of additional control measures – 11 or so measures/regulations generally effective 6/1/08. EPA recommends that New York work as expeditiously as practicable to adopt and implement these control measures. Section 110(a)(2)(A) of the Clean Air Act requires that all measures relied on for RFP and attainment be adopted. Therefore, New York will need to adopt and submit to EPA as a SIP revision all SIP measures for which the State is seeking emission reduction credit in order for EPA to approve New York's RFP and attainment demonstration SIP revision. (EPA)

RESPONSE: New York is working as expeditiously as practicable to adopt and implement these control measures and will meet all of its legal obligations.

RACT

The following comments pertaining to reasonably available control technology (RACT) were submitted by EPA to NYSDEC during the adoption of the New York RACT SIP dated September 2006 and remain concerns for EPA.

11. COMMENT: New York's Part 220, "Portland Cement Plants", includes a "generic RACT" provision which requires all applicable sources to submit compliance plans which identify RACT emissions for NOx from kilns. Owners and/or operators of kilns which are not equipped with RACT must include a schedule for installation of RACT in the compliance plans. EPA acknowledges that this is an acceptable way of implementing RACT provided that the individual RACT determinations are submitted to EPA as single source SIP revisions. EPA would like to point out that generic RACT regulations such as the existing Part 220 are not fully approvable unless the State has submitted to EPA all the source-

specific RACT determinations pursuant to the particular rule and has submitted a negative declaration that to its best knowledge, there are no remaining unregulated sources (or only a de-minimis amount remain not submitted), or the generic rule covers only a limited number of sources, with emissions, in the aggregate, that are determined to be de-minimis. (EPA)

RESPONSE: The Department acknowledges this comment.

12. COMMENT: Included in New York's RACT SIP is a list of specific NO_x and VOC sources which the Department certifies as either meeting RACT for 8-hour ozone or which are no longer in operation. There are a number of specific sources listed in Appendix C of the RACT SIP that are certified as meeting RACT for 8-hour ozone which have not yet been submitted as a final SIP revision to EPA for approval. New York should submit these source-specific RACT determinations to EPA for approval. (EPA)

RESPONSE: The Department acknowledges this comment.

CONTINGENCY MEASURES

13. COMMENT: New York's proposal, Section 7 – "Contingency Measures" does not identify the specific measures used as contingency measures. It is EPA's standing policy and Clean Air Act requirement (Section 172(c)(9)) that "such plan provide for the implementation of specific measures to be undertaken if the area fails to make reasonable further progress, or to attain..." New York must identify in its final plan the specific measures that will be used as contingency measures in order for EPA to approve New York's RFP and attainment demonstration SIP revision. (EPA)

RESPONSE: In order to demonstrate compliance with the contingency measures provision applicable to the attainment demonstration, the Department has opted to include measures that have been or will be adopted for its contingency measures for the New York State portion of the New York-N. New Jersey-Long Island, NY-NJ-CT non-attainment area. EPA has already approved numerous SIPs using this interpretation – i.e., that use as contingency measures one or more Federal or local measures that are in place and provide reductions that are in excess of the reductions required by the attainment demonstration or RFP plan. Nothing in the statute precludes a State from implementing such measures before they are triggered.

EMISSION INVENTORY SPECIFIC COMMENTS
NEW YORK METRO AND POUGHKEEPSIE OZONE NONATTAINMENT
AREAS

RFP DEMONSTRATION ISSUES

14. COMMENT: New York should provide a demonstration for each ozone nonattainment area which shows how future control measures and the associated emission control credits by source sector (point, area, nonroad and onroad mobile sources) are enough to meet the RFP and attainment year target levels. A demonstration should be provided as follows:
1. 2002 VOC and NO_x Base Year emissions should be grown (uncontrolled) to 2009 and 2009. Provide summary emissions for 2008 and 2009 point, area, nonroad and onroad mobile sources.
 2. New York must provide a demonstration which shows how the projected VOC and NO_x inventory emissions uncontrolled with the addition of post-2002 control measures (and their associated emission credits) will meet the 2008 and 2009, VOC and NO_x RFP/attainment demonstration target levels. (EPA)

RESPONSE: The Department's RFP, ROP and attainment demonstration calculations are included in Chapter 10, Reasonable Further Progress. Given the complexities associated with emissions inventories, the models required to develop them and the resources needed, the Department does not complete multiple inventories that highlight base year emissions grown and then base year emissions grown with all applicable controls. The Department's projection emission reduction calculations are done including both growth and new control measures. This is sufficient to determine future year emissions and RFP/attainment demonstration levels.

PROJECTION INVENTORY ISSUES

POINT SOURCES

15. COMMENT: New York should provide one sample calculation with equations, variable definitions, and input values with units, with control efficiency, rule effectiveness for point sources (for ozone season day) which shows how emission credits were calculated from 2002 base year to a particular projection year. (EPA)

RESPONSE: Sample calculations are provided in Appendix J.

AREA SOURCES

16. COMMENT: For each area source category, New York should provide one sample calculation with equations, variable definitions, and input values with units, control efficiency, rule effectiveness and penetration and growth factors (for ozone season day) which shows how emission credits were calculated from 2002 base year grown to particular projection year with future controls.

RESPONSE: Sample calculations are provided in Appendix J.

2002 BASE YEAR INVENTORY ISSUES

POINT SOURCES

17. COMMENT: New York should provide the point source emission threshold for VOC, NO_x and CO for ozone nonattainment areas. (EPA)

RESPONSE: The point source emission thresholds are permitted emissions exceeding any one of the following levels:

VOC : 25 tons per year

NO_x: 25 tons per year

CO: 100 tons per year

SO₂: 100 tons per year

Hazardous Air Pollutants (HAPs): 10 tons per year of any one HAP contaminant, or, 25 tons per year of any combination of HAPs

18. COMMENT: New York should provide one sample calculation with equations, variable definitions, and input values with units, with control efficiency, rule effectiveness for point sources (for ozone season day emissions). (EPA)

RESPONSE: Sample calculations are provided in Appendix J.

AREA SOURCES

19. COMMENT: For each source category, New York should provide one sample calculation with equations, variable definitions, and input values with units, with control efficiency, rule effectiveness (for ozone season day). (EPA)

RESPONSE: Sample calculations are provided in Appendix J.

NONROAD MOBILE SOURCES

20. COMMENT: Page 4-8, paragraph 5, last sentence, New York should explain why the Commercial Marine Vessel (CMV) inventory for the remainder of the State (excluding NYC Metro area) is based on 1990 Base Year Emission inventory report. Isn't there recent guidance/information that can be used? If yes, why weren't current methodologies used? (EPA)

RESPONSE: The Department is aware that there is more recent EPA guidance regarding CMV inventory development but the methodology is very different than the work completed by Starcrest. The Department believes that this more recent guidance is far less detailed and would not result in an improvement to the methodology established in the development of the 1990 inventory. Starcrest is a unique consulting group providing extensive experience with the maritime industry and associated air quality issues. Their expertise is in the areas of: 1)Vessel, Cargo Handling Equipment, and Stationary Source Emission Inventories, 2)Strategic Policy Planning, 3)Development of Compliance Strategies for Air Quality Regulations, 4)Environmental Impact Statements, 5)General and Transportation Conformity Issues, 6)Regulatory Agency Negotiations, and 7)Third Party Technical Reviews. Under contract to PANYNJ, the inventory Starcrest developed for the NYC area fulfills one of the commitments by USACE and PANYNJ to New York and New Jersey and EPA under the Conditional Statement of Conformity for the Harbor Deepening Project.

While the Department would like to use the Starcrest methodology to update the CMV inventory for the rest of the state it would require an intensive effort to survey all of the counties bordering Lake Erie, Niagara River, Lake Ontario, the St. Lawrence Seaway, Lake Champlain, Hudson River, Mohawk River, Erie Canal and both the Long Island Sound and Atlantic Ocean since Suffolk County was not included in the Starcrest inventory. Other bodies of water that may have CMV traffic are the Finger Lakes, Oneida Lake, Lake George and possibly some other rivers.

Given the level of effort required and the likelihood that the product would not result in an improved inventory, the Department chose not to invest its limited resources in such an effort.

QUALITY ASSURANCE

21. COMMENT: There is no evidence that quality assurance was applied to the 2002 base year inventory. New York should refer to Section 6.0 of the document Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation, dated August 2005 for the quality assurance responsibilities. (EPA)

RESPONSE: Throughout the inventory development process, the Department's technical staff ensure that quality assurance steps are performed to develop a full and complete inventory. The Department utilizes a number of internal and external checks on its development processes. Externally, the Department's inventory has undergone quality assurance checks as part of our submissions to EPA's National Emissions Inventory (NEI), to the Great Lakes Commission (GLC) and MANE-VU. These reviews are not only completed as part of our development of the base year inventory, but similar reviews are performed in the development of our projection inventories required as part of our SIP submittals and in support of regional modeling efforts.

For point and area sources, the Department has developed internal procedures documents to support the development of consistent inventories from one year to the next. The Department updates these manuals as new methodologies are developed. Point source emissions are also used as the basis for the Department's annual Title V fee billings which results in a two-layered review. Both the Department's internal program planning section, and each company that must submit inventories will review that reported data for accuracy in the context of what has been incorporated in the fee bills. A detailed fee dispute process has been developed and all discrepancies are resolved and the inventory is revised, when needed. The Department also has enforcement procedures to ensure that emissions inventories are submitted by all sources required to make submissions to the Department.

For on-road and nonroad sources, the Department relies heavily on EPA developed models and guidance for construction of these components of the inventory. The reliance on these models has resulted in consistent inventory methods and approaches that have been reviewed a number of times by EPA. When applicable, the Department consults with EPA to ensure that all modeling assumptions are applied appropriately. DEC collaborates with the NYS DOT to insure that proper input and output files are generated as part of a separate DOT process that yields project

level estimates for use by consulting parties in various conformity processes.

As noted above, all of our inventories and associated methodologies are reviewed externally as a result of our submissions to the NEI, GLC and MANE-VU. Each of these programs results in different levels of review. For example, the NEI will process file for structure and missing components that are required to support our submissions under the Consolidated Emissions Reporting Rule. Our submissions and each of the quality assurance checks for the regional inventory developed by MANE-VU are documented in the technical support document developed as part of that effort. For the GLC, the Department must satisfy detailed data submission requirements as well as meet a number of additional reviews completed by GLC in the development of that inventory.

ESSENTIAL SUMMARY TABLES FOR 2002 BASE YEAR AND PROJECTION INVENTORIES

22. COMMENT: In some cases, summary tables were provided but not in all cases. For clarity, please provide the following emission summary tables for the 2002 Base Year and Projection Inventories. (EPA)

SECTION A

2002 BASE YEAR EMISSION INVENTORY HARD COPY OR ELECTRONIC REPORTING DOCUMENTATION FOR OZONE NONATTAINMENT AREAS

At a minimum, states should ensure that the following is reported to the EPA regional office. Unless otherwise noted, in each of the following cases we refer the State to pages in the document entitled, Example Documentation Report for 1990 Base Year Ozone and Carbon Monoxide State Implementation Plan Emission Inventories, March 1992 located at the following website address: <http://www.epa.gov/ttn/chief/publications.html#general>

1. GENERAL
 - 2002 annual and ozone seasonal VOC, NO_x, and CO emissions by source type, by county, by nonattainment area (see pages 3-17)
2. STATIONARY POINT SOURCES
 - Total 2002 annual and ozone seasonal VOC, NO_x, and CO emissions from point sources, by county, by nonattainment area (see Table 4-3 on page 4-11)
 - Summary listing of VOC, NO_x and CO point sources by county, by nonattainment area. This listing should include plant name, address,

county, control efficiency, SIC code and ozone seasonal and annual emissions with and without rule effectiveness applied (see Table 4-3 on page 4-11)

3. STATIONARY AREA SOURCES

- Summary of 2002 annual and ozone seasonal VOC, NO_x, and CO emissions by area source category, by county, by nonattainment area (see pages 5-4 thru 5-9)

4. ON-ROAD MOBILE SOURCES

- Summary of 2002 ozone seasonal and annual VOC, NO_x, and CO emissions by vehicle classes (for vehicle classifications, see section 5.5.1 of Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation, dated August 2005) by county, by nonattainment area (see pages 7-2 and 7-19)
- 2002 MOBILE model input files outlining current program parameters
- 2002 VMT, speed, and MOBILE emission factors with calculated emissions for all vehicle classes by nonattainment area, by county (see page 7-16)
- Listing of refueling loss emission factors and calculated emissions for all vehicle classes by county, by nonattainment area (see page 7-17)
- Results of covert and overt audits
- Results of compliance surveys
- Description of ongoing State activities to increase awareness of program requirements
- Summary of activities to assist motorists and facilities in program compliance, i.e., inspector recertification, free repairs, etc.

5. NON-ROAD MOBILE SOURCES

- Summary of 2002 annual and ozone seasonal VOC, NO_x, and CO non-road mobile source emissions by non-road category (for a list of the non-road categories see section 5.5.2 of Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation, dated August 2005) by county, by nonattainment area (see page 5-6)

6. HARD COPY REPORTING

- The summary reports mentioned in Section 2 can be submitted in hard copy or Microsoft Spreadsheet formats.

SECTION B
2002 PERIODIC EMISSION INVENTORY HARD COPY REPORTING
DOCUMENTATION FOR OZONE ATTAINMENT AREAS

At a minimum, states should ensure that the following is reported to the EPA regional office. Unless otherwise noted, in each of the following cases we refer the State to pages in the document entitled, Example Documentation Report for 1990 Base Year Ozone and Carbon Monoxide State Implementation Plan Emission Inventories, March 1992 located at the following website address: <http://www.epa.gov/ttn/chief/publications.html#general>

1. GENERAL

- 2002 annual and ozone seasonal VOC, NO_x, and CO emissions by source type, by county (see pages 3-17)

2. STATIONARY POINT SOURCES

- Total 2002 annual and ozone seasonal VOC, NO_x, and CO emissions from point sources, by county (see Table 4-3 on page 4-11)
- Summary listing of VOC, NO_x and CO point sources by county. This listing should include plant name, address, county, control efficiency, SIC code and ozone seasonal and annual emissions with and without rule effectiveness applied (see Table 4-3 on page 4-11)

3. STATIONARY AREA SOURCES

- Same requirements for ozone nonattainment area. See section A for details.

4. ON-ROAD MOBILE SOURCES

- Same requirements for ozone nonattainment area. See section A for details.

5. NON-ROAD MOBILE SOURCES

- Same requirements for ozone nonattainment area. See section A for details

6. HARD COPY REPORTING

- The summary reports mentioned in Section 2 can be submitted in hard copy and in Lotus or Microsoft Spreadsheet formats.

SECTION C
PROJECTION YEAR INVENTORY BASE YEAR EMISSION INVENTORY
HARD COPY OR ELECTRONIC REPORTING DOCUMENTATION FOR
OZONE NONATTAINMENT AREAS

At a minimum, states should ensure that the following is reported to the EPA regional office. Unless otherwise noted, in each of the following cases we refer the State to pages in the document entitled, Example Documentation Report for 1990 Base Year Ozone and Carbon Monoxide State Implementation Plan Emission Inventories, March 1992 located at the following website address: <http://www.epa.gov/ttn/chief/publications.html#general>

1. GENERAL

- For each projection milestone year, ozone seasonal VOC and NO_x emissions by source type for each nonattainment area (see pages 3-15)

2. STATIONARY POINT SOURCES

- For each projection milestone year, ozone seasonal VOC and NO_x emissions from point sources, by county, by nonattainment area (see Table 4-3 on page 4-11)
- For each projection milestone year, summary listing of VOC and NO_x point sources by county, by nonattainment area. This listing should include plant name, address, county, control efficiency, SIC code and ozone seasonal and annual emissions with and without rule effectiveness applied (see Table 4-3 on page 4-11). Provide associated emission credit benefits from 2002 base year to each milestone projection year.

3. STATIONARY AREA SOURCES

- For each projection milestone year, ozone seasonal VOC and NO_x, emissions by area source category, by county, by nonattainment area (see pages 5-4 thru 5-9). Provide associated control efficiencies, rule effectiveness, rule penetration factors, growth factors and emission credit benefits from 2002 base year to milestone projection year.

4. ON-ROAD MOBILE SOURCES

- For each projection milestone year, ozone seasonal VOC and NO_x on-road mobile source emissions by vehicle classes (for vehicle classifications, see section 5.5.1 of Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation, dated August 2005) by county, by nonattainment area (see pages 7-2 and 7-19)
- MOBILE model input files outlining current program parameters

- VMT, speed, and MOBILE emission factors with calculated emissions for all vehicle classes by nonattainment area, by county (see page 7-16)
- Listing of refueling loss emission factors and calculated emissions for all vehicle classes by county, by nonattainment area (see page 7-17)

5. NON-ROAD MOBILE SOURCES

- For each projection milestone year, summary of 2002 ozone seasonal VOC and NOx non-road mobile source emissions by non-road category (for a list of the non-road categories see section 5.5.2 of Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation, dated August 2005) by county, by nonattainment area (see page 5-6)

6. HARD COPY REPORTING

- The summary reports mentioned in Section 2 can be submitted in hard copy or Microsoft Spreadsheet formats.

RESPONSE: The Department has included a number of new tables in Appendices B and C. In addition, the Department has included an electronic copy of all of the mobile modeling inputs and outputs. The Department has also included an electronic copy of all of detailed non-road spreadsheets used to develop the tables.

23. COMMENT: MECA supports NYSDEC's proposal to control mobile source emissions of nitrogen oxides (NOx) and volatile organic compounds (VOC) through control strategies, such as adopting California's Low Emission Vehicle II (LEV II) standards and adopting California's emissions standards for personal watercraft. However, MECA believes that the NYS DEC could achieve additional emission reduction of ozone precursors by implementing a number of other strategies that employ advanced emission control technologies. These emission control technologies for mobile sources that will be needed to help the NYS DEC achieve ozone attainment are cost-effective and are being used today in on-road and non-road applications in the U.S. and other major marketplaces around the world. (Manufacturers of Emission Controls Association (MECA))

RESPONSE: It is unclear what strategies the commenter is referring to. The Department always completes a thorough analysis of California emission standards to determine whether they will provide an emission reduction benefit to New York State. This analysis then becomes the basis for a decision on whether to adopt identical standards for a given vehicle class.

24. COMMENT: MECA believes that further NO_x emission reductions can be achieved by adopting a number of California mobile source emission control standards that go beyond requirements set forth by the U.S. EPA. (MECA)
- RESPONSE: It is unclear what standards the commenter is referring to. The Department always completes a thorough analysis of California emission standards to determine whether they will provide an emission reduction benefit to New York State. This analysis then becomes the basis for a decision on whether to adopt identical standards for a given vehicle class.
25. COMMENT: MECA believes that greater reductions of NO_x emissions can be achieved by adopting California's proposed aftermarket converter requirements for light-duty, gasoline vehicles that set higher performance and durability standards. (MECA)
- RESPONSE: The Department is currently reviewing the California proposal to determine if it would provide an emissions benefit to New York State.
26. COMMENT: MECA believes that New York State can achieve additional reductions in NO_x emissions by adopting ARB's standards for HC+NO_x for sterndrive and inboard marine engines. (MECA)
- RESPONSE: The Department is currently reviewing the California standards to determine if it would provide an emissions benefit to New York State.
27. COMMENT: Another strategy that can obtain additional NO_x emission reduction to achieve ozone attainment in the NYMA and Poughkeepsie area would be to adopt California's 0.6 g/bhp-hr HC + NO_x 2010 emission standard for off-road spark-ignited engines with horsepower ratings greater than 25 horsepower, if New York has the authority to opt into this regulation. (MECA)
- RESPONSE: Federal law prohibits New York from adopting emission standards for off-road spark-ignited engines with horsepower ratings less than 50 horsepower.

28. COMMENT: In order to achieve additional NOx emission reductions from light-duty vehicles, New York State should encourage California to adopt a LEV III light-duty vehicle program by the end of 2008 for implementation during the post-2010 timeframe. (MECA)

RESPONSE: The California Air Resources Board (CARB) is responsible for establishing emission standards that meet California's emission reduction needs. If such standards are proposed by CARB, the Department will complete a thorough analysis to determine whether they will provide an emission reduction benefit to New York State.

29. COMMENT: MECA commends New York State for adopting a mandatory diesel retrofit program for its public diesel fleet vehicles. However, we believe that funding for this program needs to be identified to ensure the success of the program. Additionally, MECA encourages NYS DEC to adopt similar programs for New York's private on-road and off-road diesel vehicles. (MECA)

RESPONSE: The Department is unable to identify any sources of funding at this time. Success of this program will be ensured by rigorous enforcement of the proposed standards. The Legislation mandating the diesel retrofit program pertains specifically to public diesel fleet vehicles.