OFFICE OF THE COMMISSIONER

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Mr. Walter Mugdan
Acting Regional Administrator
U.S. Environmental Protection Agency, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

JAN 28 2021

RE: **RACT SIP Requirement; New York: Ozone-8Hr (2008) / New York-Northern New Jersey-Long Island,**
RACT SIP Requirement; New York: Ozone-8Hr (2015) / New York-Northern New Jersey-Long Island,
RACT SIP Requirement; New York: Ozone-8Hr (2015) / Ozone Transport Region (OTR),
Emissions Statement Regulations SIP Requirement; New York: Ozone-8Hr (2015) / New York-Northern New Jersey-Long Island

Dear Mr. Mugdan:

On behalf of the Governor of the State of New York, I am submitting for approval by the U.S. Environmental Protection Agency (EPA) a State Implementation Plan (SIP) revision that pertains to three separate SIP requirements related to the 2008 and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS). I am also certifying that New York has an EPA approved emission statement program that satisfies the Clean Air Act (CAA) section 182(a)(3)(B) SIP requirement for the 2015 8-hour ozone NAAQS.

The enclosed SIP revision entitled "New York State Implementation Plan For The 2008 and 2015 8-hour Ozone NAAQS; Reasonable Available Control Technology; January 2021" fulfills one SIP requirement pertaining to the 2008 ozone NAAQS by certifying that Reasonably Available Control Technology (RACT) requirements continue to be fulfilled in the New York metropolitan area (NYMA) following its reclassification to "serious" nonattainment. It also fulfills two SIP requirements pertaining to the 2015 ozone NAAQS by certifying that RACT is fulfilled statewide (one SIP requirement for the NYMA and one SIP requirement for the Ozone Transport Region).

The New York State Department of Environmental Conservation (DEC) certifies that the current application of RACT – comprised of many regulations covering various source categories that are assessed periodically – satisfies all of the RACT requirements for the 2008 and 2015 8-hour ozone NAAQS with the exception of the Control Techniques Guidelines (CTGs) for the oil and natural gas industry. DEC is committed to adopting the requirements of the oil and natural gas CTG as soon as possible.

On May 13, 2020, EPA approved New York's certification that the State has satisfied the requirements for an emissions statement program that was submitted by DEC as part of SIP revisions to address the New York-Northern New Jersey-Long Island, NY-NJ-CT "moderate" non-attainment area for the 2008 8-hour ozone NAAQS [85 FR 28490]. DEC hereby certifies, via this transmittal letter, that the components of the emissions statement program approved by EPA on May 13, 2020 also satisfy the emissions statement SIP requirement for the New York-Northern New Jersey-Long Island, NY-NJ-CT "moderate" non-attainment area for the 2015 8-hour ozone NAAQS.

The proposed SIP revision and emission statement certification underwent a public review process. A Public Notice was published in the October 14, 2020 Environmental Notice Bulletin that included a 30-day public comment period that ended on November 13, 2020. No hearings were requested, and no comments were received.

If you have any questions, please contact Mr. Robert D. Bielawa, P.E., Chief, SIP Planning Section of the Division of Air Resources at (518) 402-8396.

Sincerely,

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

Enclosures

c: R. Ruvo, EPA
K. Wieber, EPA
C. LaLone

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

ENB Statewide Notices 10/14/2020

Public Notice

Notice of Adoption 6 NYCRR Part 494, Hydrofluorocarbon Standards and Reporting

Pursuant to Environmental Conservation Law (ECL) §1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 71-2103 and 71-210, the New York State Department of Environmental Conservation (NYS DEC) hereby gives notice of the following:

Notice of Adoption of 6 NYCRR Part 494, Hydrofluorocarbon Standards and Reporting, filed with the New York State Department of State on September 24, 2020 to be effective on October 24, 2020. Part 494 will establish prohibitions on certain substances that contain hydrofluorocarbons in specific end-uses.

For further information, contact
Suzanne Hagell
NYS DEC - Office of Climate Change
625 Broadway
Albany, NY 12233-1030
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"New York State Implementation Plan for the 2008 and 2015 8-Hour Ozone NAAQS - Reasonably Available Control Technology"; "New York State Implementation Plan for the 2015 8-Hour Ozone NAAQS - Emissions Statement Requirement Certification"; Submission of Subpart 202-2 for Approval into New York State Implementation Plan

Notice is hereby given that the New York State Department of Environmental Conservation (NYS DEC) plans to submit three State Implementation Plan (SIP) revisions to the United States Environmental Protection Agency (US EPA): Reasonably Available Control Technology (RACT) demonstrations for the 2008 and 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS); an emissions statement demonstration for the 2015 8-hour ozone NAAQS; and a repeal/replace of Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Subpart 202-2, "Emission Statements."

Pursuant to Clean Air Act Sections 182 and 184, New York State must submit RACT demonstrations for the 2008 and 2015 ozone NAAQS. The first proposed SIP revision consists of two RACT demonstrations: one that pertains to the New York metropolitan nonattainment area for the 2008 ozone NAAQS, which demonstrates that RACT continues to be fulfilled in the area following its reclassification to "serious" nonattainment; and one that pertains to the 2015 ozone NAAQS and demonstrates that RACT is fulfilled statewide.

NYS DEC concludes that the current application of RACT - comprised of a number of regulations covering various source categories, many of which have been updated within the last few years - satisfies the RACT requirements for the 2008 and 2015 8-hour ozone NAAQS with the exception of the

Control Techniques Guidelines (CTGs) for the oil and natural gas industry. NYS DEC is committing via these RACT submissions to adopt the requirements of the oil and natural gas CTG in the future.

Pursuant to Clean Air Act Section 182(a)(3)(B), New York State must submit an emissions statement certification for the 2015 ozone NAAQS that confirms NYS DEC has an adequate program for the reporting of emissions from stationary sources throughout the state. NYS DEC fulfills this requirement with 6 NYCRR Subpart 202-2, "Emission Statements." In addition to the certification, NYS DEC plans to submit a SIP revision that will incorporate the 2010 version of 6 NYCRR Part 202 into the SIP.

NYS DEC is providing a 30 day period to comment on the proposed submissions or request a hearing. **Written comments should be submitted by 5:00 p.m. on November 13, 2020** to: Scott Wajda-Griffin, NYS DEC - Division of Environmental Remediation, 625 Broadway -11th Floor, Albany, NY 12233-3251, or by e-mail to: dar.sips@dec.ny.gov. Scott Wajda-Griffin can be reached at (518) 402-8396 with any questions regarding these proposed SIP revisions.

Contact: Scott Wajda-Griffin, NYS DEC - Division of Environmental Remediation, 625 Broadway -11th Floor, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: dar.sips@dec.ny.gov

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NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

NEW YORK STATE IMPLEMENTATION PLAN FOR THE 2008 AND 2015 8-HOUR OZONE NAAQS

REASONABLY AVAILABLE CONTROL TECHNOLOGY

January 2021

DIVISION OF AIR RESOURCES
Bureau of Air Quality Planning

Albany, NY 12233-3251
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Acronyms and Abbreviations

ACT	Alternative Control Techniques
AEL	Alternate Emission Limit
BACT	Best Available Control Technology
CAA	Clean Air Act
CTG	Control Techniques Guidelines
DEC	New York State Department of Environmental Conservation
EPA	United States Environmental Protection Agency
FSEL	Facility-Specific Emission Limit
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
NAAQS	National Ambient Air Quality Standards
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NYCRR	New York Codes, Rules, and Regulations
NNSR	Nonattainment New Source Review
NO_x	Oxides of Nitrogen
NYCRR	New York Codes, Rules, and Regulations
NYMA	New York metropolitan area
OTR	Ozone Transport Region
PPM	Parts per Million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
RACT	Reasonably Available Control Technology
SIP	State Implementation Plan
TPY	Tons per Year
VOC	Volatile Organic Compound

Introduction

This revision to the New York State Implementation Plan (SIP) fulfills the requirements for Reasonably Available Control Technology (RACT) pursuant to the Clean Air Act (CAA). New York State is required to address RACT in its portion of the New York-Northern New Jersey-Long Island, NY-NJ-CT serious nonattainment area (New York metropolitan area, or NYMA) under the 2008 ozone National Ambient Air Quality Standards (NAAQS), and statewide for the 2015 ozone NAAQS.

The New York State Department of Environmental Conservation (DEC) previously submitted SIP revisions to address RACT requirements for the 2008 ozone NAAQS statewide on December 22, 2014 and for the NYMA moderate nonattainment area on November 10, 2017.[1,2] The U.S. Environmental Protection Agency (EPA) approved these SIP revisions effective January 11, 2018 and June 12, 2020.[3,4]

The NYMA failed to meet its moderate attainment deadline of July 20, 2017, leading EPA to reclassify the NYMA to serious nonattainment for the 2008 ozone NAAQS effective September 23, 2019.[5] This reclassification calls for an additional demonstration that the NYMA meets the serious nonattainment RACT requirements. With this SIP revision, DEC certifies that New York's RACT program is sufficient for the NYMA serious nonattainment area for the 2008 ozone NAAQS.

On October 26, 2015, EPA published a revision to the NAAQS for ozone.[6] This action lowered the primary and secondary standards from 0.075 parts per million (ppm) to a level of 0.070 ppm averaged over an 8-hour period. Consequently, a revision to the SIP accounting for the proper application of RACT is required pursuant to CAA Section 172(c)(1). DEC hereby certifies that New York's RACT program is sufficient for the 2015 ozone NAAQS as demonstrated in this SIP revision.

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[1] https://www.dec.ny.gov/chemical/100152.html
[2] https://www.dec.ny.gov/chemical/110733.html
[3] "Approval and Promulgation of Implementation Plans; New York; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards," final rule. Published December 12, 2017; effective January 11, 2018. 82 FR 58342.
[4] "Approval and Promulgation of Implementation Plans; New York; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards in the New York Metropolitan Area Moderate Nonattainment Area," final rule. Published May 13, 2020; effective June 12, 2020. 85 FR 28490.
[5] "Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards," final rule. Published August 23, 2019; effective September 23, 2019. 84 FR 44238.
[6] "National Ambient Air Quality Standards for Ozone," final rule. Effective December 28, 2015. 80 FR 65292.

General RACT Requirements

RACT is defined as the lowest emissions limit that a particular source is capable of meeting through the application of control technology that is reasonably available considering technological and economic feasibility. CAA Section 183 requires EPA to issue (and periodically update as needed) guidance that would help states meet RACT requirements. This includes the development of Control Techniques Guidelines (CTG) and Alternative Control Techniques (ACT) documents for controlling volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) from stationary sources. CTGs presumptively define a level of control as RACT. ACTs do not formally define RACT but instead describe available measures that are technologically and economically feasible which states can adopt to satisfy RACT.

EPA initially issued three sets of CTGs establishing a "presumptive norm" for RACT for several VOC source categories. The three sets of CTGs were: Group I (15 CTGs issued before January 1978); Group II (nine CTGs issued in 1978); and Group III (five CTGs issued in the early 1980s). An additional 18 CTGs were issued between December 1992 and September 2008. VOC ACTs were issued between 1983 and 1994, while NO_x ACTs were issued between 1992 and 1995, along with September 2000 updates to the stationary internal combustion engine and cement kiln ACTs. In 2016 EPA issued a VOC CTG for the oil and natural gas industry.

CAA Sections 182(b)(2) and 182(f) require ozone nonattainment areas classified as moderate and above to adopt RACT for sources that are subject to CTGs, and for non-CTG major sources of VOCs and NO_x. CAA Section 184 further requires states such as New York that are located in the Ozone Transport Region (OTR) to implement RACT with respect to all sources covered by CTGs.

RACT demonstrations must contain adopted RACT regulations, certifications (where appropriate) that existing provisions represent RACT, and/or negative declarations that there are no sources in the state covered by a specific CTG source category. Absent data indicating that the previous RACT demonstration is no longer appropriate, the state need not submit a new RACT requirement for these sources in its SIP. In such cases, the state should submit a certification as part of its SIP revision—with appropriate supporting information such as consideration of new data—that these sources are already subject to SIP-approved requirements that still meet the RACT obligation.

Consequently, a RACT determination is required for major stationary sources that meet a particular potential to emit (PTE) threshold depending on classification. The New York and Lower Orange County metropolitan areas have previously been classified as severe under the 1-hour ozone NAAQS and, due to the anti-backsliding provisions of the CAA, must continue to utilize the more stringent PTE thresholds of 25 tons per year (tpy) of NO_x or VOC to satisfy RACT.

RACT SIP Determination for 2008 8-Hour Ozone NAAQS

New York State had previously fully satisfied the statewide and moderate nonattainment area RACT requirements for the 2008 8-hour ozone NAAQS. EPA approved DEC's statewide 2008 NAAQS RACT SIP submission on December 12, 2017, contingent on the implementation of the industrial cleaning solvents CTG.[7] On May 13, 2020, EPA approved the NYMA-specific RACT SIP as well as DEC's promulgation of the industrial cleaning solvents CTG as the new Subpart 226-2.[8]

Upon failing to meet its moderate nonattainment deadline, the NYMA was reclassified to serious nonattainment. The only new RACT requirement for the serious nonattainment area is a reduction of the major source applicability threshold to 50 tpy for both NOx and VOC.[9] Because the NYMA retains the 25 tpy source applicability thresholds from its previous severe classification under the 1-hour standard, this requirement is already being fulfilled.

DEC has evaluated its existing RACT regulations and requirements and has determined that these measures continue to constitute RACT for the 2008 8-hour ozone NAAQS. New York's regulations stringently control major NOx and VOC sources and are consistent with the CTGs and ACTs that have been issued by EPA to date, with the exception of the oil and natural gas industry CTG. New York is developing a regulation to address the CTG and the state's commitment to reduce methane emissions under the methane reduction plan and the New York State Climate Leadership and Community Protection Act.[10]

RACT SIP Determination for 2015 8-Hour Ozone NAAQS

The NYMA has been designated as moderate nonattainment for the 2015 ozone NAAQS. Additionally, since New York State is located within the OTR, the entire state is treated as "moderate" nonattainment for RACT purposes and must demonstrate that current state regulations fulfill 2015 ozone NAAQS RACT requirements for all applicable CTG categories and all major non-CTG sources. EPA finalized an implementation rule for the 2015 ozone NAAQS which was used as guidance in developing this RACT SIP.[11]

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[7] "Approval and Promulgation of Implementation Plans; New York; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards," final rule. Published December 12, 2017; effective January 11, 2018. 82 FR 58342-58347.

[8] "Approval and Promulgation of Implementation Plans; New York; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards in the New York Metropolitan Area Moderate Nonattainment Area," final rule. Published May 13, 2020; effective June 12, 2020. 85 FR 28490-28493.

[9] https://www.epa.gov/ground-level-ozone-pollution/required-sip-elements-nonattainment-classification

[10] Chapter 106 of the Laws of 2019 (July 18, 2019)

[11] "Implementation of the 2015 National Ambient Air Quality Standards for Ozone; Nonattainment Area State Implementation Plan Requirements," final rule. Published December 6, 2018; effective February 4, 2019. 83 FR 62998.

DEC has evaluated its existing RACT regulations and requirements and has determined that these measures constitute RACT for the 2015 8-hour ozone NAAQS. New York's regulations stringently control major VOC and NOx sources and are consistent with the CTGs and ACTs that have been issued by EPA to date, with the exception of the oil and natural gas industry CTG for which a regulation is being developed.

New York has actively been updating its regulations under Title 6 of the New York Codes, Rules, and Regulations (NYCRR) to further decrease ozone precursor emissions in the state, with the following RACT regulations having recently been updated:

- Part 205, "Architectural and Industrial Maintenance Coatings": Revised to establish more stringent VOC content limits that become effective January 1, 2021, including for the traffic marking coatings category that is subject to a CTG. The "quart exemption" was revised to exclude the floor coatings category and anti-bundling language was added to curb misuse. On December 30, 2020, DEC issued an enforcement discretion that provides an additional 12 months (until January 1, 2022) for AIM coatings manufacturers to comply with certain provision of 6 NYCRR Part 205 due to the COVID emergency.
- Subpart 219-10, "Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NOx) at Municipal and Private Solid Waste Incineration Units": New subpart 219-10 limits NOx emissions from municipal waste combustion units, with emission limits due in permit applications by June 30, 2021.
- Subpart 226-2, "Industrial Cleaning Solvents": New subpart 226-2 establishes VOC content limits for cleaning solvents used in operations not covered by other regulations, pursuant to EPA's September 2006 CTG. It applies to new facilities upon start-up and existing facilities generally by November 1, 2020.

DEC has also determined that RACT determinations made on a source-specific basis are consistent with the latest emission control technologies that apply cost thresholds – established in 1994 and continuously adjusted to account for inflation – to determine what constitutes technical and economic feasibility. A key component of New York's RACT program is its requirement for major and minor stationary sources with source-specific RACT determinations to periodically review the latest available control technologies and associated costs so as to ensure accurate and contemporary RACT conditions. New York's source-specific RACT determinations are further discussed on page 6.

Appendix A contains a complete list of current CTGs and ACTs, along with the New York State regulation that corresponds to each source category. Many of these regulations were updated during implementation of the 1997 8-hour ozone standard. The "state effective date" column refers to the last regulatory revision that affected the associated CTG. Many source categories have needed to be regulated beyond the minimum requirements of the CTG/ACT– for example, the recent Part 205 revision included a more stringent VOC content limit for traffic marking coatings. DEC has also reviewed the CTG/ACT categories for which a negative declaration had previously applied (see page 6).

Identification of RACT Sources / Existing RACT Regulations

Appendix A lists the CTGs and ACTs and corresponding DEC RACT regulations that cover existing sources in New York State. For major non-CTG sources, RACT compliance is enforced through the provisions in 6 NYCRR Part 212, "Process Operations."

DEC is hereby certifying that all RACT regulations adopted to the present date are considered RACT for the 2015 8-hour ozone NAAQS as they reflect the most current pollution control technologies and economic considerations. Based on the review of current technologies, DEC has found no information indicating that the existing levels of control for these source categories are no longer RACT.

The RACT regulations being certified as current include the following:

NO_x RACT Regulations

- Subpart 212-3, “Reasonably Available Control Technology for Major Facilities”
- Subpart 212-4, “Control of Nitrogen Oxides for Hot Mix Asphalt Production Plants”[12]
- Part 214, “Byproduct Coke Oven Batteries”
- Part 216, “Iron and/or Steel Processes”
- Subpart 220-1, “Portland Cement Plants”
- Subpart 220-2, “Glass Plants”
- Subpart 227-2, “Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NO_x)”

VOC RACT Regulations

- Subpart 212-3, “Reasonably Available Control Technology for Major Facilities”
- Part 226, “Solvent Cleaning Processes and Industrial Cleaning Solvents”
- Part 228, “Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers”
- Part 229, “Petroleum and Volatile Organic Liquid Storage and Transfer”
- Part 230, “Gasoline Dispensing Sites and Transport Vehicles”[13]
- Part 233, “Pharmaceutical and Cosmetic Manufacturing Processes”
- Part 234, “Graphic Arts”

New major facilities or modifications to existing major or minor sources in New York State are subject to the provisions of 6 NYCRR Part 231, “New Source Review for New and Modified Facilities.” Since New York State is located entirely in the OTR, Nonattainment New Source Review (NNSR) applies statewide for ozone precursor

[12] DEC is in the process of moving NOx requirements for hot mix asphalt production plants to new Subpart 220-3.

[13] DEC is in the process of revising this regulation to incorporate federal standards for gasoline dispensing facilities pursuant to 40 CFR Subpart CCCCCC. This regulatory update will be submitted to EPA as a SIP revision once the rulemaking process is complete.

pollutants (VOC and NO_x) regardless of the area's designation status, though pollutant thresholds are lower in the NYMA. NNSR requires the application of Lowest Achievable Emission Rate (LAER), which is more stringent than RACT. NO_x sources are subject to a dual review under the Prevention of Significant Deterioration (PSD) and NNSR control programs because NOx is both a criteria pollutant and a precursor to ozone. PSD requires a review of Best Available Control Technology (BACT) which is also more stringent than RACT, though less stringent than LAER.

New York also relies upon federal rules such as the National Emission Standards for Hazardous Air Pollutants (NESHAPs) regulated under CAA Section 112. NESHAPs control hazardous air pollutants through the application of Maximum Achievable Control Technology (MACT), which may be more stringent than RACT. These federal requirements are incorporated by reference into 6 NYCRR Part 200, "General Provisions."

Negative Declarations

Appendix A lists all the CTG and ACT documents that have been issued by EPA. For the 2008 ozone NAAQS RACT SIP submission, DEC staff reviewed its emissions inventory and emissions statements in order to confirm that the negative declarations previously approved by EPA remain valid. The following table presents the findings of DEC's review of the previous negative declarations. These findings hold true for this 2015 NAAQS RACT submission, and are reflected in Appendix A.

CTG or ACT Category	Existing Sources?	Conclusion
Control of Volatile Organic Emissions from Manufacture of Vegetable Oils; EPA-450/2-78-035; June 1978 (Group II)	No	Negative Declaration Confirmed
Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins; EPA-450/3-83-008; Nov. 1983 (Group III)	No	No sources identified, though CTG requirements covered by 6 NYCRR Part 236
Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants; EPA-450/3-83-007; Dec. 1983 (Group III)	No	Negative Declaration Confirmed
Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry; EPA-450/3-84-015; Dec. 1984 (Group III)	No	Negative Declaration Confirmed
Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials; EPA-453/R-08-004; Sept. 2008	No	Negative Declaration Confirmed; EPA recognized in 79 FR 12082
Control of Volatile Organic Compound Emissions from the Application of Agricultural Pesticides; EPA-453/R-92-011; March 1993	No	Negative Declaration Confirmed; DEC does not have authority to regulate application of agricultural pesticides

Source-Specific RACT Determinations

DEC submits certain source-specific RACT determinations to EPA as SIP revisions. In instances where a facility is unable to meet the relevant presumptive RACT limit due to technical or economic infeasibility, an alternate emission limit (AEL) – also called a

variance – is agreed to by DEC and the facility owner. Some regulations (e.g., Part 220, “Portland Cement Plants and Glass Plants”) do not define presumptive RACT limits due to the uniqueness of each facility; in these cases, each regulated facility performs a complete RACT analysis from which a facility-specific emission limit (FSEL) is established. A case-by-case RACT analysis may also be required for sources that are not in a source category covered by an existing state RACT regulation or addressed by a CTG.

DEC’s DAR-20 guidance, titled “Economic and Technical Analysis for Reasonably Available Control Technology (RACT),” provides procedures for the economic and technical feasibility analysis that needs to be used to evaluate source-specific RACT determinations and appropriate RACT emission limits. This guidance also notes that such determinations must be re-evaluated upon renewal of the emission source owner's permit. A re-evaluation must contain the latest control technologies and strategies available for review and take into account the inflation-adjusted economic threshold.

Under the CAA, individual source-specific RACT determinations that are included in a facility’s operating permit must be submitted to EPA as a revision to the New York SIP. Since there are many facilities in New York State that are subject to the various RACT regulations, DEC has periodically submitted "bundles” of source-specific RACT determinations to EPA. This includes 34 RACT determinations submitted on September 16, 2008 and 14 RACT determinations submitted on August 30, 2010 that are regulated under various RACT rules, as well as a bundle of six RACT determinations submitted on December 18, 2013 for Portland cement plants and glass plants regulated under Part 220.

In 2019, EPA began addressing New York’s backlogged SIPs and has been working collaboratively with DEC to determine the current status of New York’s backlogged single-source RACT determinations.[14] On May 7, 2020, DEC withdrew 18 previously submitted RACT determinations because the facilities are no longer in operation or no longer need SIP approval. The status of remaining backlogged SIPs will be addressed by DEC in the future. It is important to note that DEC periodically monitors the AELs and FSELs issued in its Air State Facility and Title V permits for source-specific RACT determinations and will continue to submit them to EPA as needed.

Appendix B includes a list of single-source RACT determinations that have been submitted to EPA; Appendix C contains correspondence from EPA dated May 21, 2020 regarding the latest developments in addressing the single-source SIP backlog.

[14] September 19, 2019 letter from John Filippelli, Director, EPA Region 2 Air & Radiation Division, to Steven Flint, Director, DEC Division of Air Resources.

Conclusion

Based on a review of existing RACT regulations in New York State, DEC finds that the RACT requirements pursuant to the 2008 and 2015 8-hour ozone NAAQS have been fulfilled. DEC's evaluation has determined that all CTG sources, major non-CTG sources, and sources subject to source-specific RACT under its jurisdiction are currently controlled by RACT or better standards, with the exception of the oil and natural gas industry CTG. That CTG is being addressed through a regulatory action and will be submitted to EPA upon completion to fulfill the RACT requirements for the 2008 NAAQS serious nonattainment area and for the 2015 NAAQS. These RACT determinations are consistent with the most recent emissions control technology and economic considerations.

Appendix A:

Control Techniques Guidelines and Alternative Control Techniques Documents

RACT Source Categories	6 NYCRR Part	6 NYCRR Title	State Effective Date	EPA Approval Effective Date	FR Citation (Pub. Date)
CTG Documents: Pre-1990 (Groups I, II, and III)					
1. Design Criteria for State I Vapor Control Systems - Service Stations, Nov. 1975 (Group I)	230	Gasoline Dispensing Sites and Transport Vehicles	9/22/1994	6/29/1998	63 FR 23665 (4/30/1998)
2. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume I: Control Methods for Surface Coating Operations, EPA-450/2-76-028, Nov. 1976 (Group I)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
3. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume II: Surface Coating of Cans, Coils, Paper, Fabrics, Automobiles, and Light-Duty Trucks, EPA-450/2-77-008, May 1977 (Group I)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
4. Control of Refinery Vacuum Producing Systems, Wastewater Separators, and Process Unit Turnarounds, EPA-450/2-77-025, Oct. 1977 (Group I)	223	Petroleum Refineries	8/9/1984	9/17/1985	50 FR 29381 (7/19/1985)
5. Control of Volatile Organic Emissions from Solvent Metal Cleaning, EPA-450/2-77-022, Nov. 1977 (Group I)	226	Solvent Cleaning Processes and Industrial Cleaning Solvents	5/7/2003	2/23/2004	69 FR 3237 (1/23/2004)
6. Control of Hydrocarbons from Tank Truck Gasoline Loading Terminals, EPA-450/2-77-026, Dec. 1977. (Group I)	229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
7. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume III: Surface Coating of Metal Furniture, EPA-450/2-77-032, Dec. 1977 (Group I)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
8. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume IV: Surface Coating of Insulation of Magnet Wire, EPA-450/2-77-033, Dec. 1977 (Group I)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
9. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume V: Surface Coating of Large Appliances, EPA-450/2-77-034, Dec. 1977 (Group I)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
10. Control of Volatile Organic Emissions from Bulk Gasoline Plants, EPA-450/2-77-035, Dec. 1977 (Group I)	229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
11. Control of Volatile Organic Emissions from Storage of Petroleum Liquids in Fixed Roof Tanks, EPA-450/2-77-036, Dec. 1977 (Group I)	229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
12. Control of Volatile Organic Compounds from Use of Cutback Asphalt, EPA-450/2-77-037, Dec. 1977 (Group I)	241	Asphalt Pavement and Asphalt Based Surface Coating	1/1/2011	4/9/2012	77 FR 13974 (3/8/2012)
13. Control Techniques for Volatile Organic Emissions from Stationary Sources, EPA-450/2-78-022, May 1978 (Group II)	N/A	Guidance			
14. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume VI: Surface Coating of Miscellaneous Metal Parts and Products, EPA-450/2-78-015, June 1978 (Group II)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
15. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume VII: Factory Surface Coating of Flat Wood Paneling, EPA-450/2-78-032 June 1978 (Group II)	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
16. Control of Volatile Organic Emissions from Manufacture of Vegetable Oils, EPA-450/2-78-035, June 1978 (Group II)	-	'No Sources' finding confirmed			
17. Control of Volatile Organic Compound Leaks from Petroleum Refinery Equipment, EPA-450/2-78-036, June 1978 (Group II)	223	Petroleum Refineries	8/9/1984	9/17/1985	50 FR 29381 (7/19/1985)
18. Control of Volatile Organic Emissions from Manufacture of Synthesized Pharmaceutical Products,EPA-450/2-78-029, Dec. 1978 (Group II)	233	Pharmaceutical and Cosmetic Manufacturing Processes	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
19. Control of Volatile Organic Emissions from Manufacture of Pneumatic Rubber Tires, EPA-450/2-78-030, Dec. 1978 (Group II)	212 / NSPS BBB	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
20. Control of Volatile Organic Emissions from Existing Stationary Sources, Volume VIII: Graphic Arts - Rotogravure and Flexography, EPA-450/2-78-033, Dec. 1978 (Group II)	234	Graphic Arts	7/8/2010	8/23/2010	75 FR 43066 (7/23/2010)
21. Control of Volatile Organic Emissions from Petroleum Liquid Storage in External Floating Roof Tanks, EPA-450-2/78-047, Dec. 1978 (Group II)	229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
22. Control of Volatile Organic Emissions from Perchloroethylene Dry Cleaning Systems, EPA-450/2-78-050, Dec. 1978 (Group II)	232	Perchloroethylene Dry Cleaning Facilities	Perchloroethylene exempted as a VOC (61 FR 4588) -- CTG no longer relevant		
23. Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems, EPA-450/2-78-051, Dec. 1978 (Group II)	230	Gasoline Dispensing Sites and Transport Vehicles	9/22/1994	6/29/1998	63 FR 23665 (4/30/1998)
24. Control of Volatile Organic Compound Emissions from Large Petroleum Dry Cleaners, EPA-450/3-82-009, Sept. 1982 (Group III)	212	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
25. Control of Volatile Organic Compound Emissions from Manufacture of High-Density Polyethylene, Polypropylene, and Polystyrene Resins, EPA-450/3-83-008, Nov. 1983 (Group III)	236	Synthetic Organic Chemical Manufacturing Facility Component Leaks	1/12/1992	8/26/1993	58 FR 40057 (7/27/1993)
26. Control of Volatile Organic Compound Equipment Leaks from Natural Gas/Gasoline Processing Plants, EPA-450/2-83-007, Dec. 1983 (Group III)	-	'No Sources' finding (40 CFR 52.1683) confirmed			
27. Control of Volatile Organic Compound Fugitive Emissions from Synthetic Organic Chemical Polymer and Resin Manufacturing Equipment, EPA-450/3-83-006, March 1984 (Group III)	236	Synthetic Organic Chemical Manufacturing Facility Component Leaks	1/12/1992	8/26/1993	58 FR 40057 (7/27/1993)

RACT Source Categories	6 NYCRR Part	6 NYCRR Title	State Effective Date	EPA Approval Effective Date	FR Citation (Pub. Date)
28. Control of Volatile Organic Compound Emissions from Air Oxidation Processes in Synthetic Organic Chemical Manufacturing Industry, EPA-450/3-84-015, Dec. 1984 (Group III)	-	'No Sources' finding (40 CFR 52.1683) confirmed			

RACT Source Categories	6 NYCRR Part	6 NYCRR Title	State Effective Date	EPA Approval Effective Date	FR Citation (Pub. Date)
CTG Documents: Post-1990					
1. Control Techniques for Volatile Organic Compound Emissions from Stationary Sources, EPA-453/R-92-018, Dec. 1992	N/A	Guidance			
2. Control of Volatile Organic Compound Emissions from Reactor Processes and Distillation Operations in SOCMI, EPA-450/4-91-031, Nov. 15, 1993	236/212	Synthetic Organic Chemical Manufacturing Facility Component Leaks / Process Operations	1/12/1992 - 9/22/1994	8/26/1993 - 11/26/2001	58 FR 40057 (7/27/1993) - 66 FR 48957 (9/25/2001)
3. Control of Volatile Organic Compound Emissions from Offset Lithographic Printing - DRAFT, September 1993.	234	Graphic Arts	See ACT for Offset Lithographic Printing		
4. Beyond Volatile Organic Compound-Reasonably Available Control Technology-Control Technology Guidelines Requirements, EPA-453/R-95-010, April 1995	N/A	Guidance			
5. Control of Volatile Organic Compound Emissions from Wood Furniture Manufacturing Operations, EPA-453/R-96-007, April 1996	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
6. Control Techniques Guidelines for Shipbuilding and Ship Repair Operations (Surface Coating) - Aug. 1996 (61 FR 44050), Aug. 27, 1996	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
7. Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations, EPA-453/R-97-004, Dec. 1997	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
8. Control Techniques Guidelines for Industrial Cleaning Solvents, EPA-453/R-06-001, Sept. 2006	226	Solvent Cleaning Processes and Industrial Cleaning Solvents	11/1/2019	6/12/2020	85 FR 28490 (5/13/2020)
9. Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing, EPA-453/R-06-002, Sept. 2006	234	Graphic Arts	7/8/2010	4/9/2012	77 FR 13974 (3/8/2012)
10. Control Techniques Guidelines for Flexible Package Printing, EPA-453/R-06-003, Sept. 2006	234	Graphic Arts	7/8/2010	4/9/2012	77 FR 13974 (3/8/2012)
11. Control Techniques Guidelines for Flat Wood Paneling Coatings, EPA-453/R-06-004, Sept. 2006	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
12. Control Techniques Guidelines for Paper, Film, and Foil Coatings, EPA-453/R-07-003, Sept. 2007	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
13. Control Techniques Guidelines for Large Appliance Coatings, EPA-453/R-07-004, Sept. 2007	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
14. Control Techniques Guidelines for Metal Furniture Coatings, EPA-453/R-07-005, Sept. 2007	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
15. Control Techniques Guidelines for Miscellaneous Metal and Plastic Parts Coatings, EPA-453/R-08-003, Sept. 2008	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
16. Control Techniques Guidelines for Fiberglass Boat Manufacturing Materials, EPA-453/R-08-004, Sept. 2008	-	No Sources	-	4/3/2014	79 FR 12082 (3/4/2014)
17. Control Techniques Guidelines for Miscellaneous Industrial Adhesives, EPA-453/R-08-005, Sept. 2008	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	9/30/2010	4/9/2012	77 FR 13974 (3/8/2012)
18. Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings, EPA-453/R-08-006, Sept. 2008	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	4/3/2014	79 FR 12082 (3/4/2014)
19. Control Techniques Guidelines for the Oil and Natural Gas Industry, EPA-453/B-16-001, Oct. 2016	-	Existing sources to be addressed via regulatory revision/adoption			
ACT Documents for VOCs: Pre-1990					
1. Control Techniques for Organic Emissions from Plywood Veneer Dryers, EPA-450/3-83-012, May 1983	212/228	Process Operations/Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	9/22/1994 - 8/23/2003	11/26/2001 - 2/23/2004	66 FR 48957 (9/25/2001) - 69 FR 3237 (1/23/2004)
2. Reduction of Volatile Organic Compound Emissions from the Application of Traffic Markings, EPA-450/3-88-007, Aug. 1988	205	Architectural and Industrial Maintenance (AIM) Coatings	1/11/2020	TBD	TBD
3. Reduction of Volatile Organic Compound Emissions from Automobile Refinishing, EPA-450/3-88-009, Oct. 1988	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
4. Alternative Control Technology Document - Ethylene Oxide Sterilization/Fumigation Operations, EPA-450/3-89-007, March 1989	212	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
5. Alternative Control Technology Document - Halogenated Solvent Cleaners, EPA-450/3-89-030, Aug. 1989	226	Solvent Cleaning Processes and Industrial Cleaning Solvents	5/7/2003	2/23/2004	69 FR 3237 (1/23/2004)
ACT Documents for VOCs: Post-1990					
1. Alternative Control Technology Document: Organic Waste Process Vents, EPA-450/3-91-007, Dec. 1990	212	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
2. Control of VOC Emissions from Polystyrene Foam Manufacturing, EPA-450/3-90-020, Sept. 1990	212	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)

RACT Source Categories	6 NYCRR Part	6 NYCRR Title	State Effective Date	EPA Approval Effective Date	FR Citation (Pub. Date)
3. Alternative Control Technology Document: Bakery Ovens, EPA-453/R-92-017, Dec. 1992	212	Process Operations (+ Air Guide 31 - DEC Implementation Guidance)	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
4. Control of Volatile Organic Compound Emissions from the Application of Agricultural Pesticides, EPA-453/R-92-011, March 1993	-	'No Sources' finding confirmed; DEC does not have authority to regulate application of agricultural pesticides			
5. Control of Volatile Organic Compound Emissions from Batch Processes, EPA-453/R-93-017, Feb. 1994	236/212	Synthetic Organic Chemical Manufacturing Facility Component Leaks / Process Operations	1/12/1992 - 9/22/1994	8/26/1993 - 11/26/2001	58 FR 40057 (7/27/1993) - 66 FR 48957 (9/25/2001)
6. Volatile Organic Liquids Storage in Floating and Fixed Roof Tanks, EPA-453/R-94-001, Feb. 1994	229	Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	1/22/1998	62 FR 67004 (12/23/1997)
7. Alternative Control Techniques Document: Industrial Cleaning Solvents, EPA-453/R-94-015, Feb. 1994	226	Solvent Cleaning Processes and Industrial Cleaning Solvents	5/7/2003	2/23/2004	69 FR 3237 (1/23/2004)
8. Alternative Control Techniques Document: Surface Coating of Automotive/Transportation and Business Machine Plastic Parts, EPA-453/R-94-017, Feb. 1994	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
9. Alternative Control Techniques Document: Automobile Refinishing, EPA-453/R-94-031, April 1994	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
10. Alternative Control Techniques Document: Surface Coating Operations at Shipbuilding and Ship Repair Facilities, EPA-453/R-94-032, April 1994	228	Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	8/23/2003	2/23/2004	69 FR 3237 (1/23/2004)
11. Alternative Control Techniques Document: Air Emissions from Industrial Wastewater, April 1994 [no report ID]	212 / NESHAP subpart G	Process Operations	9/22/1994	11/26/2001	66 FR 48957 (9/25/2001)
12. Alternative Control Techniques Document: Offset Lithographic Printing, EPA-453/R-94-054, June 1994	234	Graphic Arts	7/8/2010	4/9/2012	77 FR 13974 (3/8/2012)
ACT Documents for NOx					
1. NO_x Emissions from Iron & Steel Mills, EPA-453/R-94-065, Sept. 1994	214	By-Product Coke Oven Batteries	9/22/1994	8/21/2006	71 FR 41162 (7/20/2006)
2. NOx Emissions from Industrial/Commercial/Institutional (ICI) Boilers, EPA-453/R-94-022, March 1994	227-2	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen	7/8/2010	8/12/2013	78 FR 41846 (7/12/2013)
3. NOx Emissions from Glass Manufacturing, EPA-453/R-94-037, June 1994	220-2	Glass Plants	7/11/2010	8/12/2013 (Conditional)	78 FR 41846 (7/12/2013)
4. Internal Combustion NOx Part 1 & 2, EPA-453/R-93-032, July 1993/Updated Sept. 2000	227-2	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen	7/8/2010	8/12/2013	78 FR 41846 (7/12/2013)
5. NOx Emissions from Process Heater (Revised) EPA-453/R-93-034, Sept. 1993	227-2	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen	7/8/2010	8/12/2013	78 FR 41846 (7/12/2013)
6. NOx Emissions from Stationary Gas Turbine, EPA-453/R-93-007, Jan. 1993	227-2	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen	7/8/2010	8/12/2013	78 FR 41846 (7/12/2013)
7. NOx Emissions from Utility Boiler, EPA-453/R-94-023, March 1994	227-2	Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen	7/8/2010	8/12/2013	78 FR 41846 (7/12/2013)
8. NOx Emissions from Cement Manufacturing, EPA-453/R-94-004, March 1994 / NOx Control Technologies for the Cement Industry: Final Report, EPA-457/R-00-002, Sept. 2000	220-1	Portland Cement Plants	7/11/2010	8/12/2013 (Conditional)	78 FR 41846 (7/12/2013)
9. NOx Nitric and Adipic Acid Plants, EPA-450/3-91-026, Dec. 1991	224	Sulfuric and Nitric Acid Plants	5/10/1984	9/17/1985	50 FR 29381 (7/19/1985)

Appendix B:

List of Submitted Source-Specific RACT Determinations

Facility, DEC Permit ID, Location	Pollutant	Applicable Reg.	RACT Technology + Limit
Submissions from September 2008			
Entenmann's Bakery 1-4728-01480 Bay Shore, Suffolk Co.	VOC	212.10(c)(4)(iii)	No control due to economic infeasibility; variance for Emission Unit 'U-OVENS' granted. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Gershow Recycling 1-4722-00967 Medford, Suffolk Co.	NOx	227-2.4(f)	No control (other than existing natural gas-fired engines equipped with SNCR) due to economic infeasibility of multiple control systems; 6.0 g/bhp-hr limit on engine. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Art Restoration by Demetrius 2-6205-00053 New York, New York Co.	VOC	228.3(e)	Limits of 4 lb VOC/gal coating and total VOC emissions (fugitive + collected) of 0.02 tpy. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Interstate Brands Corp. 2-6307-00276 Jamaica, Queens Co.	VOC	212.10(c)(4)(iii)	No control due to economic infeasibility of multiple control systems. Total VOC emissions (fugitive + collected) from this oven limited to 23.9 tpy. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Cogen Corporation 2-6101-00381 Brooklyn, Kings Co.	NOx	227-2.5(c)	Limited each of three diesel-fired IC engines (ES 00001, 00002, 00003) to 6.6 g/bhp-hr and to 300-600 kW output. EU 0-00001 capped to 25.5 tpy NOx to support AEL. Aggregate operation time for the three engines limited to 8000 hours per year.
Ametek Rotron Technical Motors Div. 3-5158-00043 Woodstock, Ulster Co.	VOC	228.3(e)	Variance granted for non-compliant coatings. Total VOC emissions from facility, excluding combustion sources, not to exceed 12.5 tons in any 12-month rolling period.
Northeast Solite Corp. 3-5148-00084 Mt. Marion, Ulster Co.	NOx	212.10(c)(3)	Facility is utilizing tangential firing of kilns to minimize NOx emissions.
Norbord Industries 4-1230-00019 Deposit, Delaware Co.	NOx + VOC	212.10(c)(3); 212.10(c)(4)(iii)	NOx: No controls due to economic infeasibility. EU '1-BOILR' (Process B01) limited to 144.5 tpy. EU '1-DRYER' limited to 241.7 tpy. VOC: RACT for EU '1-DRYER' met through LAER, which achieves ~95% destruction and ~2.1 ppm VOC emissions. LAER on EU '1-PRESS' achieves only 56.4% (less than req'd 81% for RACT). This EU limited to 700ºF and 5 ppmvd. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Owens-Corning 4-0122-00004 Feura Bush, Albany Co.	NOx + VOC	212.10(c)(3); 212.10(c)(4)(iii)	No control other than existing oxy-fuel combustion for NOx emissions. The sum of future potential emissions from the EU's in the permit are capped at 54.776 tpy and 220.157 tpy for VOC and NOx, respectively.
Tennessee Gas Pipeline Co. Station 254 4-1026-00037 Chatham, Columbia Co.	NOx	227-2.5(c)	Implementing enhanced mixing on six Worthington UTC-165T engines; limit of 6.0 g/bhp-hr.
Von Roll USA 4-4228-00076 Schenectady, Schenectady Co.	VOC	212.10(c)(4)(iii)	No control due to economic infeasibility of multiple control systems. Emissions limited to 20 tpy VOC.
A. Schonbek & Company 5-0942-00001 Plattsburg, Clinton Co.	VOC	228.3(e)	Use of low-VOC powder coatings & laser cutting of pre-finished stainless steel; Emission Unit O-OEU03 limited to 20 tpy.
C.R. Bard Inc 5-5234-00007 Queensbury, Warren Co.	VOC	228.3(e)	Metal surface coating processes require use of noncompliant coatings; Total usage limited to 5 tpy.
Commonwealth Plywood 5-5352-00007 Whitehall, Washington Co.	VOC	212.10(c)(4)(iii)	No control is considered RACT. Combined VOC emissions from direct + indirect-fired dryers estimated at 58.8 tpy.
Finch Pruyn & Co. 5-5205-00005 Glens Falls, Warren Co.	NOx	227-2.5(c); 212.10(c)(3)	Power Boilers contain low-NOx burners; no further control. Power Boilers (5): 0.45 lb/mmBTU limit. Recovery Boilers (4): 0.55 lb/mmBTU limit. Woodwaste Boiler (1): 0.28 lb/mmBTU limit.
International Paper 5-1548-00008 Ticonderoga, Essex Co.	NOx	212.10(c)(3)	Installed Turbulent Diffusion Technology burner; no additional controls. Limits on lime kiln of 120ppmvw (10% O2) and recovery boiler of 100ppmvd (8% O2).
Lehigh Northeast Cement Company 5-5205-00013 Glens Falls, Warren Co.	NOx	220.6(b)(1)	Undergoing a number of process modifications and efficiency training. Limit on EU '0-UKILN' of 372.7 lb/hr from Consent Order No. D5-0001-97-06.
ALCOA 6-4058-00003 Massena, St. Lawrence Co.	NOx + VOC	212.10(c)(3); 212.10(f)	Permit contains variances for six emission sources: **ES C0030 (Chip Melter #1): Current equipment (nat. gas pre-mix burners) considered RACT for NOx. **ES C0044, ES C0045 (Chip Melter/Dryer #2): Current equipment (low NOx burners, staged air combustion) considered RACT for NOx. **ES M003C, ES M024F (#15, #32 Melting/Holding Furnaces): Current equipment (low NOx burners) considered RACT for NOx. **ES SS078 (Anode Baking Furnace): No control is considered RACT for VOC and NOx.
GM Powertrain 6-4058-00004 Massena, St. Lawrence Co.	VOC	212.10(f)	No control due to economic infeasibility. Emissions from each of three pentane reduction chambers less than the 3.0 lb/hr exemption limit but just over the 15 lb/day exemption limit; each PRC emits approximately 1.8 lb/hr. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Knowlton Specialty Papers 6-2218-00017 Watertown, Jefferson Co.	VOC	212.10(c)(4)(iii)	No control due to economic infeasibility for both resin kitchen and methanol storage tanks. RACT for VOC emissions for Process MIX, which includes resin kitchen, met by maintaining closed vessel lids. This EU limited to 36 tpy VOC overall. VOC emissions from storage tank unit will be limited by restricting the methanol throughput of the tanks to 1250 tpy.
Tennessee Gas Pipeline Co. Station 245 6-2156-00018 West Winfield, Herkimer Co.	NOx	227-2.5(c)	Will meet RACT on Clark TLAD-6 & Ingersoll-Rand PSVG-6 engines. Implementing enhanced mixing on five Worthington UTC-165T engines and one Worthington ML-12 engine; accepting limits of 6.0 g/bhp-hr and 13.3 g/bhp-hr, respectively.
Utica Metal Products 6-3016-00065 Utica, Oneida Co.	VOC	228.3(e)	No control (thermal oxidizer economically infeasible); 9.9 tpy limit. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Cornell University 7-5007-00030 Ithaca, Tompkins Co.	NOx	227-2.5(c)	Boiler #8 RACT is no control; limit of 0.40 lb NOx/mmBTU.
Dominion Transmission - Borger Station 7-5024-00007 Dryden, Tompkins Co.	NOx	227-2.5(c)	Variance on three natural gas-fired stationary combustion turbines. Combined alternate limits of 84 lb/hr and 150 ppmvd. Includes clause to give preferential operation to any new, lower-emitting turbine.

Facility, DEC Permit ID, Location		Pollutant	Applicable Reg.	RACT Technology + Limit
Kodak Operations at Eastman Business Park 8-2614-00205 Rochester, Monroe Co.	EU 1, EP 110C6	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 30.02 tpy.
	EU 12, EP 30-N1, ES 030AW	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 8.0 tpy.
	EU 17, EPs R16-1 + R16-2	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 11.0 tpy.
	EU 20, EP 81-11, ES 081AK	VOC	226.5	Conversion to tape process yields 1.5 tpy limit.
	EU 21, EP 116-1	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 0.14 tpy.
	EU 21, EPs D63-5 + 120A5	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 4.1 tpy for EP 120A5; 0.09 tpy for EP D63-5.
	EU 24, EPs 317-5, 317-7, 317-9, 317W5, 317W3	VOC	212.10(c)(4)(iii)	Implemented a number of minor process revisions on EPs. EPs 317-5, 317-7, 317-9, 317W5: 0.6 tpy combined cap. EP 317W3: 3.1 tpy cap.
	EU 47, EPs 38-10 + 38-16	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 0.47 tpy for EP 38-10; 2.0 tpy for EP 38-16.
	EU 48, EP 148X1	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 25 tpy.
	EU 53, EP 325X3	VOC	212.10(c)(4)(iii)	Improved lilly method, filter press purge reductions. Limit of 105 tpy.
	EU 54, EP 329M3	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 3.11 tpy.
	EU 60, EPs 301-5, 301X1, 301X2, 303A8, 303X1, 303X2, 304-3, 304A0, 304B0, 304X1, 304X2	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 150 tpy.
	EU 63, EP 101-1	NOx	212.10(c)(3)	Existing configuration is RACT. Limit of 25.5 tpy.
	EU 69, EP 35-P4	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 0.34 tpy.
	EU 71, EPs 49-32, 49-63, 49-70, 49-17, 49-04, 49-13, 49-44 (Pro. P73)	VOC	228.3(e)	Existing configuration is RACT. Less restrictive emission limits for each of 11 coatings used in process. Limit of 8.0 tpy overall.
	EU 77, EP 304A8	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 9.03 tpy.
	EU 79, EPs 119J3, 119X1, 119X2, 119X3, 119X4, 119X5, 119X6, 119X8, 119X9, 119KC, 119E5	VOC	212.10(c)(4)(iii)	Improved lilly method and solvent transfers. Limit of 92 tpy.
	EU 80, EP 30-M9, ES 030AV	VOC	212.10(c)(4)(iii)	Existing configuration is RACT. Limit of 9.0 tpy.
	EU 84, EP 308B7	VOC	212.10(f)	Existing configuration is RACT. Limit of 12 tpy.
	EU 85, EPs 59-89, 59-90, 59-91, 59-96, 59-97, 59-98, 59-99 (Pro. S26)	VOC	228.3(e)	Existing configuration is RACT. Combined limit of 1.6 tpy.
	EU 86, EP 319C1	NOx	212.10(c)(4)(iii)	Existing use of natural gas, low-NOx burners on RTO is RACT. Limit of 18.8 tpy.
	EU 86, EP 319X1	VOC	212.10(f)	Existing configuration is RACT. Limit of 2.6 tpy.
	EU 88, EP 308C1 (Process N20)	VOC	228.3(e)	Existing configuration is RACT. Limit of 4.34 tpy.
American Packaging Corporation 8-2614-00117 Rochester, Monroe Co.		VOC	228.3(e); 234.3(f)	No control; 57.4 tpy limit on non-compliant solvent-based inks and overlacquers.
Dominion Transmission - Woodhull Station 8-4682-00006 Woodhull, Steuben Co.		NOx	227-2.4(f)	Alternate schedule requested for meeting RACT emission levels. Facility can only modify two of its six engines at a time; last two engines are scheduled to be modified by late 2008. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
US Gypsum Co - Oakfield Plant 8-1838-00007 Oakfield, Genesee Co.		NOx	227-2.5(c)	No control on cogeneration unit; 126.0 tpy limit on total NOx emissions on a rolling 12-month basis. Permit also includes a 186 ppm limit on NOx emissions.
Alstom Power - Air Preheater Company 9-0270-00025 Wellsville, Allegany Co.		VOC	228.3(e)	Variance is for use of non-compliant high-temperature surface coatings. Upper permit limit of 150 gallons per year of non-compliant coatings; maximum VOC content of non-compliant surface coating currently in use is 5.2 lb/gal.
E.I. Dupont Yerkes 9-1464-00031 Tonawanda, Erie Co.		VOC	212.10(c)(4)(iii)	Compliance plan identified 8 EP's with VOC emissions >3.0 lb/hr. RACT is no control. Tedlar SP process limited to 40 tpy.
MRC Bearings 9-0638-00066 Falconer, Chautauqua Co.		VOC	212.10(c)(4)(iii)	No control due to economic infeasibility. Combined emissions from EP135 and EP221 limited to 21 tpy.
Prestolite Electric, Inc. 9-5620-00027 Arcade, Wyoming Co.		VOC	228.3(e)	Variance is for use of non-compliant coatings. Exemption for process SCC. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Tennessee Gas Pipeline Co. Station 229 9-1440-00034 Eden, Erie Co.		NOx	227-2.5(c)	Implementing enhanced mixing on six Worthington UTC-165T engines. Variance limit of 6.0 g/bhp-hr.
Valeo Engine Cooling 9-0699-00056 Jamestown, Chautauqua Co.		VOC	212.10(c)(4)(iii)	No control due to technical & economic infeasibility. Emissions <3 lb/hr and <15 lb/day.
Submissions From August 2010				
Village of Freeport Power Plant 1 1-2820-00357 Freeport, Nassau Co.		NOx	227-2.5(c)	Ignition timing retard installed on engines 10 and 12 to reduce NOx emissions. Total NOx emissions minimized by restricting facility-wide ICE fuel combustion to no more than 250,000 gal of #2 oil per year. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
NYC-DEP Owls Head WPCP 2-6102-00005 Brooklyn, Kings Co.		NOx	227-2.5(c)	Engines #1, 2, 3 limited to 6.05 g/bhp-hr when burning 100% diesel fuel. Engines #1, 2, 3 limited to 3.16 g/bhp-hr when burning 95% digester gas/5% diesel oil.
Revere Smelting & Refining Corp 3-3352-00145 Wallkill, Orange Co.		NOx	212.10(c)(3)	Short rotary furnace (EU 1-SRFKD, Process SRF) equipped with low-NOx burners which fire natural gas; replaces ambient air with high-purity oxygen to decrease NOx formation/improve efficiency.
Holcim (US) Inc - Catskill Plant 4-1926-00021 Catskill, Green Co.		NOx	220.6(b)	NOx emission limits of 18 lb/ton of clinker produced over 30-day rolling avg; 1653 lb/hr averaged over 24 hrs for a 30-day rolling avg. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
A. Schonbek & Company 5-0942-00001 Plattsburg, Clinton Co.		VOC	228.3(e)	VOC emissions from Emission Unit O-OEU03, which uses non-compliant coatings, limited to 10 tpy as a 12- month rolling sum. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
International Paper Ticonderoga Mill 5-1548-00008 Ticonderoga, Essex Co.		NOx	212.10(c)(3)	Limit on recovery boiler of 100ppmvd (8% O 2).
Newton Falls Paper Manufacturing Plant 6-4026-00001 Newton Falls, St. Lawrence Co.		VOC	212.10(c)(4)(iii)	No control is RACT for Paper Machines #3 and #4. VOC emissions from Emission Sources PAPM3 and PAPM4 limited to 28.7 tpy and 28.2 tpy, respectively. *Note: Single-Source SIP Revision withdrawn 05/07/2020*
Dominion - Borger Station 7-5024-00007 Dryden, Tompkins Co.		NOx	227-2.4(f)	Combined allowable emissions from three turbines lowered from 84 lb/hr to 61 lb/hr.
Kodak Park Division [boilers] 8-2614-00205 Rochester, Monroe Co.		NOx	227-2.4	NOx emissions from each of the Package Boilers 1, 2, 3, and 4 (ES 031AC, 031AD, 031AE, 031AF) shall not exceed 0.57 lb/mmBtu and 56 lb/hr (per compliance plan). Each boiler limited to 200,000 gal #6 oil per year. Specific alternate NOx limits (per compliance plan) as follow: Boiler 41 (ES 031AG): 0.6 lb/mmBtu, 300 lb/hr; Boiler 42 (ES 031AH): 0.6 lb/mmBtu, 300 lb/hr; Boiler 43 (ES 031AI): 0.6 lb/mmBtu, 384 lb/hr.

Facility, DEC Permit ID, Location	Pollutant	Applicable Reg.	RACT Technology + Limit
Pactiv Corp. 8-3224-00108 Canandaigua, Ontario Co.	VOC	212.10(c)(4)(iii)	Foam extruders, thermoforming ops., foam roll storage operate w/ no control as RACT. Required to submit annual evaluation of potential compliance options. Alt. emission limit of 184.9 tpy for each of Processes EX1, RST, and TF1.
3M Tonawanda 9-1464-00164 Tonawanda, Erie Co.	VOC	212.10(c)(4)(iii)	Mother liquor wash table has been modified for greater throughput which results in an increase from 2.8 to 5.0 lb/hr VOC emissions and the need for a variance. RACT is no control.
TAM Ceramics LLC 9-2930-00032 Niagara, Niagara Co.	NOx	212.10(c)(3)	RACT is no control. Four arc furnaces are subject to NOx limits of 15.9 lb/hr/furnace and a combined 210 tpy.

Facility, DEC Permit ID, Location	Pollutant	Applicable Reg.	RACT Technology + Limit
Globe Metallurgical Inc. 9-2911-00078 Niagara Falls, Niagara Co.	NOx	212.10(c)(3)	NOx emissions from electric arc furnace #9 and #11 limited to a combined 175.2 lb/hr and 767.3 tpy.
Metal Cladding Inc 9-2909-00052 Lockport, Niagara Co.	VOC	228.3(e)	Of the various coatings used at the facility, sixteen are non-compliant with five eligible for low-use exemption. Variance request due to economic infeasibility. VOC emissions from all surface coating operations are limited to 48 tpy.
Submissions from December 2013			
Lafarge Building Materials, Inc. 4-0124-00001 Ravena, Albany Co.	NOx	220-1	Operation of SNCR on Kilns 1 + 2. NOx limit on each kiln of 5.2 lb per ton of clinker on 30-day rolling avg. Overall 3,750 tpy NOx cap.
Lehigh Northeast Cement Company 5-5205-00013 Glens Falls, Warren Co.	NOx	220-1	Operation of SNCR. NOx limit of 2.88 lb per ton of clinker on 30-day rolling avg.
Owens-Corning Insulating Systems 4-0122-00004 Delmar, Albany Co.	NOx	220-2	Oxy-fuel firing technology on DM-1 + DM-2 melting furnaces represents RACT. NOx limit on each furnace of 4.0 lb NOx per ton of glass pulled on block 24-hr basis. Limit to be refined following 12 months of CEMS recording.
Owens-Brockway Glass Container Inc. 7-0552-00004 Sennett, Cayuga Co.	NOx	220-2	Installation of air staging system on melting furnaces A + B. NOx limit on each furnace of 4.0 lb per ton of glass produced on 30-day rolling avg. Idle mode limits of 50 lb/hr on furnace A and 40 lb/hr on furnace B on 3-hour rolling avg.
Ardagh Glass Inc. 8-0704-00036 Elmira, Chemung Co.	NOx	220-2	(f.k.a. Anchor Glass Container Corp.) Air staging technology and optimized combustion controls on furnaces 1 + 2. NOx limits of 4.49 and 5.00 lb per ton of glass produced for furnaces 1 + 2, respectively.
Guardian Geneva Float Glass Facility 8-3205-00041 Geneva, Ontario Co.	NOx	220-2	Current configuration with Low NOx burners, oxy-firing, and/or Type 1 or 2 3R control. NOx limit of 199 pounds per hour (6.8 pounds per ton) on 30-day rolling avg. RACT to be re-evaluated during cold tank repair (by 3/31/16).
Submission from August 2015			
Rockville Centre Power Plant 1-2820-00753 Rockville Centre, Nassau Co.	NOx	227-2.5(c)	Various permitted operating times, and designation of units 7, 8, 12 as emergency generators. Systemwide avg. emission rate limit of 6.2 g/bhp-hr.

Appendix C:

May 21, 2020 Correspondence from Peter Lopez, EPA Region 2 Administrator, Regarding Backlogged Single-Source SIP Revisions

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

May 21, 2020

Mr. Jared Snyder
Deputy Commissioner
New York State Department of Environmental Conservation
625 Broadway, 14th Floor
Albany, New York 12233-1010

Dear Deputy Commissioner Snyder:

This is in response to your May 7, 2020 letter that outlined which of the "backlogged" submitted State Implementation Plan revisions are withdrawn and therefore should not be acted on by the Environmental Protection Agency, and those in which action by the EPA should be deferred until the New York State Department of Environmental Conservation submits new or revised SIPs to the EPA, as stated, within the next year. Thank you for identifying the submissions in each category; we will proceed to withdraw and defer the backlogged SIPs as indicated in your May 7th letter. In addition, we have included Attachment 1 to aid in our conversation with your Air Division in identifying solutions for the remaining backlogged source-specific SIPs.

We applaud your continued support in helping us move the backlogged SIPs through processing. Although this remains a priority for our office, we understand the challenging situation we all are facing under the ongoing COVID-19 pandemic and that there will continue to be competing priorities. My office stands ready to assist in any way.

I would like to thank you and your staff for your continued collaboration. Please feel free to contact me at 212-637-5000, or have your staff contact Kirk Wieber, Acting Chief of the Air Programs Branch at 212-637-3381, with any questions.

Sincerely,

Peter Lopez
Regional Administrator

ATTACHMENT 1

Summarized below are the backlog actions as referenced within the three letters (i.e., 05/07/20, 09/19/19 and 11/05/19)

SIP BACKLOG	**John Filippelli LETTER TO NYSDEC 09/19/2019(*)**	**Peter Lopez LETTER TO NYSDEC 11/05/2019 (Recommended action)**	**Jared Snyder RESPONSE TO EPA 05/07/2020 (Requested Action)**
Art Restoration by Demetrius	Table 2	Withdraw	Withdraw
Bestfoods Baking Company/Entenmann's	Table 2	Withdraw	Withdraw
Craft-Pak Inc	Table 2	Withdraw	Withdraw
Dominion Transmission/Woodhull Station	Table 2	Withdraw	Withdraw
Franklin Poly. Corp	Table 2	Withdraw	Withdraw
GE Nott Street	Table 2	Withdraw	Withdraw
Independent Cement Corp	Table 2	Withdraw	Withdraw
Interstate Brands	Table 2	Withdraw	Withdraw
Newton Falls Paper Co	Table 2	Withdraw	Withdraw
Norbord Industries	Table 2	Withdraw	Withdraw
Utica Metal Products	Table 1		Withdraw
A. Schonbeck & Co	Table 3		Withdraw
Tallman Island WWTP	Table 3 (Tallman was bundled with Coney Island, North River, and Owls WWTP)		Withdraw
Gershow Recycling	Table 3		Withdraw
GM Powertrain	Table 3		Withdraw
Parker Hannifin	Table 3		Withdraw
Prestolite Electric	Table 3		Withdraw
Village of Freeport Plant #1	Table 3		Withdraw
American Packaging	Table 2	Withdraw	Defer action; DEC anticipates new or revised SIP revisions "within the next year"
Cornell Central Heating	Table 2	Withdraw	Defer action; DEC anticipates new or revised SIP revisions "within the next year"
MRC Bearings	Table 2	Withdraw	Defer action; DEC anticipates new or revised SIP revisions "within the next year"
Part 230 Stage II SIP		Withdraw or new SIP	Defer action; DEC anticipates new or revised SIP revisions "within the next year"
BART for Rockville Center Power Plant SIP		Withdraw or new SIP	Defer action; DEC anticipates new or revised SIP revisions "within the next year"

BART for Lafarge SIP		Supplement SIP	Defer action; DEC anticipates new or revised SIP revisions "within the next year"
Part 220 RACT determinations submitted to EPA on July 12, 2013			Defer action; DEC anticipates new or revised SIP revisions "within the next year"
Ametek Rotron Technical Motors Div. (**)	Table 1		
Commonwealth Plywood (**)	Table 1		
Finch Paper LLC (**)	Table 1		
Glove Metallurgical Inc. (**)	Table 1		
International Paper (**)	Table 1		
(**) Knowlton Specialty Papers	Table 1		
Metal Cladding Inc. (**)	Table 1		
Northeast Solite Corp. (**)	Table 1		
Pactiv Corporation (**)	Table 1		
TAM Ceramics LLC (**)	Table 1		
US Gypsum Co - Oakfield Plant (**)	Table 1		
3M Tanawanda (**)	Table 3		
ALCOA (**)	Table 3		
Alstom Power – Air Preheater Co. (**)	Table 3		
C.R. Bard (**)	Table 3		
COGEN Corp. (**)	Table 3		
Coney Island, North River, Owls WWTP (**)	Table 3		
Dominion Transmission – Borger Station (**)	Table 3		
Dupont Yurkes Plant (**)	Table 3		
Momentive Performance (**)	Table 3		
Revere Smelting & Refining Corp. (**)	Table 3		
Tenneco Gas #229	Table 3		

(**)			
Tennesse Gas Pipeline Compressor Station #245 (**)	Table 3		
Tennesse Gas Pipeline Compressor Station #254 (**)	Table 3		
Titan X / Valeco Engine Cooling (**)	Table 3		
Von Roll USA (**)	Table 3		

(*) Table 1 of the letter lists 12 backlogs that the EPA requests updated permit as SIP supplement; Table 2 lists 13 backlogs that might be withdrawn because they might not be in operation; Table 3 lists 21 backlogs that the EPA requests updated RACT determination.

(**) The EPA will work with DEC on solutions for moving forward with these source-specific SIP backlogs.

Appendix D:

EPA-Approved New York State Regulations and Laws (40 CFR Part 52.1670(c)) as of September 15, 2020

New York State Regulation	State Effective Date	Latest EPA approval date	Comments
Title 6:			
Part 200, Subpart 200.1 - General Provisions, Definitions	5/19/2013	8/8/2019, 84 FR 38878	The word odor is removed from the Subpart 200.1(d) definition of "air contaminant or air pollutant." Redesignation of non-attainment areas to attainment areas (200.1(av)) does not relieve a source from compliance with previously applicable requirements as per letter of Nov. 13, 1981 from H. Hovey, NYSDEC. Changes in definitions are acceptable to EPA unless a previously approved definition is necessary for implementation of an existing SIP regulation. EPA is including the definition of "federally enforceable" with the understanding that (1) the definition applies to provisions of a Title V permit that are correctly identified as federally enforceable, and (2) a source accepts operating limits and conditions to lower its potential to emit to become a minor source, not to "avoid" applicable requirements. EPA is approving incorporation by reference of those documents that are not already federally enforceable.
Part 200, Subpart 200.6 - General Provisions, Acceptable ambient air quality	2/25/2000	4/22/2008, 73 FR 21548	
Part 200, Subpart 200.7 - General Provisions, Maintenance of equipment	2/25/2000	4/22/2008, 73 FR 21548	
Part 200, Subpart 200.9 - General Provisions, Referenced Material	1/2/2019	8/8/2019, 84 FR 38878	EPA is approving reference documents that are not Federally enforceable.
Part 201 - Permits and Registrations	4/4/1993	10/3/2005, 70 FR 57511	This action removes subpart 201.5(e) from the State's Federally approved SIP.
Part 201, Subpart 201-2.1(b)(21) - Permits and Registrations, Definitions	10/15/2011	12/27/2016, 81 FR 95049	EPA is including the definition of "Major stationary source or major source or major facility" with the understanding that the definition applies only to provisions of Part 231. Revisions are approved except for changes to the definitions in 201-2.1(b)(21)(i) and 201-2.1(b)(21)(v) withdrawn by NYSDEC as per July 28, 2016 letter to EPA Region 2.
Part 201, Subpart 201-7.1 - Permits and Registrations, Federally Enforceable Emission Caps	7/7/1996	10/3/2005, 70 FR 57511	
Part 201, Subpart 201-7.2 - Permits and Registrations, Emission Capping Using Synthetic Minor Permits	7/7/1996	10/3/2005, 70 FR 57511	
Part 202 - Emissions Testing, Sampling and Analytical Determinations	3/24/1979	11/12/1981, 46 FR 55690	
Part 202, Subpart 202-2 - Emission Statements	5/29/2005	10/31/2007, 72 FR 61530	Section 202-2.3(c)(9) requires facilities to report individual HAPs that may not be classified as criteria pollutants or precursors to assist the State in air quality planning needs. EPA will not take SIP-related enforcement action on these pollutants.
Part 204 - NOX Budget Trading Program	2/25/2000	5/22/2001, 66 FR 28063	Incorporates NO_x SIP Call and NO_x Budget Trading Program for 2003 and thereafter.
Part 205 - Architectural and Industrial Maintenance (AIM) Coatings	1/1/2011	3/8/2012, 77 FR 13974	
Part 207 - Control Measures for an Air Pollution Episode	2/22/1979	11/12/1981, 46 FR 55690	
Part 211 - General Prohibitions	1/1/2011	3/8/2012, 77 FR 13974	Section 211.1 (previously numbered 211.2) is not part of the approved plan. (see 11/27/1998, 63 FR 65559).
Part 212 - General Process Emission Sources	9/30/2010	7/12/2013, 78 FR 41846	SIP revisions submitted in accordance with §212.10(c)(3) and 212.12(c) are effective only if approved by EPA.
Part 213 - Contaminant Emissions from Ferrous Jobbing Foundries	5/1/1972	9/22/1972, 37 FR 19814	
Part 214 - By-Product Coke Oven Batteries	9/22/1994	7/20/2006, 71 FR 41163	
Part 215 - Open Fires	6/16/1972	9/22/1972, 37 FR 19814	
Part 216 - Iron and/or Steel Processes	9/22/1994	7/20/2006, 71 FR 41163	
Part 217, Subpart 217-1 - Motor Vehicle Emissions, Motor Vehicle Enhanced Inspection and Maintenance Program Requirements Until December 31, 2010	12/5/2010	2/28/2012, 77 FR 11742	
Part 217, Subpart 217-4 - Motor Vehicle Emissions, Inspection and Maintenance Program Audits Until December 31, 2010	12/5/2010	2/28/2012, 77 FR 11742	
Part 217, Subpart 217-6 - Motor Vehicle Emissions, Motor Vehicle Enhanced Inspection and Maintenance Program Requirements Beginning January 1, 2011	12/5/2010	2/28/2012, 77 FR 11742	

Part 218, Subpart 218-1 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Applicability and Definitions	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-2 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Certification and Prohibitions	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-3 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Fleet Average	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-4 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Zero Emissions Vehicle Sales Mandate	5/28/1992	1/6/1995, 60 FR 2025	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-5 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Testing	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-6 - Emission Standards for Motor Vehicles and Motor Surveillance	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-7 - Emission Standards for Motor Vehicles and Motor Vehicle Engines, Aftermarket Parts	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 218, Subpart 218-8, Emission Standards for Motor Vehicles and Motor Vehicle Engines, Severability	12/28/2000	1/31/2005, 70 FR 4773	EPA's approval of part 218 only applies to light-duty vehicles.
Part 219 - Incinerators	5/1/1972	9/22/1972, 37 FR 19814	
Part 220 - Portland Cement Plants and Glass Plants	7/11/2010	7/12/2013, 78 FR 41846	SIP revisions submitted in accordance with §220-1.6(b)(4) and 220-2.3(a)(4) are effective only if approved by EPA.
Part 222 - Incinerators—New York City, Nassau and Westchester Counties	6/17/1972	9/22/1972, 37 FR 19814	
Part 223 - Petroleum Refineries	8/9/1984	7/19/1985, 50 FR 29382	
Part 224 - Sulfuric and Nitric Acid Plants	5/10/1984	7/19/1985, 50 FR 29382	Variances adopted by the State pursuant to Part 224.6(b) become applicable only if approved by EPA as SIP revisions.
Part 225, Subpart 225-1 - Fuel Composition and Use-Sulfur Limitations	4/5/2013	8/23/2018, 83 FR 42589	Exceptions or Variances adopted by the State pursuant to §§225.1.3 and 1.4(b) become applicable only if approved by EPA as SIP revisions (40 CFR 52.1675(e)).
Part 225, Subpart 225-2 - Fuel Composition and Use-Waste Fuel	7/28/1983	8/2/1984, 49 FR 30936	
Part 225, Subpart 225-3, Fuel Composition and Use-Gasoline	11/4/2001	9/8/2005, 70 FR 53304	The Variance adopted by the State pursuant to section 225-3.5 becomes applicable only if approved by EPA as a SIP revision.
Part 226 - Solvent Metal Cleaning Processes	11/1/2019	5/13/2020, 85 FR 28490	
Part 227, Subpart 227.2(b)(1) - Stationary Combustion Installations	5/1/1972	9/22/1972, 37 FR 19814	1972 version.
Part 227, Subpart 227-1 - Stationary Combustion Installations	2/25/2000	5/22/2001, 66 FR 28063	Existing Part 227 is renumbered Subpart 227-1. Renumbered sections 227-1.2(a)(2), 227-1.4(a), and 227-1.4(d) continue to be disapproved according to 40 CFR 52.1678(d) and 52.1680(a). (New York repealed existing Part 227.5.).
Part 227, Subpart 227-2 - Stationary Combustion Installations, Reasonably Available Control Technology (RACT) For Major Facilities of Oxides of Nitrogen (NOX)	7/8/2010	7/12/2013, 78 FR 41846	SIP revisions submitted in accordance with §227-2.3(c) are effective only if approved by EPA.
Part 227, Subpart 227-3, Stationary Combustion Installations, Pre-2003 Nitrogen Oxides Emissions Budget and Allowance Program	3/5/1999	5/22/2001, 66 FR 28063	Approval of NO_x Budget Trading Program for 1999, 2000, 2001 and 2002. NO_x caps in the State during 2003 and thereafter established in Part 204.
Part 228 - Surface Coating Processes, Commercial and Industrial Adhesives, Sealants and Primers	6/5/2013	3/4/2014, 79 FR 12082	
Part 229 - Petroleum and Volatile Organic Liquid Storage and Transfer	4/4/1993	12/23/1997, 62 FR 67006	• SIP revisions submitted in accordance with Section 229.3(g)(1) are effective only if approved by EPA.
Part 230 - Gasoline Dispensing Sites and Transport Vehicles	9/22/1994	4/30/1998, 63 FR 23668	
Part 231 - New Source Review for New and Modified Facilities	10/15/2011	12/27/2016, 81 FR 95049	Full approval except for certain revisions to 231-5.5(b)(3), 231-6.6(b)(3), 231-10.1(d), 231-12.4(a)(1), 231-12.7, and 231-13.5 Table 5 withdrawn by NYSDEC as per July 28, 2016 NYSDEC letter to EPA Region 2.

			The $PM_{2.5}$ Significant Monitoring Concentration (SMC) is approved as 0 µg/m3 in 231-12.4(a)(1).
Part 232 - Dry Cleaning	8/11/1983	6/17/1985, 50 FR 25079	EPA has not determined that §232.3(a) provides for reasonably available control technology.
Part 233 - Pharmaceutical and Cosmetic Manufacturing Processes	4/4/1993	12/23/1997, 62 FR 67006	SIP revisions submitted in accordance with Section 223.3(h)(1) are effective only if approved by EPA.
Part 234 - Graphic Arts	7/8/2010	3/8/2012, 77 FR 13974	SIP revisions submitted in accordance with §234.3(f) are effective only if approved by EPA.
Part 235 - Consumer Products	10/15/2009	5/28/2010, 75 FR 29897	
Part 236 - Synthetic Organic Chemical Manufacturing Facility Component Leaks	1/12/1992	7/27/1993, 58 FR 40059	Variances adopted by the State pursuant to Part 236.6(e)(3) become applicable only if approved by EPA as a SIP revision.
Part 239 - Portable Fuel Container Spillage Control	7/30/2009	5/28/2010, 75 FR 29897	The specific application of provisions associated with alternate test methods, variances and innovative products, must be submitted to EPA as SIP revisions.
Part 240, Subpart 240-1 - Transportation Conformity, Transportation Conformity General Provisions	9/13/2013	7/29/2014, 79 FR 43945	
Part 240, Subpart 240-2 - Transportation Conformity, Consultation	9/13/2013	7/29/2014, 79 FR 43945	
Part 240, Subpart 240-3 - Transportation Conformity, Regional Transportation-Related Emissions and Enforceability	9/13/2013	7/29/2014, 79 FR 43945	
Part 241- Asphalt Pavement and Asphalt Based Surface Coating	1/1/2011	3/8/2012, 77 FR 13974	
Part 243 - CSAPR NOX Ozone Season Group 2 Trading Program	1/2/2019	8/8/2019, 84 FR 38878	
Part 244 - CSAPR NOX Annual Trading Program	1/2/2019	8/8/2019, 84 FR 38878	
Part 245 - CSAPR SO2 Group 1 Trading Program	1/2/2019	8/8/2019, 84 FR 38878	
Part 249 - Best Available Retrofit Technology (BART)	5/6/2010	8/28/2012, 77 FR 51915	
Title 15:			
Part 79, Subparts 79.1-79.15, 79.17, 79.20, 79.21, 79.24, 79.25 - Motor Vehicle Inspection Regulations	12/29/2010	2/28/2012, 77 FR 11742	
Title 19:			
Part 937 - Access To Publicly Available Records	8/27/2012	6/20/2013, 78 FR 37124	Only subpart 937.1(a) is approved into the SIP and is for the limited purpose of satisfying Clean Air Act Section 128(a)(2).
Environmental Conservation Law:			
Section 19-0325 - Environmental Conservation Law, Sulfur reduction requirements	7/15/2010	8/28/2012, 77 FR 51915	
Public Officers Law:			
Section 73-a - Financial disclosure	8/15/2011	6/20/2013, 78 FR 37124	Only subsections 73-a(2)(a)(i) and (ii) are approved into the SIP and are for the limited purpose of satisfying Clean Air Act Section 128(a)(2).