

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of Climate, Air & Energy
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JUL 10 2019

Mr. Peter D. Lopez
Regional Administrator
United States Environmental Protection Agency
Region 2
290 Broadway
New York, New York 10007-1866

Dear Mr. Lopez:

On September 25, 2018 the New York Department of Environmental Conservation (DEC) submitted "Proposed New York State Implementation Plan Revision: Infrastructure Assessment for the 2015 Ozone National Ambient Air Quality Standards." On page 17 of that submittal in the section titled, "Element G – Section 110(a)(2)(G): Emergency Powers," we noted that "DEC is in the process of updating the AQI thresholds and related priority levels pursuant to the 2015 ozone NAAQS and other related NAAQS revisions to reflect 40 CFR Part 58 Appendix G, Table 2, 'Breakpoints for the AQI.' Contacts and other relevant information are also being updated."

The DEC has finalized this update and hereby submits the revised Air Pollution Episode webpage as an amendment to the September 25, 2018 Infrastructure Assessment for EPA review and approval. When considered in concert with New York State's Environmental Conservation Law Articles 3 and 19, and 6 NYCRR Part 207, "Control Measures for an Air Pollution Episode," this revision continues to satisfy Clean Air Act Section 110(a)(2)(G).

This submittal also includes a copy of the Public Notice published in the May 22, 2019 *Environmental Notice Bulletin*. No comments were received on the proposed submittal.

Should you have any questions regarding this submission, please contact Ms. Amanda Chudow, Assistant Engineer, SIP Planning Section, Division of Air Resources at (518) 402-8396.

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Sincerely,



J. Jared Snyder
Deputy Commissioner
Office of Climate, Air & Energy

Enclosures

c: R. Ruvo, EPA R2



Department of
Environmental
Conservation

ENB - Statewide Notices 5/22/2019

Public Notice

State Implementation Plan Revision Incorporating Revised Air Pollution Episode Alert Criteria and Procedures

Notice is hereby given that the New York State Department of Environmental Conservation (NYS DEC) has revised its Air Pollution Episode procedures with updated alert levels based on the current Air Quality Index and Significant Harm Levels established by the United States Environmental Protection Agency (US EPA). NYS DEC has also updated the list of contacts that should be called in the event of an air pollution episode. These [revisions](#) can be found on NYS DEC's Air Pollution Episode webpage at: <http://www.dec.ny.gov/chemical/60440.html>.

When considered in concert with New York State's Environmental Conservation Law Articles 3 and 19, and 6 NYCRR Part 207, "Control Measures for an Air Pollution Episode," these revisions continue to satisfy Clean Air Act (CAA) Section 110(a)(2)(G). Consequently, NYS DEC plans to submit this update to US EPA as a revision to "[Proposed New York State Implementation Plan Revision: Infrastructure Assessment for the 2015 Ozone National Ambient Air Quality Standards](#)" that addresses CAA Section 110(a)(2)(G) that was submitted to US EPA on September 25, 2018 see: <https://www.dec.ny.gov/chemical/114340.html>.

NYS DEC is providing a 30 day period to comment on the proposed submissions or request a hearing. Written comments on these revisions and the subsequent State Implementation Plan submittal should be submitted to: Amanda Chudow, NYS DEC - Division of Air Resources, 625 Broadway, 11th Floor, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: dar.sips@dec.ny.gov by **5:00 p.m. on June 21, 2019**.

Contact: Amanda Chudow, NYS DEC - Division of Air Resources, 625 Broadway, 11th Floor, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: dar.sips@dec.ny.gov

Data Solicitation for 2020 CWA Section 303(d) List

Section 303(d) of the Federal Clean Water Act (CWA) requires States to compile every two years, a list of impaired waters that do not meet water quality standards, 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) List to the United State Environmental Protection Agency (US EPA) by April 1, 2020. To support the development of the Section 303(d) Lists, States are required to assemble and consider existing, readily available water quality related data and information. New York State is currently soliciting and accepting water quality data and information that may be useful in compiling the 2020 Section 303(d) List.

Background: Water quality assessment of New York State's waters is a continuous process. Participation and input from a wide range of state, federal and local agencies and non-governmental water quality partners (watershed groups, lake associations, academic researchers, etc.) is encouraged.

Every two years, corresponding to the development of the State's Section 303(d) List, the public is solicited to provide water quality data and information for any waterbody or basin. This allows for a more comprehensive updating of the List. Solicited data and information may result in changes to the List or may be incorporated into water quality assessments.

In order to be included for consideration in the compiling of the 2020 CWA Section 303(d) List, data and information must be received by September 27, 2019.

Data submissions should be accompanied by a completed Waterbody Inventory/Priority Waterbodies List (WI/PWL) Assessment Worksheet, which may be found at: <http://www.dec.ny.gov/chemical/36730.html>. This worksheet allows for the capture of water quality information based on available data or on general observation of conditions and/or local knowledge of designated use support/non-support of a waterbody absent specific, numeric monitoring data.

Worksheet information can also be obtained by contacting: Sarah Rickard, NYS DEC - Division of Water, Bureau of Watershed Assessment and Management, 625 Broadway, 4th Floor, Albany, NY 12233-3502, Phone: (518) 402-8179. Completed WI/PWL worksheets, supporting water quality monitoring data, corresponding Quality Assurance/Quality Control (QA/QC) documentation, QA/QC results summary and a description of measures used in the collection of data should be sent to the address above, or forwarded via e-mail to: 4pwlinfo@dec.ny.gov.

Guidance regarding the use of water quality data and information to conduct assessments and make listing decisions is outlined in the New York State [Consolidated Assessment and Listing Methodology](#). Additional information regarding Section 303(d) List development can be found on the NYS DEC website at: <http://www.dec.ny.gov/chemical/31290.html>.

For questions regarding the information in this notice please contact: Sarah Rickard, NYS DEC - Division of Water, 625 Broadway, Albany, NY 12233, Phone: (518) 402-8179, E-mail: 4pwlinfo@dec.ny.gov.



Air Pollution Episode

Alert Criteria effective December 2018

When weather conditions and/or concentrations of an air contaminant or contaminants are such that **immediate action is necessary to prevent further increases in air contamination or damage to life, property or environmental quality**, the DEC Commissioner shall designate by order that a "Forecast," "Alert I," "Alert II" or "Emergency" stage of an air pollution episode exists. The Commissioner may also designate by order that an episode exists when a single accident, occurrence or condition has resulted or is likely to result in damage to life, property or environmental quality. DEC uses the federal Air Quality Index and associated Significant Harm Levels for criteria pollutants as alert criteria for air pollution episodes.

Alert Criteria¹

Pollutant	Averaging Time	Standard	Air Quality Advisory Issued (AQI≥101)	"Alert I" AQI (201-300)	"Alert II" AQI (301-400)	"Emergency" AQI (401-500)
PM _{2.5}	24 hr	35 (µg/m ³)	≥35.5	150.5-250.4	250.5-350.4	>350.4
PM ₁₀	24 hr	150 (µg/m ³)	≥155	355-424	425-504	>504
Ozone	1 hr	0.12 (ppm)	≥0.125	0.205-0.404	0.405-0.504	>0.504
Ozone	8 hr	0.070 (ppm)	≥0.071	0.106-0.200	---	---
CO	1 hr	35 (ppm)	≥35.5	15.5-30.4	30.5-40.4	>40.4
SO ₂	1 hr	75 (ppb)	≥76	305-604	605-804	>804
NO ₂	1 hr	100 (ppb)	≥101	650-1249	1250-1649	>1649

¹ AQI Levels from 40 CFR Part 58 Appendix G, Table 2 (as of December 3, 2018)

Contact Information

DEC's Division of Air Resources (DAR) can provide essential information and data-gathering services during an air pollution episode. DAR will provide for an orderly means of coordinating and communicating DEC air pollution control efforts and instructions during air pollution episodes. For assistance in the event of an air pollution episode, please contact DAR or the State Emergency Management Organization at one of the following numbers.

Title	Counties	Phone
NYSDEC Division of Air Resources	Statewide	(518) 402-8452
DEC Region 1	Nassau and Suffolk counties	(631) 444-0200
DEC Region 2	Bronx, Kings, New York, Queens, and Richmond counties	(718) 482-4900
DEC Region 3	Dutchess, Orange, Putnam, Rockland, Sullivan, Ulster, and Westchester counties	(845) 256-3000
DEC Region 4	Albany, Columbia, Delaware, Greene, Montgomery, Otsego, Rensselaer, Schenectady, and Schoharie counties	(518) 357-2068
DEC Region 5		(518) 623-1200

	Clinton, Essex, Franklin, Fulton, Hamilton, Saratoga, Warren, and Washington counties	
DEC Region 6	Herkimer, Jefferson, Lewis, Oneida, and St. Lawrence counties	(315) 785-2239
DEC Region 7	Broome, Cayuga, Chenango, Cortland, Madison, Onondaga, Oswego, Tioga and Tompkins counties	(315) 426-7400
DEC Region 8	Chemung, Genesee, Livingston, Monroe, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, and Yates counties	(585) 226-9485
DEC Region 9	Allegany, Cattaraugus, Chautauqua, Erie, Niagara, and Wyoming counties	(716) 851-7201
State Emergency Management Organization	Statewide	(518) 292-2200