NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of Climate Air & Energy

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AUG 2 6 2020

Mr. Peter D. Lopez Regional Administrator U.S. Environmental Protection Agency, Region 2 290 Broadway, 26th Floor New York, NY 10007-1866

Dear Administrator Lopez:

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 to incorporate revisions to Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Subpart 225-2 and Part 200.

The New York State Department of Environmental Conservation (DEC) has revised 6 NYCRR Subpart 225-2, "Fuel Composition and Use - Waste Fuels" and 6 NYCRR Part 200, "General Provisions." The changes to Subpart 225-2 and attendant revisions to Part 200 establish applicability criteria, composition limits, and permitting requirements for waste oils; establish monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allow for the burning of waste oils in space heaters at automotive maintenance/service facilities. Subpart 225-2 has also been renamed as "Fuel Composition and Use - Waste Oil as a Fuel."

A public review process was held for these revisions. A notice of proposed rulemaking and information for a public hearing was published in the Environmental Notice Bulletin (ENB) and the New York State Register on September 4, 2019. A legislative public hearing was held on November 8, 2019 in Albany on the proposed revisions to the regulations and the subsequent submission as a SIP revision.

The following documents are enclosed with this SIP revision:

- Express Terms for 6 NYCRR Subpart 225-2, "Fuel Composition and Use Waste Oil as a Fuel," and Part 200, "General Provisions," as proposed on September 4, 2019;
- 2. Notice of proposed rulemaking, including public hearing information, as published in the ENB and State Register on September 4, 2019;
- 3. Newspaper proofs of publication for the proposed rulemaking;
- 4. Transcript of the public hearing held in Albany on November 8, 2019;
- 5. Assessment of Public Comments for all comments received on the proposed rulemaking;
- 6. Certificate of Adoption dated March 3, 2020;





- 7. Express Terms for 6 NYCRR Subpart 225-2 and Part 200 as adopted on March 3, 2020; and
- 8. Notice of Adoption as published in the ENB and State Register on March 18, 2020.

If you have any questions or concerns, please contact Mr. Steven Flint, Director, Division of Air Resources at (518) 402-8452.

Sincerely,

J. Jared Snyder

Deputy Commissioner

Office of Climate, Air & Energy

Enclosures

c: R. Ruvo, EPA Region 2

Express Terms

Existing 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Fuels is repealed. A new Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel is added as follows:

6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel

Section 225-2.1 Applicability.

This Subpart applies to the use of waste oil to be burned as a fuel.

Section 225-2.2 Definitions.

- (a) To the extent that they are not inconsistent with the specific definitions in Subdivision (b) of this Section, the general definitions of Part 200 and Part 201 of this Title apply.
 - (b) For the purposes of this Subpart, the following definitions also apply:
- (1) 'Automotive maintenance/service facility or marine service facility'. Any facility that performs automotive/marine fluid changes, collects automotive/marine fluids, or drains automotive/marine fluids.
- (2) 'Chemical waste'. Waste including but not limited to spent solvents, tars, paints, resins and wastes, and sludges from any process.
- (3) 'Reprocessed oil'. Any oil from which physical and/or chemical contaminants have been removed such that the oil is suitable for productive use (including but not limited to reuse as a lubricant, or burned as a fuel).
- (4) 'Re-refined oil'. Any oil from which physical and/or chemical contaminants have been removed such that the oil is substantially equivalent to virgin distillate or residual oil.
 - (5) 'Total halogens'. The total organic and inorganic halides (fluorine, F; chlorine, Cl; bromine,

Br; iodine, I), expressed as chloride present in a fuel oil or waste fuel, in parts per million by weight (water free basis).

Section 225-2.3 Prohibitions.

- (a) No owner or operator of a facility, except for emission sources in subdivision 225-2.4(d) of this subpart, may burn waste oil without a permit or registration issued by the department pursuant to Part 201 of this Title. To be permitted to burn a waste oil, an owner or operator of a facility must meet the requirements of this Subpart.
- (b) The sale and/or use of waste oil or blends of waste oil and virgin oil for residential heating is strictly prohibited.
- (c) No owner or operator of a facility located in New York County may burn waste oil in either a permitted, registered, or exempt emission source.
- Section 225-2.4 Requirements for owners or operators of facilities proposing to burn waste oil. As part of an application for a permit or registration to burn waste oil, except as provided in subdivision (d) of this Section, owners or operators of facilities must meet the following criteria:
- (a) submit an analysis of the waste oil proposed to be burned to the department, pursuant to Section 225-2.6 of this Subpart.
- (b) a stationary combustion installation or process source that proposes to burn waste oil must have a minimum operating heat input of 20 million Btus per hour or greater.
- (c) an incinerator that proposes to burn waste oil must have a minimum charging capacity that equals or exceeds 2,000 pounds per hour of refuse.
- (d) an owner or operator of space heaters located in automotive maintenance/service facilities or marine service facilities may burn waste oil and be excepted from the requirements of this section, where the following

conditions are met:

- (1) the maximum operating heat input is less than 500,000 Btus per hour;
- (2) the waste oil is generated on site (this includes waste oils generated by do-it-yourself customers that the facility is required to accept) or at another facility under common ownership; and
- (3) the waste oil meets the criteria in Section 225-2.5 Table 1 of this Subpart, except that lead may not exceed 25 parts per million (ppm) by weight (water free basis) of fuel.

Section 225-2.5 General waste oil limits. Any waste oil that is proposed to be burned must meet the minimum limitations in Table 1 below:

Table 1

Constituent/Property	Limit
Polychlorinated Biphenyls (PCB)	< 2 ppm (1)
Total Halogens	<= 1,000 ppm (1)
Sulfur	See 6 NYCRR 225-1 (2)
Gross Heat Content	>= 125,000 (Btu/gal)
Arsenic	< 5 ppm (1)
Cadmium	< 2 ppm (1)
Chromium	< 10 ppm (1)
Lead	< 100 ppm (1)

- (1) ppm by weight (water free basis) of fuel.
- (2) As per the requirements of subdivision 6 NYCRR 225-1.2(i) of this Title.

Section 225-2.6 Reports, sampling, and analysis of waste oil.

- (a) The owner or operator of a facility permitted to burn waste oil shall:
- (1) sample, analyze, and measure each load of waste oil received, or maintain copies of supplier provided analyses of each load of waste oil received, to prove compliance with the limits listed in Table 1 of this Subpart; and
- (2) maintain, for a minimum of five years, records of the total quantity of waste oil received and the names, addresses, and waste oil analysis from each waste oil supplier.
- (b) Owners or operators required to maintain and retain records pursuant to this section must make such records available for inspection by the department during normal business hours. These records must be submitted upon request to the department.
- (c) Sampling and analysis of waste oil samples must be carried out in accordance with methods acceptable to the department.
- (d) Owners or operators of space heaters that fire waste oil located in automotive maintenance/service facilities or marine service facilities must sample and analyze the waste oil upon the request of the department.

Section 225-2.7 Severability.

Each provision of this Subpart shall be deemed severable. In the event that any provision of this Subpart is held to be invalid, the remainder of this Subpart shall continue in full force and effect.

Express Terms

6 NYCRR Part 200, General Provisions

(Existing subdivisions 200.1(a) through (cu) remain unchanged.)

Existing subdivision (cw) is amended as follows:

(cw) Waste Oil. Any [Used]used and/or reprocessed[engine lubricating] oil [and/or any other used oil, including but not limited to, fuel oil, engine oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil,]which has not[subsequently] been rerefined, and which does not contain chemical waste. This includes but is not limited to, engine oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil.

A new subdivision (cx) is added as follows:

(cx) <u>Residual oil.</u> A fuel oil which meets the latest American Society for Testing and Materials (ASTM) specification number D396 for residual fuel oils (#4, #5, or #6).

(Existing sections 200.2 through 200.8 remain unchanged.)

Existing section 200.9, Table 1 is amended as follows:

Regulation	Referenced Material	Availability
[225-2.4(a)(3)]	[40 CFR Part 761 (July 1989) pages 213-267]	[*]

(Existing section 200.10 through section 200.16 remains unchanged.)

Notice of Proposed Rulemaking

New York State Department of Environmental Conservation
6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel
6 NYCRR Part 200, General Provisions

Pursuant to Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105.of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) hereby gives notice of the following:

The Department proposes to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oils (Proposed Subpart 225-2). Proposed Subpart 225-2 will regulate the burning of waste oils in combustion, incineration, and process sources throughout New York State and establishes applicability criteria, composition limits, and permitting requirements for liquid and semi-liquid waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. The Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200).

Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act.

Documents pertaining to this proposed rulemaking can be found on the Department's website at http://www.dec.ny.gov/regulations/propregulations.html#public.

Written comments on the proposed rule may be submitted until 5 p.m. November 13, 2019. For

further information, contact:

Mike Jennings

NYSDEC

625 Broadway

Albany, NY 12233-3250

(518) 402-8403

E-mail: air.regs@dec.ny.gov

Requests for information and comments related to the SIP revision may be obtained from

Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY

12233-3251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov. Written statements may be

submitted until 5 p.m. November 13, 2019.

Hearings for the proposed rule and attendant revisions to existing rules described above

will be held as follows and are scheduled in places that are reasonably accessible to persons with

impaired mobility:

Date: November 8, 2019

Time: 11:00 a.m.

Location: NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233

The Department will provide interpreter services for deaf persons at no charge. Written requests for interpreter services are required and should be submitted by, 5 p.m., November 1, 2019 to Richard McAuley, NYSDEC, 625 Broadway, Albany NY 12233-3250, (518) 402-8438, air.regs@dec.ny.gov.

family day care homes, group family day care homes, day care centers, or legally-exempt child care programs based on the regulations.

Categories and Numbers Affected:

There are no changes in categories or numbers.

Regions of Adverse Impact:

There are no regions where the regulations would have a disproportionate adverse impact on jobs or employment opportunities.

Self-Employment Opportunities:

No measureable impact on opportunities for self-employment is expected.

Department of Civil Service

NOTICE OF EXPIRATION

The following notice has expired and cannot be reconsidered unless the Department of Civil Service publishes a new notice of proposed rule making in the NYS Register.

Jurisdictional Classifcation

LD. No. CVS-33-18-00007-P

Proposed August 15, 2018 **Expiration Date** August 15, 2019

Division of Criminal Justice Services

NOTICE OF ADOPTION

Changes the Accrediting Authority to the ANSI-ASQ National **Accreditation Board**

I.D. No. CJS-21-19-00004-A

Filing No. 752

Filing Date: 2019-08-19 Effective Date: 2019-09-04

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 6190.1, 6190.3, 6190.4 and 6190.5 of Title 9 NYCRR.

Statutory authority: Executive Law, sections 837(13), 995-b(1), (9) and

Subject: Changes the accrediting authority to the ANSI-ASQ National Accreditation Board.

Purpose: To change the accrediting authority to the ANSI-ASQ National Accreditation Board.

Text or summary was published in the May 22, 2019 issue of the Register, I.D. No. CJS-21-19-00004-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Danise Linen, Division of Criminal Justice Services, 80 South Swan Albany, NY 12210, (518)457-8413. dcjslegalrulemaking@dcjs.ny.gov

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Waste Fuels

I.D. No. ENV-36-19-00001-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of Part 200; repeal of Subpart 225-2; and addition of new Subpart 225-2 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105

Subject: Waste Fuels.

Purpose: Update permit references, rule citations, monitoring, recordkeeping, reporting requirements, and incorporate Federal standards.

Public hearing(s) will be held at: 11:00 a.m., November 8, 2019 at Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129 A/B, Albany, NY.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Text of proposed rule: Existing subdivisions 200.1(a) through (cu) remain unchanged.

Existing subdivision (cw) is amended as follows:

(cw) Waste Oil. Any [Used]used and/or reprocessed[engine lubricating] oil [and/or any other used oil, including but not limited to, fuel oil, engine oil, gear oil, cutting oil, transmission fuid, hydraulic fuid, dielectric fuid, oil storage tank residue, animal oil, and vegetable oil,]which has not[subsequently] been re-refned, and which does not contain chemical waste. This includes but is not limited to, engine oil, gear oil, cutting oil, transmission fuid, hydraulic fuid, dielectric fuid, oil storage tank residue, animal oil, and vegetable oil.

A new subdivision (cx) is added as follows:

(cx) Residual oil. A fuel oil which meets the latest American Society for Testing and Material's (ASTM) specification number D396 for residual fuel oils (#4, #5, or #6).

Existing sections 200.2 through 200.8 remain unchanged. Existing section 200.9, Table 1 is amended as follows:

Regulation Referenced Material Availability Γ225-[40 CFR Part 761 (July 1989) pages [*] 2.4(a)(3)] 213-267]

Existing section 200.10 through section 200.16 remains unchanged. Existing 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Fuels is repealed. A new Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel is added as follows:

6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel

Section 225-2.1 Applicability.

This Subpart applies to the use of waste oil to be burned as a fuel. Section 225-2.2 Definitions.

(a) To the extent that they are not inconsistent with the specif c definitions in Subdivision (b) of this Section, the general definitions of Part 200 and Part 201 of this Title apply.

(b) For the purposes of this Subpart, the following definitions also

apply.

(1) 'Automotive maintenance/service facility or marine service facility'. Any facility that performs automotive/marine fuid changes, collects automotive/marine fuids, or drains automotive/marine fuids.
(2) 'Chemical waste'. Waste including but not limited to spent

solvents, tars, paints, resins and wastes, and sludges from any process.

(3) 'Reprocessed oil'. Any oil from which physical and/or chemical

contaminants have been removed such that the oil is suitable for productive use (including but not limited to reuse as a lubricant, or burned as a fuel).

(4) 'Re-ref ned oil'. Any oil from which physical and/or chemical contaminants have been removed such that the oil is substantially equivalent to virgin distillate or residual oil.

Total halogens'. The total organic and inorganic halides (f uorine, F; chlorine, Cl; bromine, Br; iodine, I), expressed as chloride present in a fuel oil or waste fuel, in parts per million by weight (water free basis).

Section 225-2.3 Prohibitions.

(a) No owner or operator of a facility, except for emission sources in subdivision 225-2.4(d) of this subpart, may burn waste oil without a permit or registration issued by the department pursuant to Part 201 of this Title. To be permitted to burn a waste oil, an owner or operator of a facility must meet the requirements of this Subpart.

(b) The sale and/or use of waste oil or blends of waste oil and virgin oil

for residential heating is strictly prohibited. (c) No owner or operator of a facility located in New York County may burn waste oil in either a permitted, registered, or exempt emission source. Section 225-2.4 Requirements for owners or operators of facilities proposing to burn waste oil. As part of an application for a permit or registration to burn waste oil, except as provided in subdivision (d) of this Section, owners or operators of facilities must meet the following criteria:
(a) submit an analysis of the waste oil proposed to be burned to the

department, pursuant to Section 225-2.6 of this Subpart.

(b) a stationary combustion installation or process source that proposes to burn waste oil must have a minimum operating heat input of 20 million Btus per hour or greater.

(c) an incinerator that proposes to burn waste oil must have a minimum charging capacity that equals or exceeds 2,000 pounds per hour of refuse.

- (d) an owner or operator of space heaters located in automotive maintenance/service facilities or marine service facilities may burn waste oil and be excepted from the requirements of this section, where the following conditions are met:
- (1) the maximum operating heat input is less than 500,000 Btus per hour:
- (2) the waste oil is generated on site (this includes waste oils generated by do-it-yourself customers that the facility is required to accept) or at another facility under common ownership; and
- (3) the waste oil meets the criteria in Section 225-2.5 Table 1 of this Subpart, except that lead may not exceed 25 parts per million (ppm) by

weight (water free basis) of fuel.
Section 225-2.5 General waste oil limits. Any waste oil that is proposed to be burned must meet the minimum limitations in Table 1 below:

Table 1

Constituent/Property	Limit
Polychlorinated Biphenyls (PCB)	< 2 ppm (1)
Total Halogens	<= 1,000 ppm (1)
Sulfur	See 6 NYCRR 225-1(2)
Gross Heat Content	>= 125,000 (Btu/gal)
Arsenic	< 5 ppm (1)
Cadmium	< 2 ppm (1)
Chromium	< 10 ppm (1)
Lead	< 100 ppm (1)

(1) ppm by weight (water free basis) of fuel.

(2) As per the requirements of subdivision 6 NYCRR 225-1.2(i) of this Title.

Section 225-2.6 Reports, sampling, and analysis of waste oil.

(a) The owner or operator of a facility permitted to burn waste oil shall:

- (1) sample, analyze, and measure each load of waste oil received, or maintain copies of supplier provided analyses of each load of waste oil received, to prove compliance with the limits listed in Table 1 of this Subpart: and
- (2) maintain, for a minimum of fve years, records of the total quantity of waste oil received and the names, addresses, and waste oil analysis from each waste oil supplier.
- (b) Owners or operators required to maintain and retain records pursuant to this section must make such records available for inspection by the department during normal business hours. These records must be submitted upon request to the department.
- (c) Sampling and analysis of waste oil samples must be carried out in accordance with methods acceptable to the department.
- (d) Owners or operators of space heaters that fr e waste oil located in automotive maintenance/service facilities or marine service facilities must sample and analyze the waste oil upon the request of the department.

Section 225-2.7 Severability.

Each provision of this Subpart shall be deemed severable. In the event that any provision of this Subpart is held to be invalid, the remainder of this Subpart shall continue in full force and effect.

Text of proposed rule and any required statements and analyses may be obtained from: Mike Jennings, NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, (518) 402-8403, email: air.regs@dec.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: November 13, 2019.

Additional matter required by statute: Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form and a Coastal Assessment Form have been prepared and are on fle.

Summary of Regulatory Impact Statement (Full text is posted at the folwebsite: http://www.dec.ny.gov/regulations/ lowing State propregulations.html#public):

INTRODUCTION

Proposed 6 NYCRR Subpart Part 225-2 (Proposed Subpart 225-2) regulates the use of waste oil to be burned for heat and/or energy recovery at non-exempt, stationary sources. The Department is proposing to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oils (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State. Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). If fnalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act. This is not a mandate on local governments. It applies to any entity that owns or operates a subject stationary source. In addition, Part 200, which contains definitions related to air regulations, will also be updated. STATUTORY AUTHORITY

The statutory authority for promulgation of Proposed 6 NYCRR Subpart 225-2 is found in the following Sections of the Environmental Conservation Law (ECL): Section 1-0101, Section 3-0301, Section 19-0103, Section 19-0105, Section 19-0301, Section 19-0303, Section 19-0305, Section 19-0311, Section 71-2103, and Section 71-2105.

Based on the above-referenced sections the Commissioner has suffcient authority to regulate air pollution from emission sources, including the promulgation of Proposed 6 NYCRR Subpart 225-2 "Fuel Composition and Use - Waste Oils

LEGISLATIVE OBJECTIVES

Article 19 of the ECL was adopted to safeguard the air resources of New York from pollution. To facilitate this purpose, the Legislature granted specific powers and duties to the Department, including the power to formulate, adopt, promulgate, amend, and repeal regulations that prevent, control, or prohibit air pollution. This authority specif cally extends these powers over areas of the State that are or may be affected by air pollution and allows the Department to prescribe for such areas (1) the degree of air pollution or air contamination that may be permitted therein, and (2) the extent to which air contaminants may be emitted to the air by any air contamination source. In addition, this authority includes the preparation of a general, comprehensive plan for the control or abatement of existing air pollution and for the control or prevention of any new air pollution recognizing various requirements for different areas of the State. The legislative objectives underlying the above statutes are directed toward protection of the environment and public health.

Proposed 6 NYCRR Subpart 225-2 addresses the burning of waste oils and subsequent emissions from burning waste oils throughout New York State. The regulation def nes waste oil and establishes clear limits on its constituents. Finally, the regulation incorporates monitoring, record keeping, and reporting requirements for the purpose of compliance with the

NEEDS AND BENEFITS

The Department is proposing this repeal and replacement of Existing Subpart 225-2 with Proposed Subpart 225-2, Fuel Composition and Use -Waste Fuel to best protect and preserve the state's air resources. The Department proposes to achieve this by imposing composition limits on waste oil to minimize emissions and clarify the types of emission sources eligible to burn waste oil. Existing Subpart 225-2 has not been updated since its promulgation in 1983. As a result, many of its provisions are outdated and contain obsolete references and standards.

Rule Streamlining and Simplification

The permitting process contained in Existing Subpart 225-2 has become outdated. Proposed Subpart 225-2 will simplify and streamline implementation of the regulation by eliminating obsolete regulatory references; correcting typographical errors; updating the regulation's waste oil constituent limits; removing outdated work practices; expanding the number of facilities eligible to burn waste oil; updating the permitting process to include monitoring, record keeping, and reporting requirements, thus aligning it with Part 201 and Title V criteria found in the Clean Air Act; and moving the definition of "residual oil" from Existing Subpart 225-2 to 6 NYCRR Part 200 (Part 200). Existing Subpart 225-2 also contains references to liquid waste transportation regulations that, over the past thirty years, have changed and need to be removed from this regulation. Based on comments received during the public comment period that arsenic (5ppm), cadmium (2 ppm), and chromium (10 ppm) were not in the Proposed 225-2, the Department will include these pollutants and their corresponding limits in Table 1 of Proposed Subpart 225-1. The Department is removing the ninety-nine (99) percent combustion eff ciency requirement. The Proposed Subpart 225-2 will no longer address the burning of chemical waste and "off-spec" waste oils (i.e. Waste fuel B) that do not meet the limitations specified in Table 1 of Existing Subpart 225 Instead, burning chemical waste and off-spec waste oils will be regulated under 6 NYCRR Part 212 (Process Operations) or 6 NYCRR Parts 370-376 as appropriate. Proposed Subpart 225-2 clarifes the regulation's process for the burning of waste oil while removing the term waste fuel.

As part of the Department's streamlining, it will lower the size of the eligible exempt space heating equipment size from one million Btu/hr to 500,000 Btu/hr. This revision is consistent with both federal and NYS hazardous waste regulations for space heating sources that fre waste oils

The Department is extending the permitting exemption for facilities generating their own waste oils to fre waste oil in space heaters of less than 500,000 mmBtu/hr heat input. Existing Subpart 225-2 provides this permitting exemption exclusively to automotive service facilities. These facilities are required under Article 23, Title 23, Section 7 of the ECL to accept waste oil from "do-it-yourself" oil changers. The Department will also include marine service facilities to the exemption, based on comments received during the public comment period for Proposed Subpart 225-2. The Empire State Marine Trades Association (Association) commented that their constituents are also subject to the requirements of Article 23, Title 23, Section 7 of the ECL. Proposed Subpart 225-2 allows additional types of facilities to burn waste oil in space heaters. Automotive maintenance/service facility or marine service facility are now defined as "Any facility that performs automotive/marine fuid changes, collects automotive/marine fuids, or drains automotive/marine fuids." Eligible facilities now include, but are not limited to, feet maintenance facilities like municipal garages, rental car maintenance facilities, auto crushing facilities, junkyards, and marine service facilities.

Finally, the Department will be adding a specific prohibition on the use of waste oil in residential sources. During the rulemaking process several reports/newspaper articles of waste oil recyclers selling waste oil to home heating oil delivery companies in the New York City area were published. Waste oil was never intended to be fred as home heating fuel (by itself or blended). Although the current regulation does not allow for waste oil to be used in this manner, the Department believes that adding a specife prohibition of this use will ensure compliance with the regulation.

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental justice contact list (8000 to 10,000 contacts), environmental advocate groups, industrial groups that fre waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered.

COSTS

Costs to Regulated Parties and Consumers:

There will be no additional costs associated with the Proposed Subpart

In addition, the removal of the 99 percent combustion efficiency limit will save regulated facilities money by eliminating the requirement to periodically test combustion effciency. Depending on equipment size and configuration, these tests can cost a subject facility between \$1,000.00 and \$5,000.00 per test.

Costs to State and Local Governments:

Based on the Department's permitting data, there currently are no State and local government facilities that have a Title V permit, air state facility permit, or registration subject to this regulation. Therefore, no additional costs will be incurred by State and local government facilities based on this regulatory update.

Costs to the Regulating Agency:

No additional monitoring, recordkeeping, or reporting requirements are

being proposed under this rule-making. The only costs to the Regulating Agency are those routine costs associated with the rulemaking. These costs are regularly-incurred, operating costs.
LOCAL GOVERNMENT MANDATES

This is not a mandate on local governments. Local governments have no additional compliance obligations as compared to other subject entities. No additional monitoring, recordkeeping, reporting, or other requirements will be imposed on local governments under this rulemaking. Finally, as stated above in the Cost section of this Regulatory Impact Statement, there are currently no local government facilities subject to this regulation.

PAPERWORK

Proposed Subpart 225-2 will create no additional paperwork for the facilities subject to the requirements of this rule.

DUPLICATION

Proposed Subpart 225-2 does not duplicate, overlap, or confict with any other State or federal Air requirements.

ALTERNATIVES

The Department evaluated the following alternatives:

1) No action - do not change the current version of the regulation. This option will not address the issue of consistency with Title V monitoring, record keeping, or reporting requirements. It will also not correct inconsistencies with other State and federal regulations and will not simplify and streamline the requirements.

2) Title V Update only - update the rule to match the current Title V permitting requirements. This regulation has not been updated since its promulgation in 1983. The regulation does not conform to the requirements of the Title V program (Subpart 201-6). Updating the monitoring, record keeping, and reporting requirements of this rule to match those of Title V is long overdue. However, this option by itself would not address inconsistencies with other State and Federal liquid waste transportation requirements, nor would it simplify and/or streamline the regulation.

FEDERAL STANDARDS

Proposed Subpart 225-2 does not exceed any minimum federal standards. The proposed reduction of the lead standard will make the Proposed 225-2 lead limit equivalent to the lead standards regulated under the federal regulations for liquid waste transporters.

COMPLIANCE SCHEDULE

The Department proposes to promulgate the Proposed Subpart 225-2 by the summer of 2016. The provisions of this rule will take effect upon promulgation of the rule.

Regulatory Flexibility Analysis

EFFECT OF RULE

The Department is proposing to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oils (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State. Small businesses are those that are independently owned, located within New York State, and that employ 100 or fewer persons. Proposed Subpart 225-2 requirements apply equally to every stationary source that fres oil in New York State. Proposed Subpart 225-2 will not affect small businesses or local governments differently from any other source subject to this rule and may help certain small

COMPLIANCE REQUIREMENTS

Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. If fnalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). No new compliance requirements will be incurred by stationary sources subject to the provisions of the proposed rule. PROFESSIONAL SERVICES

As stated above, this revision will place no new compliance obligation on subject stationary sources. Therefore, the Department does not expect small businesses or local governments will need to hire additional professional services to comply with the provisions of the proposed rule.

COMPLIANCE COSTS

Based on the Department's permitting data there currently are no local government facilities that have a Title V permit, air state facility permit, or registration subject to this regulation. Therefore, no additional costs will be incurred by local government facilities based on this regulatory update. In addition, because there will be no additional compliance requirements placed on subject facilities, the Department does not anticipate any new costs to small businesses.

MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on small businesses and local governments throughout New York State. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities. The Department does not anticipate small businesses or local governments to be impacted differently than any other sources subject to

Proposed Subpart 225-2. SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPA-

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental iustice contact list (8000 to 10,000 contacts), environmental advocate groups, industrial groups that f re waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered. In addition, the Department will hold public hearings on Proposed Subpart 225-2 at various locations in New York State which will be open to small business and local government representatives.

ECONOMIC AND TECHNOLOGICAL FEASIBILITY

The Department does not expect any adverse economic or technological feasibility impacts on small businesses and local governments throughout New York State. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities. The Department does not anticipate small businesses or local governments to be impacted economically or technologically differently than any other sources subject to Proposed Subpart 225-2.

CURE PERIOD

The Department is not including a cure period in this rulemaking. The purpose of this rulemaking is to update, clarify, and simplify the regulation. Delaying the promulgation of the regulation will adversely affect the facilities that are subject to this regulation in that they will not receive the benefts of the streamlining and updating in a timely fashion.

Rural Area Flexibility Analysis

TYPES AND ESTĬMATĚD NUMBERS OF RURAL AREAS

Proposed 6 NYCRR Subpart 225-2 (Proposed Subpart 225-2) is not expected to have a substantial adverse impact on rural areas in New York State. The proposed rulemaking will apply statewide and thus all stationary sources that fre waste fuels in New York State will be equally affected.

Rural areas are defined as rural counties in New York State that have populations of less than 200,000 people, towns in non-rural counties where the population densities are less than 150 people per square mile, and villages within those towns.

REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The Department is proposing to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oils (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State. Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. If f nalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). No new compliance requirements will be incurred by stationary sources subject to the provisions of the proposed rule.

COSTS

There will be no additional costs associated with Proposed Subpart

The removal of the 99 percent combustion efficiency limit will save regulated facilities money (\$1,000.00 to \$5,000.00 per test) by eliminating the requirement to periodically test combustion effciency.

MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on rural areas. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities, and rural areas are impacted no differently than other areas in the state.

RURAL AREA PARTICIPATION

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental justice contact list (8000 to 10,000 contacts), environmental advocate groups, industrial groups that fre waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered. In addition, the Department will hold public hearings on Proposed Subpart 225-2 at various locations in New York State which will be open to representatives from rural areas.

Job Impact Statement

NATURE OF IMPACT

The Department is proposing to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use - Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oils (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State. Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). If fnalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act. These proposed changes to Subpart 225-2 are not anticipated to have an adverse impact on employment opportunities in the State.

CATEGORIES AND NUMBERS AFFECTED
Proposed Subpart 225-2 is meant to streamline regulations and is not placing any new substantive requirements on subject stationary sources. Therefore, Proposed Subpart 225-2 is not anticipated to have any shortterm or long-term effects on the number of current jobs or future employment opportunities throughout New York State.

REGIONS OF ADVERSE IMPACT

Proposed Subpart 225-2 is a statewide regulation. This regulation is not expected to have an adverse impact on jobs or employment opportunities in New York State. It does not impact any region or area of the state disproportionately in terms of jobs or employment opportunities.

MINIMIZING ADVERSE ĬMPACT

The Department does not expect any adverse impacts on jobs in New York State based on Proposed Subpart 225-2. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities and will not impact job opportunities in the State.

SELF-EMPLOYMENT OPPORTUNITIES

There are no anticipated affects on self-employment opportunities associated with Proposed Subpart 225-2.

PROPOSED RULE MAKING HEARING(S) SCHEDULED

New Aftermarket Catalytic Converter (AMCC) Standards

I.D. No. ENV-36-19-00002-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of Parts 200 and 218 of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 19-1101, 19-1103, 19-1105, 71-2103, 71-2105; and Federal Clean Air Act (42 USC 7507), section 177

Subject: New Aftermarket Catalytic Converter (AMCC) standards.

Purpose: Prohibit sale of Federal AMCCs and update existing AMCC recordkeeping and reporting requirements.

Public hearing(s) will be held at: 11:00 a.m., November 8, 2019 at Department of Environmental Conservation, 625 Broadway, Public Assembly Rm. 129 A/B, Albany, NY.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Text of proposed rule: Sections 200.1 through 200.8 remain unchanged Section 200.9, Table 1 is amended to read as follows:

218-1.2(d) through 218-6.2 remain unchanged

218-7.2 through 218-7.5 is amended to read as follows:

218-7.2(c)(1)California Code of Regulations, Title 13, Section 2222 [(10-1-09)] (4-17-17)



State of New York

COUNTY OF NEW YORK

SS:

0000143505-01

Rubiela Gonzalez 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 4th of September, 2019

Sworn to before me on this £

//day of

RICHARD C SAVIN

NOTARY PUBLIC - STATE OF NEW YORK

No. 01SA0304152

Qualified in Dutchess County
My Commission Expires May 27, 2022

Notary Public

NOTICE OF PUBLIC HEARING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) will hold a legislative Public Hearing on three separate proposals

Presume to Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 19-1101, 19-1103, 19-1105, 71-2103, 71-2105 of the Environmental Conservation Law (ECL) and Section 177 of the federal Clean Air Act (42 USC 7507), notice is hereby given that the New York State Department of Environmental Conservation (Department) will hold the following legislative public hearings on the proposed amendments of 6 NYCRR Part 218, Emission Standards for Motor Vehicles and Motor Vehicle Engines, and 6 NYCRR Part 200, General Provisions. The Department is proposing to amend 7218 to incorporate revisions to aftermarket catalytic converter (AMCC) standards incorporated in the low emission vehicle (LEV) program, and to update various provisions incorporated by reference in Part 200. Part 218 will also be submitted to EPA as a revision to the State Implementation Plan (SIP) for New York State (NYS).

Pursuant to Environmental Conservation Law (ECL) Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105 notice is hereby given that the NYS Department of Environmental Conservation (Department) will hold the following legislative public hearings on the proposed new rule 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste OII as a Fuel and 6 NYCRR Part 200, General Provisions.

Oil as a Fuel and 6 NYCRR Part 200, General Provisions.

The Department proposes to repeal Existing 6 NYCRR Subpart 225-2 Fuel Composition and Use - Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2. Proposed Subpart 225-2. Proposed

A hearing for the proposed rules and attendant revisions to existing rules described above will be held as follows and is scheduled in a place that is reasonably accessible to persons with impaired mobility:

Date	Time	Location
November 8, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233

The Department will provide interpreter services for deaf persons at no charge. Written requests for interpreter services are required and should be submitted by, November 1, 2019, to Richard McAuley, NYSDEC, 625 Broadway, Albany NY 12233-3250, (518) 402-8438, air.regs@dec.nv.gov.

Pursuant to Part 617 of the implementing regulations for the State Environmental Quality Review Act, the Department has prepared Negative Declaration stating that the proposed actions 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 revisions to attend the hearings. At each hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing.

Information on Part 218 may be obtained from Jeff Marshall, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3255, telephone, (518) 402-8292, email, air regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019. Information on Subpart 225-2, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3251, telephone, (518) 402-8403; email, air regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

nformation on Subpart 227-1, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3254, telephone, (518) 402-8403; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

Requests for information and comments related to the SIP revisions may be obtained from Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov Written statements may be submitted until 5 pm November 13, 2019.

The proposed regulation may be obtained from any of the following Department offices: REGION 1 - NYSDEC Region One Headquarters, SUNY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409,

Altention: Straun Stree

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: George Sweikert

REGION 4 - 1130 North Westcott Rd., Schenectady, NY 12306, Attention: Ben Potter

REGION 5 - Hudson Street Extension, Box 220, Warrensburg NY 12885, Attention: James Coutant

REGION 6 - Waterfown State Office Bidg, 317 Washington St.; Waterfown, NY 13601, Attention: Bob Jacobs

REGION 7 - 615 Erie Boulevard West, Syracuse, NY 13204-2400, Attention: Thomas Eller REGION 8 - 6274 East Avon-Lima Road, Avon, NY 14414, Attention: Yuan Zeng REGION 9 - 270 Michigan Avenue, Buffalo, NY 14202, Attention: Michael Emery

NEWSDAY AFFIDAVIT OF PUBLICATION

MILLER ADVERTISING 220 WEST 42ND STREET, 12TH FLOOR NEW YORK, NY 10036

STATE OF NEW YORK)

Legal Notice No.

0021523951

:SS.:

COUNTY OF SUFFOLK)

Darryl Murphy of Newsday Media Group., 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 Media Group, 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

September 04, 2019

Nassau, Suffolk and Queens

SWORN to before me this 4 Day of September, 2019.

Dany Mup

CHRISTOPHER LAWSON
Notary Public – State of New York
No. 01LA6348406
Qualified in Suffolk County
My Commission Expires September 26, 2020

Legal Notice # 21521936
NOTICE OF SALE
SUPREME COURT STATE OF
NEW YORK COUNTY
In the ANIETY OF QUEENS

Legal Notice #: 21524364
MOTICE OF SALE
SUPREME COURT COUNTY
OF QUEENS, NYCTL 1998-2
TRUST AND THE BANK OF
NEW YORK MELLON AS COL
LATERAL AGENT AND CLSLATERAL AGENT AND CLS
LATERAL AGENT

Referee
The Law Office of Thomas P.
Malone, PLLC, 60 East 42nd
Street, Suite 553, New York,
New York 10165, Attorneys
for Plaintiff

Legal Notice # 21524454
MOTICE OF SALE
SUPPEME COURT COUNTY
OF QUEENS, WILMINGTON
SAVINGS FUND SOCIETY,
FSB, DBA CHRISTIANA
TRUST, NOT INDIVIDUALLY
BUT AS TRUSTEE FOR
PRETHIM MORTGAGE AC-

ty of Queens, City and State of New York, Block 10161 and Lot 30. Said premises may also be known as 104-52 164 Street, Queens, NY. Approximate amount of Judgment is \$218,150.46 plus Interest and costs. Judgment and Terms of Sale. Index # 9834/2012. Morton Powman, Esq., Referee VISITION TRUST, Plaintiff, vs. MAHMUD AHMED, ET AL., Defendant(s). Pursuant to a Judgment of Pursuant to a Judgment of Language of the State of Amendment of Caption duly filed on January 3, 2019, 1, the undersigned Referee will sell at public auction at the Queens County Supreme court, courtroom 25, 88-11. Supplied to the State of Sta

of Judgment is \$454,814.19 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index 8 709520/2014. Solomon Stelman, Esq., Referee Knuckles Chomosinski Chomosinski

Legal Notice # 21520826
NOTICE OF SALE
SUPREME COURT COUNTY
OF QUEENS, WILLIMINGTON
SAVINGS FUND SOCIETY,
FSB. D/B/A CHRISTIANA
TRUST, AS TRUSTE FOR
NORMANDY MORTGAGE
LOAN TRUST, SERIES 20161 ROBINET, V.E. STIRLLEY L.
1 RAMALE; RABAL FY A. TRICH

THOMAS RRADIFY A. THOMES THOSE AND THOSE READIFY A. THOMES RRADIFY A. THOMES RRADIFY A. THOMES READIFY A. THOMES READIFY A. THOMES READIFY A. THOMES READIFY AND THE RIVER AND THE READIFY AND THE READIFY AND THOMES REQUEST THOMES REQUEST AND THOMES REQUEST AND THOMES REQUEST AND THOMES READIFY AND THOMES READIFF. THE THOMES READIFY AND THOMES READIFY AND THOMES READIFY AND

TEGAL NOTIGES

MAS, ET AL., Defendant(s).

Distribution of the confirming Referee's Report and Sale duly filed on May 6, 2019, I the undersigned Referee will sell at public auction at the Queens Courty Gurroom 20, 2019 at 10:00 a.m., premises known as 76-18 251st Street, Bellerose, NY. All latacertain plot, piece or parcial of land, with the buildings and improvements there obtained in the Borough of Queens, County of Queen Gueens, County of Queen Gueens, County of Suenistant Sale of Sale

NEWSDAY BUY & SELL Read for savings Advertise for results!! 631-843-7653(SOLD)

Legal Notice # 21519023
Notice of formation of BECATTRYA Lemaiton of GRECATTRYA Lemaiton of GRECATTRY Lemaiton of GRECAT

Legal Notice & 21520859

MOTICE OF SALE

SUPREIME CONTENTANT, A.

A. GALDIENT, S. GALE

MOTICE OF SALE

SUPREIME CONTENTANT, A.

A. GALDIENT, S. MUHAMAD

A. CHALDIENT, S. MUHAMAD

A. CHALDIENT, S. T. A.

Defendant(s), Defendant(s), Defendant(s), Defendant(s), T.

Pursuant to an Order Vacating Dismissal, Restoring the Matter to the Court's

Active Calendar, Confirming the Court's Confirming the Matter to the Court's

Active Calendar, Confirming the Matter to the Court of Court of

Cash will not be accepted.

Legal Notice # 21520958
Notice of Formation of TIDYNOS YOUR CHORES LLC Articles of Organization were
filed with the Secretary
of State of New York
(SSNY) on 047272019,
Office Account of New York
CSNY) has been designate
to as agent of the LLC
upon whom process against it may be served. SSNY
shall mail a copy of process
t: ROCKET CORPORATE
SERVICES INC., 2804 GATE—
VAY OAKS DR STE 100.
SACRAMENTO, CA 99839.
Purposes: For any lawful

Legal Notice 9 98925
Notice of Formation of 121
165 St LLC. Arts of Org. files
with New York Secy of
State (SSNY) on 8/13/19. Orfice location: Queens Courserved. SSNY is designated as
agent of
Solitation of Solitation of Solitation
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pose: any lawful activity.

Legal Notice of Cormation of CHEN
Notice of Cormation of CHEN
NW FRM, PLLC, Article
Organization filed with the
Secretary of State of New
York (SSNY) on 06/21/2019.
Office located in Queen
County, SSNY has been designated for service of process. SSNY shall mail copy of
any process served against
the PLLC, 60 Knightsbridge
Rd, 3F, Great Neck, NY
11021. Purpose: any lawful
purpose: purpose.

pose: any lawful purpose.
Legal Notice of Formation of Senior
Citizen Planner, LLC. Articles
of Organization filed with
the Secretary of State of
New York SSNY on July 30,
2019. Office is located in
Queens County. SSNY has
been designated for service
of process. SSN Shall mad
any and the LLC to 7272
112th Street, Apt. 6V, Forest
Hills, NY 11375. Purpose
Any lawful purpose.

Any lawful purpose.

Legal Notice of formation of SEVENSINGHS LLC. Articles

NOTICE of formation of SEVENSINGHS LLC. Articles

Organization filed with the
Secretary of State of New
York SSNY on 6/19/2019. Office located in Queens County. SSNY has been designatfice located in Queens County. SSNY shall mail copy of any
process served against the
LLC to 126-20 Linden Bird.
South Ozane Park, NY 1140.

Purpose: any lawful purpose.

Legal Notice # 21522404

Purpose: any lawful purpose.
Legal Notice & 21522404
Notice of formation of RUHE
FOODS LLC, Articles of Organization filed with the Secretary of State of New York
SSNY on 7/3/19. Office locat
din Queens. SSNY has
been designated for service
of process. SSNY shall meal
Copy of any process served
against the LLC 47-50 59th
Street. Apt 8C, Woodside,
NY, 11377. Purpose: any writing
Legal Notice & 21522651

Tul purpose.
Legal Notice № 21522651
NOTICE OF FORMATION OF
PRICE ACTION ENTERTAIN—
MENT LL. Arts. of Org. filed
Wish No. of Org. filed purpose.

11419, Purpose: any lawful purpose.

Legal Notice & 21524425
REQUEST FOR PROPESSIONAL AUDIT SERVICE PROPOSALS. To Town of Isilp Community Development Agency and the Propessional Accounting firms to provide an audit of its financial statements as required by the U.S. Dept. of HUD and Office of Manager and the Propessional Community of the Propessional Community of the Propessional Accounting firms to provide an audit of its financial statements are required by the U.S. Dept. of HUD and Office of Manager years ending June 30, 2019, June 30, 2020 and June 30, 2021 Contact the Agency Community of the Propession of Manager Community of the Propession of Single Community of the Propession of Single Community of Single Comm

Legal 2152395101

NOTICE OF PUBLIC HEARING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) will hold legislative Public Hearing on three separate proposals:

a legislative Public Hearing on three separate proposals:

1-Prussant to Sections - 10-11, 1-030, 3-0901, 1-9-0103, 19-0105, 19-0107, 19-0301, 19-0305, 19-1017, 19-103, 19-1015, 19-1018, 19-1105, 19-11

as a revision to the State Implementation Plan (SIP) for New York State (NYS).

2- Pursuant to Environmental Conservation Law (ECL) Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0303, 19-0303, 19-0301, 19-0303,

State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act.

3: Pursuant D Sections 1-1013, 3-031, 3-0303, 19-1031, 9-1013, 19-1015, 19-1017, 19-10301, 19-0302, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105 of the Environmental Conservation (Law, notice is hereity given that New York State Department of Environmental Conservation (Department) will hold the following legislative public hearing on the proposed repeal and epiptes of 6 NYCRR Subpart 227-1, "Stationary Combustion installations" as well as attendant provisions under Part 200, "General Provisions" (collectively, Subpart 227-1), As required by the Clean Air Act (CAA), the Department will incorporate the revisions to Subpart 227-1 and the attendant revisions to Part 200 into New York's State implementation Plan (SIP) and provide the revised SIP of U.S. Environmental Protection Agency (EPA) for review and approved. The SIP is directed at maintaining the PM national ambient air quality standard (MAAOS) and fulfilling the Department's bidiness under the regional haze SIP submitted to the EPA on March 15, 2010.

A hearing for the proposed rules and attendant revisions to existing rules described above will be held as follows

and is scheduled in a place that is reasonably accessible to persons with impatted mobility.				
Date	Time	Location		
November 8, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233		

The Department will provide interpreter services for dead persons at no charge. Written requests for interpreter services are required and should be submitted by, November 1, 2019, to Richard McAuley, NYSDEC, 625 Broadway Albamy NY 12233-9250, (518) 402-9438, https://docs.my.org/ Pursuant to Part 617 of the himpenneling regulations for the State Environmental Quality Review Act, the Department has prepared a Negative Declaration stating that the proposed actions 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 revisions to attend the hearings. At each hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested orations to the properties to alt state and the statements. narties to attend each hearing.

Information on Part 218 may be obtained from Jeff Marshall, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3255, telephone, (518) 402-8292; email, air regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

unio 3 pm roverincer 13, 2019. Information on Subpart 22-2, may be obtained from Mike Jennings, NYSDEC Division of Air Resources 625 Broadway, Albany NY 12233-3251, telephone, (518) 402-8403; email, air.regs@dec.uy.gov. Written statement may be submitted until 5 pm November 13, 2019.

Information on Subpart 227-1, may be obtained from Mike Jennings, NYSDEC Division of Air Resources 625 Broadway, Albary NY 12233-3254, telephone, (518) 402-8403; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

may be summed units a pin Advention 13, 2019. Requests for information and comments related to the SIP revisions may be obtained from Robert D. Bieława, P.E. NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, Phone: (518) 402-6396, E-mail air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

The proposed regulation may be obtained from any of the following Department offices: NYSDEC Region One Headquarters, SUNY Stony Brook, 50 Circle Road, Stony Brook
 3409, Attention: Shaun Snea

NY 1730-3495, Alternoon, Sharen Singer REGION 2 - Hunters Point Plaza, 47-40 21st Street, Long Island City, NY 11101, Altertion: Sam Lieblich REGION 3 - 21 South Put Comers Road, New Paltz, NY 12561, Altertion: George Sweikert REGION 4 - 1130 North Westcott Rd., Schenectady, NY 12306, Attention: Ben Potter

THUSON STREET Extension, Box 220, Warrensburg NY 12895, Attention: James Coutant REGION 5 - Nutertown State Office Bidg, 317 Washington St, Watertown, NY 13601, Attention: 8cb Jacobs REGION 7 - 615 fee Boulevard West, Syracuse, NY 13201-42400, Attention: Thomas Eller REGION 8 - 674 East Avon-Lima Road, Avon, NY 14414, Attention: Yuan Zeng

REGION 9 - 270 Michigan Avenue, Buffalo, NY 14202, Attention: Michael Emery

NOTICE OF PUBLIC HEARING

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) will hold a legislative Public Hearing regarding the following proposal:

hold a legislative Public Hearing regarding the following proposat:

Pursuant to Sections - 1-010; 3-0301, 19-0103, 19-0105, 19-0107, 19-8301, 19-0302, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) hereby gives notice of the following:

The Department adopted 6 NyCRR Part 222, "Distributed Generation Sources," on November 1, 2016. That rule took effect on December 1, 2016. On March 1, 2017, an Article 73 Pelition was filed challenging various aspects of Part 222. On July 26, 2017, a Stipulation and Order was issued whereby the Department agreed to stay the adopted rule and propose a new rule pursuant to the State Administrative Procedure Act to replace the adopted rule. The purpose of this rule making is to promulgate a new Part 222.

Distributed negaration, CRG 5-ources are engines used by heart sites in support electricity outside.

Distributed generation (DG) sources are engines used by host sites to supply electricity outside that supplied by distribution utilities. This on-site generation of electricity by DG sources is used by a wide-range of commercial, institutional and industrial ractifiers. DG applications range from supplying electricity during blackouts to all of a facility's electricity demand year-round.

In the new Part 222, the sources affected by the rule are more narrowly delined than in the adopted rule. The proposed rule will apply only in the New York City metropolitan area as defined at 6 NYCRR Part 200.1(au). DG sources enrolled in demand response programs sponsored by the New York independent System Operator or transmission utilities as well as sources used during lines when the cost of electricity supplied by utilities is high (defined separately in Part 222 as price-responsive generation sources) will be subject to the new rule.

Further, the Department proposes to submit the new Part 222 as well as the attendant revisions to Part 201 to the United States Environmental Protection Agency as a revision to the State Implementation Plan (ISP) for New York State.

Hearings for the proposed rule and attendant revisions to existing rules described above will be held as follows and are scheduled in places that are reasonably accessible to persons with impaired mobility:

Date	Time	Location
November 12, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233
November 20, 2019	2:00 pm	1 Hunter's Point Plaza, 47-40 21st Street, Room 834 NYSDOT, Long Island City, NY 11101

The Department will provide interpreter services for deaf persons at no charge. Written requests for interpreter services are required and should be submitted by November 6,2019, to Richard McAuley. NYSDEC, 625 Broadway, Albany, NY 12233-3250, (518) 40(2-4458), <u>airces@dec.my.gov</u>

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 actions will not have a significant effect on the environment.

significant effect on the environment.

The Department invites all persons, organizations, corporations, and government agencies that may be affected by the proposed revisions to attend the hearings. At each hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing.

Written comments on the proposed rule may be submitted until 5 p.m. on Nevember 25, 2019. For further information, contact John Barnes, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-2251, Phone (518) 402-8396. E-mait: air.regs@dec.ny.gov.

Requests for information and comments related to the SIP revision may be obtained from Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albary, NY 12233-3251, Phone: (58) 402-4396, E-mail: air.regs@dec.ny.gov. Written statements may be submitted until 5 pm on November 25,2019.

November 29,2019.

The proposed regulations may be found on the NYSDEC's website at:

http://www.dec.ny.gov/regulations/oropregulations.html#public or may be obtained from any of the following Department offices.

REGION 1 - NYSDEC Region One Headquarters, SUNY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409, Attention: Shaun Snee

REGION 2 - Nurser Point Plaza, 47-40 21st Street, Long Island City, NY 11101,

Attention: Sam Lieblich

Capage Read New Path, NY 13551, Maging Capage Swalled

Attention: Sam Lieblich
BEGIONA 3 - 15 South Putt Comers Road, New Pattz, NY 12561, Attention: George Sweikert
BEGIONA 4 - 1130 North Wesboth Rd., Schenerdady, NY 12306, Attention: San Potter
BEGIONE 5 - Widoon Street Extension, Rox 220, Varerensburg NY 12868, Attention: James Coutant
BEGIONE 5 - Watertown State Office Bidg. 317 Washington St., Watertown, NY 13601,
Attention: Robert Jacobs

Altention: Robert Jacobs

REGION 7 - 615 Erie Boulevard West, Syracuse, NY 13204-2400, Attention: Thomas Elter

REGION 9 - 8274 East Avon-Lima Road, Avon, NY 14414, Attention: Yuan Zeng

REGION 9 - 270 Michigan Avenue; Buffalo, NY 14202, Attention: Michael Emery



timesunion.com

Albany Times Union News Plaza Box 15000 Albany, New York 12212

MILLER ADVERTISING 220 WEST 42ND STREET 12TH FLOOR ATTN: LISA BERNER NEW YORK, NY 10036

Account Number: Order Number: Order Invoice Text:

041821006 0004072944 NYSDEC #2

T Tomes / R Bernard / T Duquette / P Sheehan / A Rubel of the city of Albany, being duly sworn, says that he/she is principal Clerk of THE TIMES UNION, a daily newspaper printed in the county of Albany, Town of Colonie, and Published in the County of Albany, Town of Colonie and the city of Albany, aforesaid and that notice of which a printed copy is annexed has been regulary published in the said ALBANY TIMES UNION on the following dates

09-04-2019

Sworn to before me, this 5 day of Systember 2019.

Notary Public

MARYBETH STYDERY County HIGHARY RUBLIC, State of New York Qualified in Albany County No. 01SN5030510

Commission Expires July 18, 2022

WEDNESDAY, SECT LEASURER, 1, 2007 LEASURER, 1, 2

NOTICE OF SALE

SUPPREME COURT COURTY OF ALBAMY. Kinglank National Association, et al., Pilantii, aguinti Any Univorem Nefet. Pouriese, Disabotes or Successor in Inferent of the National Association, et al., Pilantii, aguinti Any Univorem Nefet. Pouriese, Disabotes or Successors in Inferent of the National Association of Porticobuse and Sale selected in the Nabary County General Confederation of Porticobus and Sale selected in Internation to a Judgment of Porticobus and Sale selected in International Association of Porticobus and Participation of Porticobus and Porticobus and

a. The name of the Limited Liability Company is Lauricella Design, LLC.

The Articles of Organization were filed with the Secretary of State on August 7, 2019.

The office of the Limited Liability Company will be located in Albany County.

d. The Secretary of State is designated as agent of the Limited Liability Company upon whom process against it may be served. The address to which the Secretary of State shall mail a copy of any process against the Limited Liability Company served upon him or her is:

Kristin Richards Lauricella 91 Academy Road Albany, New York 12208

e. The Limited Liability Company is formed for any tawful bushness purpose or purposes. TU61 4070274

NOTICE OF SALE

SUPREME COURT COUNTY OF <u>ALBANY</u> Cardregton Mongaga Services, LC, Plainett AGANNST Abany County Comptroller, as the Limited Administrator of the Estate of Maggis Davist; Robert Milton; Jurel Wildoum; Sharquasha Belcher, Aaron Dye, Raymond Ellison; Jerod Belchary et al., Delendantile)

Pursuant to a Judgment of Foreclosure and Sala duly dated June 21, 2019, the undersigned Release will sell at public questions at the Albary County Courbours, Albary, New York county County County County, New York County Count

Peter Barbet, Esq., Referes

Shapiro, DiCaro & Barak, LLC Altomey(s) for the Pleintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (877) 430-4792

Dated: July 12, 2019 #97355

TU 4T (0004065754

Legal Notice Placement

To place or cancel a legal notice in the Times Union, please call 518-454-5543, or email your request to tulegals@timesunion.com. The deadlines to place or cancel legal notices are:

Legal Notices requesting proofs require an additional 24 hours in advance of regular legal notice deadlines. All legal notices will be confirmed prior to publication. Visit classifieds.timesunion.com to search legal notices.

TIMES UNION

SUPREME COURT COUNTY OF ALBANY

Wells Fargo Bank, NA, Plaintiff

Darlana M. Odom-Tica a/l/a Darlana Odom-Tica a/l/a Darlar M. Odom; et al., Defondani(s)

John J. Conway, Iti, Esq., Referse

Shapiro, DiCaro & Barak, LLC Attorney(s) for the Plaintiff 175 Mile Crossing Boulevard Rockers

Dated: June 27, 2019 #97289

TU41 4063597

TU3t 4073291

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held in the Common Council Chambers, City Hall, Albany, New York a 7:00 p.m. on Monday, September 18, 2019 on the tollowing matters:

ORDINANCE 13.71.19

Documents may be inspected between the hours of 8:30 a.m. -5:00 p.m., Monday - Friday, in the office of the City Clerk, 26 Engle St. Rm 202, Albany, NY 12:207. Efficis we also be to make application documents available for viewing online at https://www. atbanyny.gov/GovernmenUCityOfficials/CommonCouncil.aspx

Any Interested garties may appear and provide comments at the hearing. Written comments may be submitted directly to the Common Council or emailed to CommonCouncil@albanynv.gov a minimum of 24 hours prior to the public hearing.

Anyone wishing to be heard will have an opportunity to do so a the time and place stated.

For further information call the Common Council at 518-434-5087. Danielle Gillespie City Clerk

Sealand Mole will be received as est forth in transduction. In Bildot's Replacementary, possible, each selling interpretation of the Committee of the Committee

SUPREME COURT OF THE STATE OF NEW YORK - COUNTY OF ALBANY

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC INDX MORTGAGE LOAN TRUST 2005-AR2, MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2005-AR2.

NOTICE OF SALE

NOTICE IS REPRESY GIVEN pursuant to a Final Judgmant of Foreclosure dated upon 17, 2019, and entered in the Office of the Gode of the County of Abanty, wherein DEUTSCHE BANK ANTIONAL THUSING COUNTRY AS TRUSTER FOR INSTITUTE IN INSTITUTE OF A COUNTRY OF THUSING FOR THE ANTIONAL THUSING COUNTRY OF THUSING THE ANTIONAL OF THE ANTIONAL

ALL THAT LOT OF LAND SITUATE IN THE TOWN OF GUILDERLAND, COUNTY OF ALBANY AND STATE OF NEW YORK Premises will be sold subject to provisions of filed Judgment Index # 900545/2016
John Michael Whaden, Esq. - Referee, RAS Boriskin, LLC 900 Merchants Concourse, Suit
310, Westbury, New York 11590, Altomeya for Pisintiff.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
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follows and are schedule	d in places tha	il are reasonably accessible to persons with impaired m
Date	Time	Location
November 12, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233
November 20, 2019	2:00 pm	1 Hunter's Point Plaza, 47-40 21st Street, Room 834 NYSDOT, Long Island City, NY 11101

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significant effect on the environment. The Department Informs all persons, organizations, corporations, and government aspecies that may be affected by this proposed revisions to attend the hearings. At each hearing, persons who with to make satternant with the serviced capacit. It is requised that not estimated is able to be under the properties of the equal virial to a which and on a data-ments, and since a comulation record will be compiled it is not necessary for interesting brights to a serious and hearing. compiled it is not necessary for licitaristical parties to allored such health.

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Widen commission this processed price in my be architected until 5 pm on Forenthe 25, 2019, For Intelligence 2019, 191

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NOTICE OF PUBLIC HEARINS

NOW YORK STATE DEPARTMENT OF EMPROMENTAL CONSERVATION

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Date	Time	Location		
Hovember 8, 2019	11:00 am	HYSDEC, 625 Breathway, Public Assembly Room 129A/B, Albany, NY 1223		

The Department will provide interpreter services for deal persons at no charge. Written requests for interpret services are registed and should be submitted by Rovember 1, 2019, to Richard McKeley, NYSDEC, 625 Broadwa Albary NY 1223-3250, (519) 407-4318, interactive provided in the Committee of osany met 1203-0200, (p.16) 400-0400, <u>Intel050666.07.800</u>. Pursuant to Part 617 of the knokmenting registricus for the State Environmental Quality Raview Act, the Departm and the Angeline Declaration stating that the proposed actions will not have a significant effect be environment.

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The Department brises all persons, organizations, cooperations, and government approxis that may be all riches by the proposed recitions to obtact the leavings. All each hearing, persons who wish in that a statement will be recitive to the contraction of the co

Harry MY (223-145), Neb-Son (1949, 07-222), and J. Arapidocarygon With in Internationally be informed until 5 pm Normalist (1,378).

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LEGALS LEGALS

LEGAL NOTICE SCHOOL TAX COLLECTOR'S NOTICE 2019-2020

East Greenbush, Central School District, East Greenbush, Nassau, Schodack, Sand Lake, North Greenbush, Renselber County, Chalbam, Columbia County, Rolice is hereby given that I re-ceived the lax set and warrant for the collection of earling tax and that I will receive some on the lobkwing days and places.

September 11th through October 11th Key Bank, 615 Cotumbla Tumpike, East Greenbush, NY 12061 ONLY during their regular banking hours. Last day without lee Friday, October 11, 2019.

Schodack residents only pay at Schodack Town Hall.

Collection dates with 2% fee:

October 12(h through October 31st - East Greenbush Central Schools, Tax Office, Administration Center, 29 Englewood Avenue (Citizen Genel School), East Greenbush, NY 12081

Monday through Friday - 9:00 AM - 3:00 PM, Schodack residents pay at the Schodack Town Hall.

RATES PER THOUSAND ASSESSED VALUATION: East Greenbush, homested bux and 12
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TU2I 4072318

NOTICE TO BIDDERS

DORMITORY AUTHORITY OF THE STATE OF NEW YORK ("DASN")

State University of New York College at Genesoo

Wayne, Suffolk and Misgara Halle Elevator Replacements and Abestor Abster

CR14 General Construction

Project Humber 3482003939

Sealed blds for the above Work located State University of New York College at Geneseo, 1 College Circle, Gensseo, New York 14454 will be received by DASHY at its cities located at 155 finesbowy, Many, NY 12207. Each bird must be lessflind, on the outside of the service, with the name and address of he bidder and designated as bid for the Project Red above. When a sealed bid is placed inside another diskively picture, the object design picture must be dearly marked on the outside 1800 ERCL GSED* and ATTENTION CONTRACTION CONTRACTION CONTRACTION. EMPROPER SINCIPOR. DASKY with not be associated for receipt of bids which do and compy-

individuals and ceillius submitting bids in person or by private delivery surnices should allow sul-idiated time for processing through building security to assace that bids are neceived plant to be seeded for forwhiting bids. All buildings who plan to altered but operating with the required to present government-lasted piction identification in building security officials and obtain a visitors are prior to attending the bid operating.

pass your to attending the out-opening. Only those bids in the hands of DASNY, available to be read at 2:00 PM local time on October 9, 2019 with be considered. Bids shall be publishy opened and read aloud. Bid results can be knewed at DASNY's website; http://www.dasny.org.

www as UADH'S WOSER, http://www.dastry.org.
In accordance with State Franco Lave § 150-) and § 150-), his addictation includes and imposes a contraction of the state of the s

A Pre-Bid Maeting will be hald on Monday, September 16, 2018 at 1:00 PM at State University of New York Cellage at Geneseo, 1 College Circle, 102 Schrader Hall, Geneseo, Rew York 14454, Contact Dan Gartney at 716-512-5413, All ptospective bidders are strongly encouraged to attand.

Usil impact on their bild price prior to bild middle of the bild. A complete said of Contract Documents may be dissured and/or purchased online from Caradio Prior and Copyr Centres. Only those Contract Documents chained in this manner will enable a prospective bilder for to identified as an entitled plan bilder in Genord, DASNY these no responsibility for the completeness of Contract Documents oblitical from other sources. Contract Documents oblitical from other sources. Contract Documents oblitical from other sources. Contract Documents only not contract bediend clearly prospective Documents and payed to contract Documents and the contract of the contract Documents. Prospective bediens are for the contract Documents. Prospective beddess are further advised to review applicable sections of these clears and contract of the contract Documents. Prospective beddess are further advised to review applicable sections of these clears and contract of the contract Documents. Prospective beddess are further advised to review applicable sections of these contract Documents. Prospective beddess are further advised to review applicable sections of these contract Documents. Prospective beddess are further advised to review applicable sections of these contract Documents. Prospective beddess are further advised to review applicable sections of these contracts and a first of interested subcontractors and manner. A prospective prospective and a first of interested subcontractors and manner. Prospective beddess are further advised to the contract of the bild. The plan holder is to an a first of interested subcontractors and manner. A prospective prospective and a first of interested subcontractors and manner. The prospective prospectiv

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If you prefer to order a CD of the Contract Documents in place of the digital download, please send your non-refundable check/money order in the amount of \$15.00 payable to Camelot Print and Copy Centers to:

Camelot Print & Copy Centers 630 Columbia St. Ext. Latham, NY 12110 Attn: Bid Department

If you are ordering by mail, please include ALL the following on a transmitted with your check or money order:

Company Name Address (physical address only) Contact Person Phone Number Email (for communication including addendum notifications)

If you do not have a shipping account, please send an additional non-refundable check for \$20 payable to Camelol Print and Copy Centers.

Please Include your Federal D number, Indiplents and les raintes on your fast. Check-Poulai Meney Coler. NOT to the des des les to the Section Section of Control Constitution. The Control Control Control Control Coler and Control Coler and Control Control Control Coler and Control Coler and Control Coler and Control Control Control Coler and Control Coler and Control Control Coler and Control Coler and Control Contro

For the convenience of prospective bidders, subcontractors and material sup Depuments will be displayed at the following locations:

Construction Exchange of Buffalo & WNY 2660 William Street Checklowaga, NY 14227 Contact: Donna Ph: (716) 874-3435 Fax: (716) 875-4412 Email: donnal Connectual.com

Builders Exchange Rochester NY 160 Linden Oaks 180 Linden Oaks Rochester, NY 14825 Contact: Plansoom Ph: (585) 586-5460 Fax: (585) 588-1580 Email: projects @robex

ConstructConnect Altr. Production 30 Technology Parkway S. Suite 500 Norcross, 6A 30092 Email: projects @ mdgroup.com Contact: Vera Briton Ph: (800) 364-2059

Dodge Dala & Analytics 3315 Central Averue Hot Springs, AR 71901 Contact Wiffam Femily Wiffam Reming & constor Ph; (518) 269-7735 No Fax number

Best West 65 East Main Street Fax: (716) 665-6350 Contact James Bown Ph: (716) 665-4025 Falconer, NY 14733 Eastern Contractors Asso 6 Alrime Drive Email: Judyp Becsive.org Contact: Judyp Becsive.org Contact: Judy Phol Phr. (518) 869-8981 Fax: (518) 869-2978 Albany, NY 12205

Gerrard P., Bushell, President & CEO September 3, 2019

TU1t 4073517

THE BUFFALO NEWS

-Affidavit-

<u>Maureen Elardo</u> of the City of Buffalo, New York, being duly sworn, deposes and says that he/she is Principal Clerk of THE BUFFALO NEWS INC., Publisher of THE BUFFALO NEWS, a newspaper published in said city, that the notice of which the annexed printed slip taken from said newspaper is a copy, was inserted and published therein 1 times, the first insertion being on 09/04/2019 and the last insertion being on 09/04/2019

Dates Ad Ran:

Buffalo News (P1) 09/04/19

Sworn to before me this 4th day of, September 2019

Notary Public, Erie County, New York

DEBRA M. PALKOWSKI
Notary Public - State of New York
No. 01P84955693
Qualified in Erie County
My Commission Expires Sept. 5,

NOTICE OF PUBLIC HEARING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) will hold a legislative Public Hearing on three separate proposals:

To Pursuant to Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 19-1101, 19-1103, 19-1105, 71-2103, 71-2105 of the Environmental Conservation Law (ECL) and Section 177 of the federal (Stean Air Act (42 USC 7507), notice is hereby driven that the New York State Department of Environmental Conservation (Department) will hold the following legislative public hearings on the proposed amendments of 8 WCRR Part 218, Emission Standards for Motor Vehicles and Motor Vehicle Engines; and 6 WCRR Part 200, General Provisions. The Department is proposing to amend Part 218 to incorporate revisions to aftermarket catalytic converter (AMCC) standards incorporated in the low emission vehicle (LEV) program, and to update various provisions incorporated variety of the proposing to the standards incorporated in the low emission vehicle (LEV) program, and to update various provisions incorporated variety of the proposing to the state implementation Plan (SIP) for New York State (NYS).

2 Pursuant to Environmental Conservation Law (EU), Sections 1-101, 3-2001, 19-0103, 1-9-0103, 19-0303,

Part 200, General Provisions.

The Department proposes to repeal Existing 6 NYCRR Subpart 225-2 Fuel Composition and Use – Waste Oil as a Fuel and 6 NYCRR Subpart 225-2 and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use – Waste Oil as a Fuel (Proposed Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use – Waste Oil as a Fuel (Proposed Subpart 225-2) Proposed Subpart 225-2 Will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act.

as required by the Clean Air Act.

3. Pursuant to Sections 1-1011, 3-8301, 3-9301, 3-9301, 19-0103, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105 of the Environmental Conservation. Law, notice is hereby given that the New York State Department of Environmental Conservation (Department) will hold the following legislative public heaping on the proposed repeal and replace of the WYRR Subpast 227-1, Nationary Combustion Installations' as well as aftendant provisions under Part 200, "General Provisions" (Collectively, Subpart 227-1), As required by the Clean Air Act (CAA), the Department will incorporate the revisions to Subpart 227-1 and the attendant revisions to Part 200 of the New York's State Implementation Plan (SIP) and provide the revised SIP to U.S. Environmental Protection Agency (EPA) for review and approval. The SIP is directed at maintaining the PM antional ambient air quality standard (NAAGS) and (NIARING) and the Department's obligations under the regional base SIP submitted to the EPA on March 15, 2010.

A hearing for the proposed rules and attendant revisions to existing rules described above will be held as follows and is scheduled in a place

that is reasonably accession to persons with impaired modally.			
Date Time		Location	
November 8, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233	
Terrorian and the second			

The Department will provide interpreter services for deaf persons at no charge. Written requests for interpreter services are required and should be submitted by, November 1, 2019, to Richard McAuley, NYSDEC, 625 Broadway, Albany NY 12233-3250, (518) 402-8438, al<u>k.ress@dec.nv.gov.</u>

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 actions will not have a significant effect on the environment.

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The Department invites all pressons, organizations, corporations, and government agencies that may be affected by the proposed revisions to attend the hearings. At each hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative recording to compiled it is not necessary for interested parties to attend each hearing.

Information on Part 218 may be obtained from Jeff Masshall, NYSDEC Division of Air Resources, 625 Broadway, Albary NY 12233-3255, telephone, (518) 402-8292; email, air.regs@dec.my.gov. Written statements may be submitted until 5 pm November 13, 2019.

Information on Subpart 225-2, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, telephone, (518) 402-8403, email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019. Information on Subpart 227-1, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, telephone, (518) 402-8403; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

Requests for information and comments related to the SP revisions may be obtained from Robert D. Bielawa, P.R. NYSDEC Division of Air Resources, 625 Broadway, Albary, NY 1233-33251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov, Written statements may be submitted until 5 pm November 13, 2013.

The proposed regulation may be obtained from any of the following Department offices:

REGION 1 - NYSDEC Region One Headquarters, SUNY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409,
Materion: Shound REBIOL1 - NYSDEC Region One Headquarters, SUMY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-Attention: Shaus Snee

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

REGION 3 - 15 South Putt Corners Road, New Palz, NY 12501, Attention: George Sweikert

REGION 4 - 1130 North Westcott Rd., Schenectady, NY 12306, Attention: Ben Potter

REGION 5 - Hudson Street Extension, Box 220, Warrensburg NY 12683, Attention: James Coutant

REGION 6 - Waterlown State Utilies Blog, 317 Waterlown, NY 13601, Attention: Bob Jacobs

REGION 7 - 615 Erie Goulevard West, Syracuse, NY 13204-2400, Attention: Thomas Etter

REGION 8 - WATER Stat Avon-Lima Road, Avon, NY 14414, Attention: Yuan Zeng

REGION 9 - 270 Michigan Avenue, Buffalo, NY 14202, Attention: Michael Emery

THE POST-STANDARD

LEGAL AFFIDAVIT

INV#: 0009304770



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State of New York, County of Onondaga ss. Pamela Gallagher, of the City of Syracuse, in said County, being duly sworn, doth depose and says: this person is the Principal Clerk in the office of THE POST-STANDARD, a public newspaper, published in the City of Syracuse, Onondaga County, New York and that the notice, is an accurate and true copy of the ad as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following days, viz.:

Post-Standard 09/03/2019

Pamela Gallagher Principal Clerk

An Authorized Designee of the President, Timothy R. Kennedy Subscribed and sworn to before me, this 3rd day of September 2010.

2019

NOTARY PUBLIC /

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CONTACT PAMELA GALLAGHER AT (315) 470-2051 OR Legals@Syracuse.com

HEIDI A. STEPHENS Notary Public - State of New York No. 01ST6290718

Qualified in Onondaga County
My Commission Expires: 10/7/

NOTICE OF PUBLIC HEARING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) will hold a legislative Public Hearing on three separate proposals:

1: Pursuant to Sections 1-0101, 1-0303, 3-0301, 19-0103, 19-0105, 19-0107, 19-0301, 19-0303, 19-0305, 19-1101, 19-1103, 19-1105, 71-2103, 71-2105 of the Environmental Conservation Law (ECL) and Section 177 of the federal Clean Air Act (42 USC 7507), notice is hereby given that the New York State Department of Environmental Conservation (Department) will hold the following legislative public hearings on the proposed amendments of 6 NYCRR Part 218, Emission Standards for Motor Vehicles and Motor Vehicle Engines; and 6 NYCRR Part 200, General Provisions. The Department is proposing to amend Part 218 to incorporate revisions to aftermarket catalytic converter (AMCC) standards incorporated in the low emission vehicle (LEV) program; and to update various provisions incorporated by reference in Part 200. Part 218 will also be submitted to EPA as a revision to the State Implementation Plan (SIP) for New York State (NYS).

2: Pursuant to Environmental Conservation Law (ECL) Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0301, 71-2103 and 71-2105 notice is hereby given that the NYS Department of Environmental Conservation (Department) will hold the following legislative public hearings on the proposed new rule 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel and 6 NYCRR Part 200, General Provisions.

The Department proposes to repeal Existing 6 NYCRR Subpart 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use – Waste Oil as a Fuel (Proposed Subpart 225-2). Proposed Subpart 225-2 will regulate the burning of waste oils in combustion, incineration, and process sources throughout New York State and establishes applicability criteria, composition limits, and permitting requirements for liquid and semi-liquid waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. The Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). Proposed Subpart 225-2 will be included as a component of the State Implementation Plan (SIP) for New York State (NYS), as required by the Clean Air Act.

3: Pursuant to Sections 1-0101, 3-0301, 3-0303, 19-0103, 19-0105, 19-0107, 19-0301, 19-0302, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105 of the Environmental Conservation Law, notice is hereby given that the New York State Department of Environmental Conservation (Department) will hold the following legislative public hearing on the proposed repeal and replace of 6 NYCRR Subpart 227-1, "Stationary Combustion Installations" as well as attendant provisions under Part 200, "General Provisions" (collectively, Subpart 227-1). As required by the Clean Air Act (CAA), the Department will incorporate the revisions to Subpart 227-1 and the attendant revisions to Part 200 into New York's State Implementation Plan (SIP) and provide the revised SIP to U.S. Environmental Protection Agency (EPA) for review and approval. The SIP is directed at maintaining the PM national ambient air quality standard (NAAQS) and fulfilling the Department's obligations under the regional haze SIP submitted to the EPA on March 15, 2010.

A hearing for the proposed rules and attendant revisions to existing rules described above will be held as follows and is scheduled in a place that is reasonably accessible to persons with impaired mobility:

Date	Time `	Location
November 8, 2019	11:00 am	NYSDEC, 625 Broadway, Public Assembly Room 129A/B, Albany, NY 12233

The Department will provide interpreter services for deaf persons at no charge. Written requests for interpreter services are required and should be submitted by, November 1, 2019, to Richard McAuley, NYSDEC, 625 Broadway, Albany NY 12233-3250, (518) 402-8438, air.reas@dec.nv.gov.

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 actions 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 revisions to attend the hearings. At each hearing, persons who wish to make a statement will be invited to speak. It is requested that oral statements also be submitted in writing. The Department will give equal weight to written and oral statements, and since a cumulative record will be compiled it is not necessary for interested parties to attend each hearing.

Information on Part 218 may be obtained from Jeff Marshall, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3255, telephone, (518) 402-8292; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

Information on Subpart 225-2, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3251, telephone, (518) 402-8403; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

Information on Subpart 227-1, may be obtained from Mike Jennings, NYSDEC Division of Air Resources, 625 Broadway, Albany NY 12233-3254, telephone, (518) 402-8403; email, air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

Requests for information and comments related to the SIP revisions may be obtained from Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov. Written statements may be submitted until 5 pm November 13, 2019.

The proposed regulation may be obtained from any of the following Department offices:

REGION 1 - NYSDEC Region One Headquarters, SUNY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409,

Attention: Shaun Snee

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: George Sweikert

REGION 4 - 1130 North Westcott Rd., Schenectady, NY 12306, Attention: Ben Potter

REGION 5 - Hudson Street Extension, Box 220, Warrensburg NY 12885, Attention: James Coutant

REGION 6 - Watertown State Office Bldg, 317 Washington St., Watertown, NY 13601, Attention: Bob Jacobs

REGION 7 - 615 Erie Boulevard West, Syracuse, NY 13204-2400, Attention: Thomas Elter

REGION 8 - 6274 East Avon-Lima Road, Avon, NY 14414, Attention: Yuan Zeng

REGION 9 - 270 Michigan Avenue, Buffalo, NY 14202, Attention: Michael Emery

S9304770-01

*** Proof of Publication ***

WARREN COUNTY AFFIDAVIT

STATE	OF	NEW	YO	RK.

STATE OF NEW YORK.
County of Warren, ss:
Levri Ward being duly sworn,
says that (s)he is an authorized designee for Lee Enterprises, publishers of THE POST-STAR, a daily newspaper published in Glens Falls, Warren County, State of New York, and that the printed notice attached hereto was cut from the said POST-STAR, and that the said notice was published therein, namely
NOTICE OF PUBLIC HEARING
September 4 ,2019
MILLER ADVERTISING-LEGAL
220 WEST 42ND STREET, 12TH FLOOR NEW YORK NY 10036
ORDER NUMBER 82469
Signed this 6th day of September, 2019
Sworn to before me this 6 day of September, 2019
JOHN R. WALSH Notary Public - State of New York No. 01WA6390461 Qualified in Saratoga County My Commission Expires April 15, 2023
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Section: Legals

Category: 001 Legal Notices - Warren County

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Wednesday, September 4, 2019

005 HAPPY ADS 005 HAPPY ADS

GOREN BRIDGE

ALL THE DIFFERENCE

Both vulnerable, East deals

The bidding:
EAST SOUTH
3\$\Omega\$ 3\$\Omega\$ 3\$\Omega\$ 3NT Pass
Pass 4\$\Omega\$ All pass

Opening lead: King of �

Opening lead: King of O
Today's deal is from the European
Open Team Championship eadler
this year. Three no trump by Esstwest might have made on the jack
of hearts lead. Five diamonds might
also have made if the defense dign't
take its two club tricks right away.
West settled for defending four hearts
undoubled.

Declarer ruffed the opening diamond lead and led a heart to dummy's jack, winning the trick. How should he get back to his hand? He chose to lead a spade to his ace and West's queen, and then led the queen of hearts. West won with the king and led another diamond. South ruffed and led the 10 of hearts to West's ace. West now led the jack of spades. The position was obvious to East, who overtook the jack of spades with the king to lead a third spade. This promoted West's eight into the setting trick. Nice defense, impediately the setting trick. Nice defense, impediately the jack. Ruther than leading a spade, however, this declarer chose to lead a club to his ace. West won the queen of hearts continuation with the king and shifted to the queen of spades, threatening the same trump promotion that occurred at the other table. South thwarted this nicely by allowing the queen of spades the continue drawing the trumps without incident. Well played!

needs contact Caitlin

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Sept. 4, 2019

Ambika Mohan

Subscribed to and Sworn before me

This 30th day of September, 2019

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Donna Perez

Notary Public State Of New York

No. 01PE6151365

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Commission Expires August, 14th - 2022



Ann Hafner

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Legal Notices

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DOBERMAH puppies, red & rust. dew claws removed, de-wormed, tomiy rabad, gusranteed, mil on premises, registered, shots, bail docked, vet checked dob: 7/19 ready 5/10, akc reg-istered, 2 males 4 females available. \$1200 (\$85)991-8168

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forkie, Male 2 months, de-wormed, amily raised, mil on premises, shots, tell docked 1850 (585)205-1752

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NICE Is bothy given that the first state Department of Environmental Consumation (MYCO)CS) with fall a society and opposition.

property.

Howard to faction 1-(16), 1-(20), 3-(20), 1 2: Porsent to Environmental Conservation Law (ECL) Sections 1-0101, 3-0001, 19-0101, 19-0105, 19-0301, 19-0331, 19-0332 The Conservation of the styry three that the RNS Objections of the Information Conservation (Department) with those the Society Septiment proposed new risk of RNSS School 252-2, Fuel Composition and User - Hastin Oil use a Fuel and 6 RNSS RNS and 200, Exerce Process

Programme of the STATE Schape 122.5. In fall conjunction and time + which to this surface and strikes before the conjunction and the strikes the s

 DBI
 Time
 Location

 Howarder 8, 2019
 91:50 am
 WYSDEC, 625 Broadway, Public Assembly Room 129A/8, Abarry, WY 1225
 Introduced, core — 15.00 des —

neserg. Udomation on Part 218 my be obtained from Jeff Mustal, WYSOLD Dirision of Air Resources, 625 Broadway, Albary NY 12233-3255, telep [118] 424-232, erall, Aurep Osc. Apper. Writan risaments my be submitted with 5 pm Hownber 12, 2019.

The median shared as any Section of the character of the

Legals To place a legal ad please call 585-546-7000 Legal Notices

NOTICE OF PUBLIC HEARING
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSESSATION
Rolled to havely glove that but New York State Lagertant of Endocumental Conservation
(1975000) a March 2 september Packet Havings propriety for Endocumental Conservation
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of the Endocumental Conservation (Department) havely given notice

of the Indonéry:
The Department adopted 6 NYCRR Part 222, "Distributed Generation Sources," on Novemb.
1, 2016, That raids look effect on December 1, 2016, 10 March 1, 2017, and Archite 7 Feetler
1, 2016, 10 March 1, 2017, a Signature and Look of the Signature of Look of Look

mainty in important parameters are not to the property of the

further, the Department proposes to submit the new Part 222 as well as the altendant revision to Part 200 to the United States Environmental Protection Agency as a revision to the St Implementation Plan (SIP) for New York State.

Regions for the proposed rule and attandant revisions to existing rules described above will be held as follows and are scheduled in places that are reasonably accessible to persons will be ### 24 50 000 4 10

Personal to Dead ST of the Interlementing regulations for the State Environmental Acts the Department has prepared in Signitive Declaration in this global the proposed as not have a significant effect on the environment. The Department Interlemental prepared in propositions, representations, and government age may be affected by the proposed prefetches to site and the hearings. At each hearing, the control of the significant in the significant in the significant in the significant significant in the significant significant in passed, it is represented that one part significant significant significant significant significant in passed, it is represented that one part significant signific

Writian commerts on the proposed rule may be submitted until 5 p.m. on Hovember 25, 2019. For further folgomation, contact John Burres, P.E., MYSDEC Ohiskin of Air Resources, 625 Brouders: Aberic MY 12233 2515, Phone 1518, 4012-5155, E-mail Surresponder, Chapter Requests for Victorization and comments reband in the SIP revision may be obtained from Robo 0, Stelmay, PE, NYSDED Division of Air Resources, 625 Broadway, Alburg, NY 12233-325 Present (S. 18) 402-8396, E-mailt strates Gdoc.ny gov. Written statements may be submitted until 5 cm on Nevember 25, 2019.

und 5 pm on November 53, 2019.

The proposed regulations may be found on the MYSDIC's website sit. The proposed regulations may be found on the MYSDIC's website sit. What proceed regulations may be found on the MYSDIC's website sit. May refer to the proposed process of the proposed process of the process

Abstroom Sum ListAde)

REGIONA - 1 South Arts General Road, New Palas, NY 12561, Assertion: Groupe SwiREGIONA - 1 South Metaboot Ref., Schonededy, NY 12369, Assertion: Bea Porter

REGIONA - Matto Swift Edinbook no Res (22), Winnesburgh Y 12563,

REGIONA - West General Res (23), Res (24), Winnesburgh Y 12563,

REGIONA - West General State Office Bidg, 317 Washington St., Walstrown, NY 13561,

Assertices: Robot of Acobs

America: Robert Jacobs

Alignost - 615 Eris Boodevard West, Syvature, NY 10204-2400, Altertion: Thomas Eller

REGION B - 6274 East Avon Lima Road, Avon, NY 14414, Altertion: Yiun Zang

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LEGAL NOTICE

LEGAL NOTICE

LEGAL NOTICE

STORMATION OF deat Microsophic Life Glied Articles of Organization with the WYS OOS on 7-11-2018 and 1-12-2018 and

Democratas Chronicle

1	PROCEEDINGS: November 8, 2019
2	
3	STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION ***********************************
4	
5	In the Matter
6	- of -
7	Proposed Amendments to Part 218 (Emission
8	Standards for Motor Vehicles and Motor Vehicle Engines),
9	Proposed Repeal of Part 225-2 and Substitution of Subpart
10	225-2 (Fuel Consumption and Use - Waste Oils), and Repeal
11	and Replacement of Part 227-1 (Stationary Combustion
12	Installations) and Attendant Provisions Under Part 200
13	of
14	Title 6 of the Official Compilation of Codes, Rules and
15	Regulations of the State of New York (6NYCRR)
16	*************
17	11/8/2019
18	11:00 a.m. DEC
19	625 Broadway Conference Room
20	Albany, New York
21	PRESENT:
22	Maria E. Villa, Department of Environmental Conservation
23	Office of Hearing and Mediation Services Administrative Law Judge
24	Richard McAuley Department of Environmental Conservation
25	Regulatory Coordinator

1	
2	ALSO PRESENT:
3	
4	Jeffrey Marshall Division of Air Resources
Department of Environmental Conservation 5	Department of Environmental Conservation
6	Mike Jennings
7	Division of Air Resources Department of Environmental Conservation
8	
9	Antonio Santos, Director of Special Projects
10	Manufacturers of Emissions Controls Association 2200 Wilson Boulevard, Suite 310
11	Arlington, VA 22201
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2.5	DEPODITED BY. Suzanne T. Harrington, Shorthand Deporter

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P-R-O-C-E-E-D-I-N-G-S

ALJ VILLA: If there is anyone here who wants to make a statement on the record, fill out a card, give it to me, and we'll call you in the order the card was received, which in this case there's only one person ahead of you.

So we're going to go on the record. I have a statement to read and I'll also call upon two of the folks from the Department here to give statements about the proposed rules.

This is an administrative public hearing with a legislative format before the New York State

Department of Environmental Conservation in the matter of Department staff's proposed amendment to Part 218 of the Official Compilation of Codes Rules and Regulations of the State of New York or 6 NYCRR for short.

The proposed amendments would incorporate revisions to the standards for new California certified aftermarket catalytic converters. The Department proposes to submit the amended Part 218 as well as the revisions to Part 200 to the U.S. Environmental Protection Agency as a revision to New York State's State Implementation Plan or SIP.

In addition, today we're taking public comments on the proposed repeal of existing Subpart 225-2, to be replaced with Subpart 225-2. The proposed replacement with regulate the burning of waste oils, and there's more to it than that, but we'll leave that for our speakers so we're not repeating ourselves.

repeal and replace Subpart 227-1 to lower particulate matter emission limits of existing and new stationary combustion installations that either predate or are not subject to a federal new source performance standard and/or national emissions standard for hazardous air pollutants. As part of that, the Department will also revise Part 200 to incorporate by reference applicable federal rule provisions and will incorporate those revisions into the SIP.

The purpose of this hearing is to receive comments on these proposals. If you want to make a statement, as we indicated before we went on the record, please fill out a card and give it to me. So far I have only one card.

I'm Maria Villa, I'm serving as a hearing officer for the Department. All persons, organizations, corporations or government agencies

that may be affected by the proposed rule are invited to submit either written or oral statements. All statements taken today, either written or spoken, will be incorporated into the official record of this proceeding. Statements are not given under oath. There's no cross-examination.

Written statements received during the public comment period and oral statements at this time will be given equal weight. Please submit any lengthy statements in writing. If you want, you can summarize those verbally. Written comments can also be submitted on or before 5:00 p.m. on Wednesday, November 13th, 2019.

The contact person for further information is Mike Jennings of the DEC's Division of Air
Resources, I have his contact information. And that also appears in the notice of today's hearing.
Requests for information and comments related to the SIP can be obtained from Robert Bielawa, a professional engineer in the Division of Air
Resources, and I have his contact information as well.
That information also appears in the notice of the hearing. And if you want to send comments via e-mail, the address is air.regs@dec.ny.gov.

Department staff has provided me with copies

of the notices of the hearing sessions. Those were published in the September 4, 2019 edition of the Department's Environmental Notice Bulletin as well as the New York State Register on that same date. In addition, I have affidavits of publication of the Notice. Those were published in the September 4th, 2019 edition of the New York Post, Newsday, the Albany Times Union, the Buffalo News, the Glens Falls Post Star and the Rochester Democrat and Chronicle.

Notices were published in the September 3rd, 2019 editions of the Syracuse Post-Standard. So at this point I'll call upon Mr. Marshall, and he'll be followed by Mr. Jennings to make a brief presentation regarding these proposals.

MR. MARSHALL: Hello, My name is Jeff
Marshall. I'm a professional engineer for the New
York State Department of Environmental Conservation,
Division of Air Resources. The purpose of this
legislative hearing is to solicit comments on the
proposed revisions to 6 New York Codes, Rules and
Regulations, Part 218, Emission Standards for Motor
Vehicles and Motor Vehicle Engines; and attendant
revisions to Part 200, Referenced Material.

Section 177 of the Clean Air Act provides that states may adopt the California new vehicle

emission standards, provided that these standards are identical to California's. New York adopted the California low emission vehicle program in 1992 for passenger cars and light duty trucks. New York has revised the program periodically since 1992, with the most recent changes occurring in 2019 to incorporate clarifications to the deemed-to-comply provision.

The Department is proposing to adopt amendments to the new aftermarket catalytic converter standards incorporated in Subpart 218-7 which were originally adopted in 2012. The proposed amendments prohibit the sale and installation of federally certified aftermarket catalytic converters on any vehicle in New York absent a waiver from the Department.

The proposed amendments also include provisions pertaining to catalytic converter installation requirements, recordkeeping requirements for installers, manufacturers, distributors, wholesalers and retailers; and clarification of manufacturer reporting requirements.

The proposed prohibition of federal aftermarket catalytic converters applies to all 1993 and subsequent model year on-road gasoline fueled passenger cars, light-duty trucks and medium-duty

vehicles delivered for sale in New York State starting January 1st, 2021. This rule will be effective 30 days after adoption.

Copies of the proposed Part 218 regulation and related support documents are available at the Department's website and from the Department's central and regional offices. Comments may be submitted to Jeff Marshall, NYSDEC, Division of Air Resources, 625 Broadway, Albany, New York 12233-3255 or by e-mail at air.regs@dec.ny.gov until 5:00 p.m. on November 13th, 2019. Thank you.

MR. JENNINGS: Good morning. My name is
Mike Jennings. I'm an environmental engineer in the
Division of Air Resources in the Department of
Environmental Conservation. The Department is
proposing to adopt revisions to Subpart 225.2, Fuel
Composition Use -- Waste Oils, and Part 200, General
Provisions of Title 6 of the Compilation of Codes,
Rules and Regulations of New York State.

This public hearing is scheduled for the purpose of receiving statements and comments on the Department's proposal to adopt Subpart 225.29 and Part 200. Proposed Subpart 225-2 will regulate the burning of waste oils in combustion, incineration, and process sources throughout New York State. Proposed Subpart

225-2 will also establish applicability criteria, composition limits and permitting requirements for waste oils.

It will establish monitoring, recordkeeping and reporting requirements for facilities that are determined eligible to burn waste oil; and allow for the burning of waste oils in space heaters at automotive and marine maintenance/services facilities.

Also as part of this rulemaking, the

Department will add the definition for residual oil to
6 NYCRR Part 200. In addition, Part 200 which

contains definitions related to air regulations will
also be updated.

Anyone who wishes to obtain information or submit comments related to Subpart 225-2 or Part 200 may contact me, Mike Jennings, at NYSDEC Division of Air Resources, 625 Broadway, Albany, New York 12233-3254. Telephone contact number is (518)402-8403 and the e-mail is air.regs@dec.ny.gov. Written comments will be accepted through 5:00 p.m. Wednesday November 13th, 2019. Thank you for attending this hearing.

ALJ VILLA: Thank you very much. As I indicated, I only have one card. If there is anyone who wants to speak and wants to fill out a card, just

1 please do and bring it up to me. But at this point 2 I'll call on Mr. Antonio Santos and --3 MR. JENNINGS: Do you want my second 4 statement? 5 ALJ VILLA: Oh, you have a second one? MR. JENNINGS: Yes, two regulations. 6 7 ALJ VILLA: Sorry, hang on. 8 MR. JENNINGS: You thought you were done with me. 9 10 ALJ VILLA: Just a moment, Mr. Santos. MR. JENNINGS: Okay. This is 227-1, Subpart 11 12 227-1, Stationary Combustion Installations. The 13 Department is proposing to adopt revisions to Subpart 14 227-1, Station Combustion Installations and Part 200, 15 General Provisions of the Official Compilation of 16 Codes, Rules and Regulations of the State of New York. 17 Public hearing is scheduled for the purpose 18 of receiving statements and comments on the 19 Department's proposal to adopt the revisions to both 20 Subpart 227-1 and Part 200. These revisions include the lowering of PM emission limits for existing and 21 22 new stationary combustion installations that either 23 predate or are not subject to a federal New Source 24 Performance Standard, NSPS, or a National Emissions 25 Standard For Hazardous Air Pollutants, NESHAP.

These revisions will also correct minor typographical errors and update the regulation to incorporate changes to the air permitting regulations that have occurred over the past twenty years and update references in the regulation itself.

Anyone who wishes to obtain information or submit comments related to Subpart 227-1 or Part 200 may contact me, Mike Jennings, at the same address, telephone number and e-mail that I had just given two seconds ago. Once again, the comments will be accepted until 5:00 p.m. on Wednesday the 13th. Thank you very much. I'm done now.

ALJ VILLA: Thank you. Mr. Santos, why don't you come on up now. Thank you. Appreciate your patience.

MR. SANTOS: Hi, my name is Antonio Santos.

I'm the Director of Special Projects at the

Manufacturers of Emission Controls Association in

Washington D.C. MECA appreciates the opportunity to

provide comments on the New York State Department of

Environmental Conservation's proposed rulemaking to

incorporate revisions to the standards for new

California-certified aftermarket catalytic converters.

The proposed amendments would prohibit the sale and

installation of federal aftermarket converters in the

state starting on January 1st, 2021.

MECA is a non-profit association of the World's leading manufacturers of emission control, combustion efficiency and greenhouse gas reduction technologies for mobile sources. Our members have over 45 years of experience and a proven track record in developing and manufacturing clean vehicle technologies, and they represent the majority of aftermarket converter manufacturers who have been supplying converters under the California ARB and the U.S. EPA aftermarket converter programs since the late 1980s.

MECA has supported DEC's current aftermarket converter program for light-duty vehicles as first adopted in 2012 which requires California

ARB-certified aftermarket converters for vehicles certified to California or 50-State emission standards, but allows U.S. EPA-certified aftermarket converters to be used on federal-certified vehicles.

MECA, however, recognizes the enforcement challenges that have been raised by DEC staff regarding the sale and installation of federal aftermarket converters in the state. As DEC moves to prohibit the sale of federal aftermarket converters in New York, MECA based on the experience gained through

working with CARB, EPA and other states that have also adopted CARB's aftermarket converter requirements recommend that the DEC take into account the following considerations.

Consideration number one. The proposed prohibition of federal aftermarket converters would leave federal-certified vehicles in New York without an aftermarket converter repair alternative. These vehicles are typically older, lower in value and less likely to have access to OEM replacement parts, placing a hardship on their owners if a repair is needed.

Under the proposed amendments, aftermarket converter installers will be required to verify that the aftermarket converter being installed is approved by CARB and included on the vehicle application list for the specific make, model, model, year, engine displacement and engine family in question.

CARB has developed and online database to store and retrieve information on aftermarket converters that have been issued a California Executive Order.

For federal-certified vehicles, CARB has an existing process in place to identify an appropriate CARB converter for a federal vehicle on a case-by-case

basis. However, this process can be cumbersome, especially if a state has a large number of federal vehicles. California has a very low population of federal vehicles due to their policy of limiting registration renewals to vehicles that comply with CARB requirements.

MECA recognizes that states outside of
California, including Section 177 states, have
relatively larger populations of federal vehicles.
These states would benefit from a market solution for
finding a CARB converter for a federal vehicle that
does not rely on case-by-case decisions, as in
California.

To that end, MECA recommends that DEC incorporate provisions in their aftermarket converter requirements by which many manufacturers can catalog and market CARB converters for federal applications under specific criteria, since CARB cannot include federal vehicles in their database.

Specifically, this language would say that

DEC would consider test data used to obtain

certification from CARB to be relevant even where the

vehicle engine family was not originally included in

the Executive Order, provided the vehicle application

falls in an equivalent or less stringent emission tier

level and has similar or less demanding physical characteristics. In other words, vehicle type, vehicle mass, engine placement and exhaust configuration as the original CARB certified vehicle.

MECA can work with DEC to help further develop the criteria for this option for inclusion in DEC's aftermarket converter requirements. This approach is similar to the one that MECA has previously suggested that EPA incorporate in their proposed update to the federal enforcement policy regarding aftermarket catalytic converters. Such an approach could become a model for other states that are considering requiring CARB aftermarket converters.

Consideration number two. As you know, DEC had originally planned to release the proposed rulemaking at the end of 2017, with a final rulemaking projected to be issued by mid-2018. This timeline would have provided stakeholders with a lead time of approximately two and a half years from the date of adoption of the final rulemaking to the date of implementation of the prohibition of federal aftermarket converters on January 1, 2021.

However, the proposed rulemaking was not officially released until September 2019. Given this long delay, there is now the likelihood that the final

rule will be released less than one year before the proposed requirements take effect.

two years is necessary to effectively transition the industry, given a change of this magnitude.

Manufacturers require this minimum lead time to ensure that new CARB-certified aftermarket parts are available and that federal-certified parts already in distribution are phased out of the market.

MECA believes that a minimum lead time of

In addition, sufficient lead time is needed to adequately educate consumers, distributors and installers about the new requirements. Therefore, MECA requests that DEC change the effective date of the regulation to be a minimum of two years from the date of adoption of the final rulemaking to provide aftermarket converter manufacturers, distributors and retailers with adequate time to certify, produce and stock sufficient quantity of compliant aftermarket converters to serve the New York market.

Once implemented, enforcement of the new aftermarket converter requirements is essential to achieve the full emission benefits of the program and to maintain a level playing field in the market.

To facilitate enforcement, we urge DEC to work with the New York Department of Motor Vehicles to

incorporate a visual inspection requirement under the state's light-duty vehicle inspection and maintenance program, as is being done by California's Smog Check program, to confirm that the proper converter is installed on each vehicle.

Thank you again for the opportunity to

provide comments. We believe our suggestions will help improve the effectiveness of DEC's aftermarket converter program and provide time for parts manufacturers to get the cleanest aftermarket converter technology into the market. We look forward to working with DEC on this important rulemaking.

MECA will also provide written comments by the November 13th deadline. Thank you.

ALJ VILLA: Thank you very much, Mr. Santos. At this point we're going to go off the record for about ten minutes in case anyone else shows up. But in the meantime, is there anyone who wants to speak who hasn't filled out a card?

(No response.)

ALJ VILLA: We'll go off the record until around 11:30, and at that time if there is no one still wanting to speak, then we'll adjourn the hearing. Thank you.

(Off the record.)

1	ALJ VILLA: We're going to go back on the
2	record. And while we were off the record, Mr.
3	McCauley checked to see if there was anyone out at the
4	front desk who might be waiting to speak. I don't
5	think that there's anybody here who wanted to make a
6	statement or comments, but if there is, please let me
7	know now.
8	(No response.)
9	ALJ VILLA: And hearing no response, thank
10	you all for coming. A reminder, the public comment
11	period is going to close on November 13th, 2019.
12	Comments can be mailed to the contacts in the notice
13	or sent by e-mail, and the e-mail address is
14	air.regs@dec.ny.gov. Thank you all for coming and
15	we're adjourned.
16	* * *
17	(At which time, the proceedings in the above-entitled matter
18	were concluded at 11:28 a.m.)
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1	RE: DEC
2	AT: 625 Broadway
3	Conference Room Albany, New York
4	DATE: November 8, 2019
5	
6	<u>CERTIFICATION</u>
7	
8	I, Suzanne Harrington, a Shorthand
9	Reporter and Notary Public in and for the State of New
10	York, do hereby certify that the foregoing record taken by
11	me at the time and place noted in the heading hereof is a
12	true and accurate transcript of same, to the best of my
13	ability and belief.
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18	Suzanne Harrington
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Assessment of Public Comments

6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel Comments received from September 11th, 2019 through 5:00 PM, November 13th, 2019

Comment 1: The Legislature and Governor have addressed greenhouse gas emission concerns in a comprehensive way in the Climate Leadership and Community Protection Act (Chapter 106 of the Laws of 2019). Allowing more burning of waste oil clearly represents a step in the wrong direction and will only make it more difficult for us to achieve the ambitious goals of Chapter 106. As noted in 2016, other jurisdictions including California, have determined that a ban on burning waste oil is a better overall policy. (Commenter 1)

Response to Comment 1: The burning of waste oil displaces the burning of virgin fuels and does not increase the overall burning of oil. Greenhouse gasses from the burning of waste oils are the same as those emitted when the facility burns virgin fuel. Since the waste oil displaces other fuels, those fuels do not need to be delivered to the facility and the waste oil does not need to be collected by a third party for removal from the facility. Generally, both forms of transportation used for collection and delivery include the combustion of diesel oil in trucks. Thus, banning the burning of waste oil would increase emissions of greenhouse gases statewide from diesel trucks.

It should be noted that the existing Subpart 225-2 allows the firing of waste fuels, and that this is not new in the current proposal. The proposed regulation reduces the types and amounts of liquid wastes that are eligible to be fired in affected sources. Waste oil is only a subset of the liquid

waste currently regulated under the existing Subpart. Therefore, the amount of liquid waste that may be fired is decreasing under this rulemaking. The proposed rule also lowers the limits for lead and PCB content of waste oil. The Department believes that this is not backsliding from established policy and that this is an improvement over the existing requirements which will in turn provide adequate protection of public health.

Comment 2: The proposed reduction in permitted levels of lead in waste fuel might not be sufficiently protective of public health. The proposal reduces the lead limit from 250 ppm to 100 ppm (25 ppm in automotive maintenance/service facilities or marine service facilities). Automotive and marine operations are often clustered together in lower-income neighborhoods, and marine facilities by their nature are limited to specific waterfront locations. It should be noted these facilities are not subject to any permitting process, leaving no mechanism to conduct environmental justice reviews or otherwise prevent cumulative adverse impacts. (Commenter 1)

Response to Comment 2: The Department is proposing to lower the lead limit to the allowable federal equivalent health-based lead limit, for permitted sources. The Department believes that the Subpart 225-2 eligible sources throughout the State already fire waste fuels. This proposed regulation will lower the lead content limit of waste oil and reduce the amount of liquid waste that is currently allowed to be fired. Based on this, the Department has determined that the proposed rule will decrease the amount of lead emitted from these sources, thus actually lowering lead emissions impacts on affected communities.

Comment 3: The proposal would eliminate a current requirement that a facility must demonstrate a combustion efficiency (CE) of at least 99% while burning waste fuel. The Department has indicated that removing the requirement to maximize CE will enable reductions in NOx emissions. However, without any requirement for a facility to reduce its CE, and no requirement for periodic testing, it is unclear whether this change will have the desired impact. In addition, the Department does not appear to have reviewed whether a policy of minimizing NOx emissions could have the impact of increasing emissions of greenhouse gases or other pollutants. (Commenter 1)

Response to Comment 3: Removing the combustion efficiency requirement will not significantly impact emissions of greenhouse gases. Greenhouse gas emissions are a product of complete combustion. A lower combustion efficiency will lower greenhouse gas emissions and cause the heat output of the fuel burning equipment to be lower. However, the fuel burning equipment may need to fire more fuel to make up for the loss of heat. Even so, the Department anticipates that the increase in fuel burning, combined with the lower combustion efficiency, will not cause a significant increase in greenhouse gas emissions.

Regarding the control of NOx emissions, the Department is required under the Clean Air Act Amendments of 1990 to reduce emissions of NOx. NOx is an ozone precursor and considered to be a non-attainment pollutant. Also, in 2010 the NO₂ national ambient air quality standard (NAAQS) was lowered. The Department was required to demonstrate compliance with this revised standard. Most facilities that have sources currently permitted to fire waste fuels are also subject to the requirements of Subpart 227-2 NOx RACT or Part 212 NOx RACT and must

demonstrate compliance with the NO₂ NAAQS. These regulations require the owner/operators of facilities to annually tune their boilers/furnaces to meet NOx emission limitations. Based on these federal requirements, Department staff have determined that the air quality benefits of reducing NOx emissions outweigh the minor increases of other pollutant emissions.

Comment 4: The proposal would remove explicit language in current §225-2.6(c) providing that no person "may sell, offer for sale, deliver or exchange in trade" any waste fuel except to a facility that is authorized to burn it. In addition, the applicability provisions in §225-2.1 would replace the provision that the Subpart "applies to the use and trade in liquid and semi liquid waste fuel to be burned for energy recovery" with one providing that it "applies to the use of waste oil to be burned as a fuel." The proposal only prohibits sales for residential heating (which incidentally appears to need some additional definition).

If the restrictions on selling and offering for sale are removed, it is not clear whether these activities would be adequately prohibited by any remaining provisions of the Environmental Conservation Law, the Department's regulations or any other enforceable standards. This prohibition should be retained and strengthened. (Commenter 1)

Response to Comment 4: The proposed regulation requires specific limits and permitting requirements for facilities that propose to fire waste oil. Companies that sell or transport waste oil are regulated under 6 NYCRR Parts 360 and 374. The current Subpart 225-2 was determined to duplicate the requirements of the solid and hazardous waste regulations. Thus, the references and citations to these regulations were removed.

Comment 5: The proposal would continue a ban on burning any waste oil in New York County. Given that this provision dates back to 1983, it seems reasonable to explore the possibility of an extension to additional areas in the metropolitan region and to other parts of the state that are experiencing, or could experience, serious air quality issues.

Response to Comment 5: The New York City Department of Environmental Protection (NYCDEP) does not allow waste oil to be burned in New York City; i.e., the five boroughs. The NYCDEP requires waste oil to be collected by a waste oil handler. There is a vast network of waste oil handlers in New York City that collect waste oil. Some of the waste oil handlers reprocess the oil they collect while others ship it to larger handlers that either re-process or rerefine the oil. This works in New York City based on the volume of waste oil available and the relatively small area that is covered. Generally, waste oil handlers in upstate New York will not travel to remote locations of the State as it is not cost effective to do so. They would have to charge large fees to make it profitable for them to collect small amounts of waste oil. If these handlers were to expand their travel, the State would see an increase of all emissions based on an increase in mobile source (trucks) miles driven.

Additionally, an unintended consequence of banning waste oil through-out the entire State would be an economic burden on small businesses. Not only would a ban require these small businesses to pay a removal fee, they would also have to purchase virgin fuels for space heating.

Comment 6: A cross-reference in §201-3.1(c)(2) should be updated if the proposed new definition "automotive maintenance/service facility or marine service facility" is adopted. (Commenter 1)

Response to Comment 6: The Department will modify the exemption language of paragraph 201-3.1(c)(2) to reflect these changes.

Commenter List:

1) Steve Englebright, New York State Assembly Environmental Conservation Committee and Dan Quart Chair, Assembly Committee Administrative Regulations Review Commission

OFFICE OF THE COMMISSIONER

New York State Department of Environmental Conservation 625 Broadway, 14th Floor, Albany, New York 12233-1010 P: (518) 402-8545 | F: (518) 402-8541 www.dec.ny.gov

STATE OF NEW YORK

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

CERTIFICATE OF ADOPTION

AGENCY ACTION: 6 NYCRR Subpart 225-2, "Fuel Composition and Use- Waste Fuels;" and Part 200, "General Provisions."

Pursuant to the provisions of Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105 of the Environmental Conservation Law (ECL), I, Judy Drabicki, Acting Executive Deputy Commissioner of the Department of Environmental Conservation (DEC), hereby certify that the amendments to 6 NYCRR Subpart 225-2, "Fuel Composition and Use- Waste Fuels" and 6 NYCRR Part 200, "General Provisions" be adopted to read as on the attached original, and certify that this is the original thereof, as adopted by me on May of 3 2020, to be effective 30 days after filing with the Department of State.

I further certify that prior notice, as required under the State Administrative Procedure Act, was published in the State Register on September 4, 2019 under Notice No. ENV-36-19-00001-P. I also further certify that prior notice of public hearing, scheduled for and held on November 8, 2019 in Albany, NY was published in the State Register on September 4, 2019 and DEC's Environmental Notice Bulletin on September 4, 2019 and in local newspapers in the State on September 4, 2019. No other publication of prior notice was required by statute.

Kidy Orabicki

Acting Executive Deputy Commissioner Department of Environmental Conservation

Albany, New York

DATED: March 3 2020



Express Terms

Existing 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Fuels is repealed. A new Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel is added as follows:

6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel

Section 225-2.1 Applicability.

This Subpart applies to the use of waste oil to be burned as a fuel.

Section 225-2.2 Definitions.

- (a) To the extent that they are not inconsistent with the specific definitions in Subdivision (b) of this Section, the general definitions of Part 200 and Part 201 of this Title apply.
 - (b) For the purposes of this Subpart, the following definitions also apply:
- (1) 'Automotive maintenance/service facility or marine service facility'. Any facility that performs automotive/marine fluid changes, collects automotive/marine fluids, or drains automotive/marine fluids.
- (2) 'Chemical waste'. Waste including but not limited to spent solvents, tars, paints, resins and wastes, and sludges from any process.
- (3) 'Reprocessed oil'. Any oil from which physical and/or chemical contaminants have been removed such that the oil is suitable for productive use (including but not limited to reuse as a lubricant, or burned as a fuel).
- (4) 'Re-refined oil'. Any oil from which physical and/or chemical contaminants have been removed such that the oil is substantially equivalent to virgin distillate or residual oil.
 - (5) 'Total halogens'. The total organic and inorganic halides (fluorine, F; chlorine, Cl; bromine,

Br; iodine, I), expressed as chloride present in a fuel oil or waste fuel, in parts per million by weight (water free basis).

Section 225-2.3 Prohibitions.

- (a) No owner or operator of a facility, except for emission sources in subdivision 225-2.4(d) of this subpart, may burn waste oil without a permit or registration issued by the department pursuant to Part 201 of this Title. To be permitted to burn a waste oil, an owner or operator of a facility must meet the requirements of this Subpart.
- (b) The sale and/or use of waste oil or blends of waste oil and virgin oil for residential heating is strictly prohibited.
- (c) No owner or operator of a facility located in New York County may burn waste oil in either a permitted, registered, or exempt emission source.
- Section 225-2.4 Requirements for owners or operators of facilities proposing to burn waste oil. As part of an application for a permit or registration to burn waste oil, except as provided in subdivision (d) of this Section, owners or operators of facilities must meet the following criteria:
- (a) submit an analysis of the waste oil proposed to be burned to the department, pursuant to Section 225-2.6 of this Subpart.
- (b) a stationary combustion installation or process source that proposes to burn waste oil must have a minimum operating heat input of 20 million Btus per hour or greater.
- (c) an incinerator that proposes to burn waste oil must have a minimum charging capacity that equals or exceeds 2,000 pounds per hour of refuse.
- (d) an owner or operator of space heaters located in automotive maintenance/service facilities or marine service facilities may burn waste oil and be excepted from the requirements of this section, where the following

conditions are met:

- (1) the maximum operating heat input is less than 500,000 Btus per hour;
- (2) the waste oil is generated on site (this includes waste oils generated by do-it-yourself customers that the facility is required to accept) or at another facility under common ownership; and
- (3) the waste oil meets the criteria in Section 225-2.5 Table 1 of this Subpart, except that lead may not exceed 25 parts per million (ppm) by weight (water free basis) of fuel.

Section 225-2.5 General waste oil limits. Any waste oil that is proposed to be burned must meet the minimum limitations in Table 1 below:

Table 1

Constituent/Property	Limit
Polychlorinated Biphenyls (PCB)	< 2 ppm (1)
Total Halogens	<= 1,000 ppm (1)
Sulfur	See 6 NYCRR 225-1 (2)
Gross Heat Content	>= 125,000 (Btu/gal)
Arsenic	< 5 ppm (1)
Cadmium	< 2 ppm (1)
Chromium	< 10 ppm (1)
Lead	< 100 ppm (1)

- (1) ppm by weight (water free basis) of fuel.
- (2) As per the requirements of subdivision 6 NYCRR 225-1.2(i) of this Title.

Section 225-2.6 Reports, sampling, and analysis of waste oil.

- (a) The owner or operator of a facility permitted to burn waste oil shall:
- (1) sample, analyze, and measure each load of waste oil received, or maintain copies of supplier provided analyses of each load of waste oil received, to prove compliance with the limits listed in Table 1 of this Subpart; and
- (2) maintain, for a minimum of five years, records of the total quantity of waste oil received and the names, addresses, and waste oil analysis from each waste oil supplier.
- (b) Owners or operators required to maintain and retain records pursuant to this section must make such records available for inspection by the department during normal business hours. These records must be submitted upon request to the department.
- (c) Sampling and analysis of waste oil samples must be carried out in accordance with methods acceptable to the department.
- (d) Owners or operators of space heaters that fire waste oil located in automotive maintenance/service facilities or marine service facilities must sample and analyze the waste oil upon the request of the department.

Section 225-2.7 Severability.

Each provision of this Subpart shall be deemed severable. In the event that any provision of this Subpart is held to be invalid, the remainder of this Subpart shall continue in full force and effect.

Express Terms

6 NYCRR Part 200, General Provisions

(Existing subdivisions 200.1(a) through (cu) remain unchanged.)

Existing subdivision (cw) is amended as follows:

(cw) Waste Oil. Any [Used]used and/or reprocessed[engine lubricating] oil [and/or any other used oil, including but not limited to, fuel oil, engine oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil,]which has not[subsequently] been rerefined, and which does not contain chemical waste. This includes but is not limited to, engine oil, gear oil, cutting oil, transmission fluid, hydraulic fluid, dielectric fluid, oil storage tank residue, animal oil, and vegetable oil.

A new subdivision (cx) is added as follows:

(cx) <u>Residual oil.</u> A fuel oil which meets the latest American Society for Testing and Materials (ASTM) specification number D396 for residual fuel oils (#4, #5, or #6).

(Existing sections 200.2 through 200.8 remain unchanged.)

Existing section 200.9, Table 1 is amended as follows:

Regulation	Referenced Material	Availability
[225-2.4(a)(3)]	[40 CFR Part 761 (July 1989) pages 213-267]	[*]

(Existing section 200.10 through section 200.16 remains unchanged.)

Notice of Adoption

New York State Department of Environmental Conservation 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel 6 NYCRR Part 200, General Provisions

Pursuant to Sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103, and 71-2105.of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) hereby gives notice of the following:

The Department is repealing existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel and replace it with new 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel (New Subpart 225-2). New Subpart 225-2 will regulate the burning of waste oils in combustion, incineration, and process sources throughout New York State (NYS) and establishes applicability criteria, composition limits, and permitting requirements for liquid and semi-liquid waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. The Department is adding the definition for "residual oil" to 6 NYCRR Part 200.

New Subpart 225-2 will be included as a component of the State Implementation Plan for NYS, as required by the Clean Air Act.

Requests for information related to the SIP revision may be obtained from Robert D. Bielawa, P.E., NYSDEC Division of Air Resources, 625 Broadway, Albany, NY 12233-3251, Phone: (518) 402-8396, E-mail: air.regs@dec.ny.gov.

Documents pertaining to this rulemaking can be found on the Department's website at http://www.dec.ny.gov/regulations/propregulations.html#public.

For further information on this regulation, contact:

Mike Jennings

NYSDEC

625 Broadway

Albany, NY 12233-3250

(518) 402-8403

E-mail: air.regs@dec.ny.gov

The commercial shark, squid, and Atlantic cod f sheries are located entirely within New York State's Marine and Coastal District. The rule is expected to have a negligible impact on jobs.

4. Minimizing adverse impact:

The regulations have been designed to minimize adverse economic impacts on existing jobs. The changes to shark, squid, and Atlantic cod were designed to be the most permissive allowed while still fully complying with new federal rules. If New York State does not adopt these regulations, the Secretary of Commerce may order the closure of New York State's fisheries for shark, squid and Atlantic cod. The decrease in the minimum size limit for cod is beneficial to food fsh permit holders since they will be able to keep cod harvested between 19 and 22 inches, which they currently must return to the water.

5. Self-employment opportunities:

6. Initial review of the rule, pursuant to SAPA § 207 as amended by L.

2012, ch. 462: DEC will conduct an initial review of the rule within three years, as required by SAPA section 207.

NOTICE OF ADOPTION

Waste Fuel

I.D. No. ENV-36-19-00001-A

Filing No. 156

Filing Date: 2020-03-03

Effective Date: 30 days after fling

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 200; repeal of Subpart 225-2; addition of new Subpart 225-2 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, 3-0301, 19-0103, 19-0105, 19-0301, 19-0303, 19-0305, 19-0311, 71-2103 and 71-2105

Subject: Waste Fuel.

Purpose: Update permit references, rule citations, monitoring, recordkeeping, reporting requirements, and incorporate Federal standards.

Text or summary was published in the September 4, 2019 issue of the Register, I.D. No. ENV-36-19-00001-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Mike Jennings, NYSDEC, Division of Air Resources, 625 Broadway, Albany, NY 12233-3254, (518) 402-8403, email: air.regs@dec.ny.gov Additional matter required by statute: Pursuant to Article 8 of the State Environmental Quality Review Act, a Short Environmental Assessment Form and a Coastal Assessment Form have been prepared and are on fle.

Summary of Revised Regulatory Impact Statement INTRODUCTION

Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel (Proposed Subpart 225-2) regulates the use of waste oil to be burned for heat and/or energy recovery at non-exempt, stationary sources. The Department is proposing to repeal existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2. Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State (NYS). Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200 (Part 200). If finalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan for NYS, as required by the Clean Air Act (CAA). This is not a mandate on local governments. It applies to any entity that owns or operates a subject stationary source. In addition, Part 200, which contains definitions related to air regulations, will also be updated.

STATUTORY AUTHORITY

The statutory authority for promulgation of Proposed 6 NYCRR Subpart 225-2 is found in the following Sections of the Environmental Conservation Law (ECL): Section 1-0101, Section 3-0301, Section 19-0103, Section 19-0105, Section 19-0301, Section 19-0303, Section 19-0305, Section 19-0311, Section 71-2103, and Section 71-2105.

Based on the above-referenced sections, the Commissioner has suf-

fcient authority to regulate air pollution from emission sources, including the promulgation of Proposed 6 NYCRR Subpart 225-2

LEGISLATIVE OBJECTIVES

Article 19 of the ECL was adopted to safeguard the air resources of NYS from pollution. To facilitate this purpose, the Legislature granted specific powers and duties to the Department, including the power to formulate, adopt, promulgate, amend, and repeal regulations that prevent, control, or prohibit air pollution. This authority specifcally extends these powers over areas of the State that are or may be affected by air pollution and allows the Department to prescribe for such areas (1) the degree of air pollution or air contamination that may be permitted therein, and (2) the extent to which air contaminants may be emitted to the air by any air contamination source. In addition, this authority includes the preparation of a general, comprehensive plan for the control or abatement of existing air pollution and for the control or prevention of any new air pollution recognizing various requirements for different areas of the State. The legislative objectives underlying the above statutes are directed toward protection of the environment and public health.

Proposed Subpart 225-2 addresses the burning of waste oils and subsequent emissions from burning waste oils throughout NYS. The regulation defines waste oil and establishes clear limits on its constituents. Finally, the regulation incorporates monitoring, recordkeeping, and reporting requirements for the purpose of compliance with the regulation.

NEĖDS AND BENEFITS

The Department is proposing this repeal and replacement of Existing Subpart 225-2 with Proposed Subpart 225-2 to best protect and preserve the state's air resources. The Department proposes to achieve this by imposing composition limits on waste oil to minimize emissions and clarify the types of emission sources eligible to burn waste oil. Existing Subpart 225-2 has not been updated since its promulgation in 1983. As a result, many of its provisions are outdated and contain obsolete references and standards.

Rule Streamlining and Simplification

The permitting process contained in Existing Subpart 225-2 has become outdated. Proposed Subpart 225-2 will simplify and streamline implementation of the regulation by eliminating obsolete regulatory references; correcting typographical errors; updating the regulation's waste oil constituent limits; removing outdated work practices; expanding the number of facilities eligible to burn waste oil; updating the permitting process to include monitoring, recordkeeping, and reporting requirements, thus aligning it with Part 201 and Title V criteria found in the CAA; and moving the definition of "residual oil" from Existing Subpart 225-2 to Part 200. Existing Subpart 225-2 also contains references to liquid waste transportation regulations that, over the past thirty years, have changed and need to be removed from this regulation. Based on comments received during the public comment period that arsenic (5 ppm), cadmium (2 ppm), and chromium (10 ppm) were not in the Proposed 225-2, the Department will include these pollutants and their corresponding limits in Table 1 of Proposed Subpart 225-2. The Department is removing the ninety-nine (99) percent combustion efficiency requirement. The Proposed Subpart 225-2 will no longer address the burning of chemical waste and "off-spec" waste oils (i.e. Waste fuel B) that do not meet the limitations specifed in Table 1 of Existing Subpart 225-2. Instead, burning chemical waste and off-spec waste oils will be regulated under 6 NYCRR Part 212, Process Operations or 6 NYCRR Parts 370-376 as appropriate. Proposed Subpart 225-2 clarif es the regulation's process for the burning of waste oil while removing the term waste fuel.

As part of the Department's streamlining, it will lower the size of the eligible exempt space heating equipment size from one million Btu/hr to 500,000 Btu/hr. This revision is consistent with both federal and NYS hazardous waste regulations for space heating sources that fre waste oils

The Department is extending the permitting exemption for facilities generating their own waste oils to fre waste oil in space heaters of less than 500,000 mmBtu/hr heat input. Existing Subpart 225-2 provides this permitting exemption exclusively to automotive service facilities. These facilities are required under Article 23, Title 23, Section 7 of the ECL to accept waste oil from "do-it-yourself" oil changers. The Department will also include marine service facilities to the exemption, based on comments received during the public comment period for Proposed Subpart 225-2. The Empire State Marine Trades Association (Association) commented that their constituents are also subject to the requirements of Article 23, Title 23, Section 7 of the ECL. Proposed Subpart 225-2 allows additional types of facilities to burn waste oil in space heaters. Automotive maintenance/service facility or marine service facility are now defined as "Any facility that performs automotive/marine fuid changes, collects automotive/marine fuids, or drains automotive/marine fuids." Eligible facilities now include, but are not limited to, feet maintenance facilities like municipal garages, rental car maintenance facilities, auto crushing facilities, junkyards, and marine service facilities.

Finally, the Department will be adding a specific prohibition on the use

of waste oil in residential sources. During the rulemaking process several reports/newspaper articles of waste oil recyclers selling waste oil to home heating oil delivery companies in the New York City area were published. Waste oil was never intended to be fred as home heating fuel (by itself or blended). Although the current regulation does not allow for waste oil to be used in this manner, the Department believes that adding a specife prohibition of this use will ensure compliance with the regulation.

Stakeholder Meetings

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental justice contact list (8,000 to 10,000 contacts), environmental advocate groups, industrial groups that f re waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered.

COSTS

Costs to Regulated Parties and Consumers:

There will be no additional costs associated with the Proposed Subpart

In addition, the removal of the 99 percent combustion efficiency limit will save regulated facilities money by eliminating the requirement to periodically test combustion effciency. Depending on equipment size and configuration, these tests can cost a subject facility between \$1,000.00 and \$5,000.00 per test.

Costs to State and Local Governments:

Based on the Department's permitting data, there currently are no State and local government facilities that have a Title V permit, air state facility permit, or registration subject to this regulation. Therefore, no additional costs will be incurred by State and local government facilities based on this regulatory update.

Costs to the Regulating Agency:

No additional monitoring, recordkeeping, or reporting requirements are being proposed under this rule-making. The only costs to the Regulating Agency are those routine costs associated with the rulemaking. These costs are regularly-incurred, operating costs.

LOCAL GOVERNMENT MANDATES

This is not a mandate on local governments. Local governments have no additional compliance obligations as compared to other subject entities. No additional monitoring, recordkeeping, reporting, or other requirements will be imposed on local governments under this rulemaking. Finally, as stated above in the Cost section of this Regulatory Impact Statement, there are currently no local government facilities subject to this regulation.

PAPERWORK

Proposed Subpart 225-2 will create no additional paperwork for the facilities subject to the requirements of this rule.

DUPLICATION

Proposed Subpart 225-2 does not duplicate, overlap, or conf ict with any other State or federal Air requirements.

ALTERNATIVES

The Department evaluated the following alternatives:

1) No action - do not change the current version of the regulation. This option will not address the issue of consistency with Title V monitoring, recordkeeping, or reporting requirements. It will also not correct inconsistencies with other State and federal regulations and will not simplify and streamline the requirements.

2) Title V update only - update the rule to match the current Title V permitting requirements. This regulation has not been updated since its promulgation in 1983. The regulation does not conform to the requirements of the Title V program (Subpart 201-6). Updating the monitoring, recordkeeping, and reporting requirements of this rule to match those of Title V is long overdue. However, this option by itself would not address inconsistencies with other State and Federal liquid waste transportation requirements, nor would it simplify and/or streamline the regulation.

FEDERAL STANDARDS

Proposed Subpart 225-2 does not exceed any minimum federal standards. The proposed reduction of the lead standard will make the Proposed 225-2 lead limit equivalent to the lead standards regulated under the federal regulations for liquid waste transporters.

COMPLIANCE SCHEDULE

The Department proposes to promulgate the Proposed Subpart 225-2 by the spring of 2020. The provisions of this rule will take effect upon promulgation of the rule.

Revised Regulatory Flexibility Analysis

EFFECT OF RÚLE

The Department is proposing to repeal Existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State (NYS). Small businesses are those that are independently owned, located within NYS, and that employ 100 or fewer persons. Proposed Subpart 225-2 requirements apply equally to every stationary source that f res oil in NYS. Proposed Subpart 225-2 will not affect small businesses or local governments differently from any other source subject to this rule and may help certain small businesses.

COMPLIANČE REQUIREMENTS

Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. If finalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan for NYS, as required by the Clean Air Act. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200. No new compliance requirements will be incurred by stationary sources subject to the provisions of the proposed rule.

PROFESSIONAL ŠERVICES

As stated above, this revision will place no new compliance obligation on subject stationary sources. Therefore, the Department does not expect small businesses or local governments will need to hire additional professional services to comply with the provisions of the proposed rule.

COMPLIANCE COSTS

Based on the Department's permitting data, there currently are no local government facilities that have a Title V permit, air state facility permit, or registration subject to this regulation. Therefore, no additional costs will be incurred by local government facilities based on this regulatory update. In addition, because there will be no additional compliance requirements placed on subject facilities, the Department does not anticipate any new costs to small businesses.

MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on small businesses and local governments throughout NYS. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities. The Department does not anticipate small businesses or local governments to be impacted differently than any other sources subject to Proposed Subpart

SMALL BUSINESS AND LOCAL GOVERNMENT PARTICIPA-

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental justice contact list (8,000 to 10,000 contacts), environmental advocate groups, industrial groups that f re waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered. In addition, the Department held a public hearing for Proposed Subpart 225-2 in Albany for small business and local government representatives on November 8th 2019.

ECONOMIC AND TECHNOLOGICAL FEASIBILITY

The Department does not expect any adverse economic or technological feasibility impacts on small businesses and local governments throughout NYS. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities. The Department does not anticipate small businesses or local governments to be impacted economically or technologically differently than any other sources subject to Proposed Subpart 225-2.

CURE PERIOD

The Department is not including a cure period in this rulemaking. The purpose of this rulemaking is to update, clarify, and simplify the regulation. Delaying the promulgation of the regulation will adversely affect the facilities that are subject to this regulation in that they will not receive the benefts of the streamlining and updating in a timely fashion.

Revised Rural Area Flexibility AnalysisTYPES AND ESTIMATED NUMBERS OF RURAL AREAS

Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel (Proposed Subpart 225-2) is not expected to have a substantial adverse impact on rural areas in New York State (NYS). The proposed rulemaking will apply statewide and thus all stationary sources that f re waste fuels in NYS will be equally affected.

Rural areas are defined as rural counties in NYS that have populations of less than 200,000 people, towns in non-rural counties where the population densities are less than 150 people per square mile, and villages within

REPORTING, RECORDKEEPING AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES

The Department is proposing to repeal Existing 6 NYCRR Part 225-2, Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed Subpart 225-2. Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources

throughout NYS. Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. If fnalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan for NYS, as required by the Clean Air Act. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200. No new compliance requirements will be incurred by stationary sources subject to the provisions of the proposed rule.

COSTS

There will be no additional costs associated with Proposed Subpart

The removal of the 99 percent combustion efficiency limit will save regulated facilities money (\$1,000.00 to \$5,000.00 per test) by eliminating the requirement to periodically test combustion effciency.

MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on rural areas. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities, and rural areas are impacted no differently than other areas in the state

RURAL AREA PARTICIPATION

During the drafting of Proposed Subpart 225-2, the Department held a stakeholder webinar on May 15th, 2018. There were 35 stakeholders signed in to the webinar. The Department solicited comments on Proposed Subpart 225-2 from the stakeholders which included the environmental justice contact list (8,000 to 10,000 contacts), environmental advocate groups, industrial groups that f re waste oil, and waste oil collectors and distributors. The stakeholders asked some questions which the Department answered. In addition, the Department will hold public hearings on Proposed Subpart 225-2 at various locations in NYS which will be open to representatives from rural areas.

Revised Job Impact Statement NATURE OF IMPACT

The Department is proposing to repeal existing 6 NYCRR Part 225-2 Fuel Composition and Use – Waste Fuel (Existing Subpart 225-2) and replace it with Proposed 6 NYCRR Subpart 225-2, Fuel Composition and Use - Waste Oil as a Fuel (Proposed Subpart 225-2). Proposed Subpart 225-2 regulates the burning of waste oils in combustion, incineration, and process sources throughout New York State (NYS). Proposed Subpart 225-2 establishes applicability criteria, composition limits, and permitting requirements for waste oils; establishes monitoring, recordkeeping, and reporting requirements for facilities that are determined eligible to burn waste oil; and allows for the burning of waste oils in space heaters at automotive maintenance/service facilities. Also, as part of this rulemaking, the Department is adding the definition for "residual oil" to 6 NYCRR Part 200. If f nalized, Proposed Subpart 225-2 will be included as a component of the State Implementation Plan for NYS, as required by the Clean Air Act. These proposed changes to Subpart 225-2 are not anticipated to have an adverse impact on employment opportunities in the State.

CATEGORIES AND NUMBERS AFFECTED
Proposed Subpart 225-2 is meant to streamline regulations and is not placing any new substantive requirements on subject stationary sources. Therefore, Proposed Subpart 225-2 is not anticipated to have any shortterm or long-term effects on the number of current jobs or future employment opportunities throughout NYS.

REGIONS OF ADVERSE IMPACT

Proposed Subpart 225-2 is a statewide regulation. This regulation is not expected to have an adverse impact on jobs or employment opportunities in NYS. It does not impact any region or area of the state disproportionately in terms of jobs or employment opportunities.
MINIMIZING ADVERSE IMPACT

The Department does not expect any adverse impacts on jobs in NYS based on Proposed Subpart 225-2. Proposed Subpart 225-2 is a statewide regulation. Its requirements are the same for all facilities and will not impact job opportunities in the State.

SELF-EMPLOYMENT OPPORTUNITIES

There are no anticipated affects on self-employment opportunities associated with Proposed Subpart 225-2.

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2023, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

Comment 1: The Legislature and Governor have addressed greenhouse gas emission concerns in a comprehensive way in the Climate Leadership and Community Protection Act (Chapter 106 of the Laws of 2019). Allowing more burning of waste oil clearly represents a step in the wrong direction and will only make it more diff cult for us to achieve the ambitious goals of Chapter 106. As noted in 2016, other jurisdictions including California, have determined that a ban on burning waste oil is a better overall policy. (Commenter 1)

Response to Comment 1: The burning of waste oil displaces the burning of virgin fuels and does not increase the overall burning of oil. Greenhouse gasses from the burning of waste oils are the same as those emitted when the facility burns virgin fuel. Since the waste oil displaces other fuels, those fuels do not need to be delivered to the facility and the waste oil does not need to be collected by a third party for removal from the facility. Generally, both forms of transportation used for collection and delivery include the combustion of diesel oil in trucks. Thus, banning the burning of waste oil would increase emissions of greenhouse gases statewide from diesel trucks.

It should be noted that the existing Subpart 225-2 allows the fring of waste fuels, and that this is not new in the current proposal. The proposed regulation reduces the types and amounts of liquid wastes that are eligible to be fred in affected sources. Waste oil is only a subset of the liquid waste currently regulated under the existing Subpart. Therefore, the amount of liquid waste that may be fred is decreasing under this rulemaking. The proposed rule also lowers the limits for lead and PCB content of waste oil. The Department believes that this is not backsliding from established policy and that this is an improvement over the existing requirements which will in turn provide adequate protection of public health.

Comment 2: The proposed reduction in permitted levels of lead in waste fuel might not be suffciently protective of public health. The proposal reduces the lead limit from 250 ppm to 100 ppm (25 ppm in automotive maintenance/service facilities or marine service facilities). Automotive and marine operations are often clustered together in lower-income neighborhoods, and marine facilities by their nature are limited to specife waterfront locations. It should be noted these facilities are not subject to any permitting process, leaving no mechanism to conduct environmental justice reviews or otherwise prevent cumulative adverse impacts. (Commenter 1)

Response to Comment 2: The Department is proposing to lower the lead limit to the allowable federal equivalent health-based lead limit, for permitted sources. The Department believes that the Subpart 225-2 eligible sources throughout the State already fre waste fuels. This proposed regulation will lower the lead content limit of waste oil and reduce the amount of liquid waste that is currently allowed to be fred. Based on this, the Department has determined that the proposed rule will decrease the amount of lead emitted from these sources, thus actually lowering lead emissions impacts on affected communities.

Comment 3: The proposal would eliminate a current requirement that a facility must demonstrate a combustion efficiency (CE) of at least 99% while burning waste fuel. The Department has indicated that removing the requirement to maximize CE will enable reductions in NOx emissions. However, without any requirement for a facility to reduce its CE, and no requirement for periodic testing, it is unclear whether this change will have the desired impact. In addition, the Department does not appear to have reviewed whether a policy of minimizing NOx emissions could have the impact of increasing emissions of greenhouse gases or other pollutants. (Commenter 1)

Response to Comment 3: Removing the combustion effciency requirement will not signif cantly impact emissions of greenhouse gases. Greenhouse gas emissions are a product of complete combustion. A lower combustion effciency will lower greenhouse gas emissions and cause the heat output of the fuel burning equipment to be lower. However, the fuel burning equipment may need to f re more fuel to make up for the loss of heat. Even so, the Department anticipates that the increase in fuel burning, combined with the lower combustion efficiency, will not cause a signif cant increase in greenhouse gas emissions.

Regarding the control of NOx emissions, the Department is required under the Clean Air Act Amendments of 1990 to reduce emissions of NOx. NOx is an ozone precursor and considered to be a non-attainment pollutant. Also, in 2010 the NO2 national ambient air quality standard (NAAQS) was lowered. The Department was required to demonstrate compliance with this revised standard. Most facilities that have sources currently permitted to fre waste fuels are also subject to the requirements of Subpart 227-2 NOx RACT or Part 212 NOx RACT and must demonstrate compliance with the NO2 NAAQS. These regulations require the owner/operators of facilities to annually tune their boilers/furnaces to meet NOx emission limitations. Based on these federal requirements, Department staff have determined that the air quality benefts of reducing NOx emissions outweigh the minor increases of other pollutant emissions.

Comment 4: The proposal would remove explicit language in current § 225-2.6(c) providing that no person "may sell, offer for sale, deliver or exchange in trade" any waste fuel except to a facility that is authorized to burn it. In addition, the applicability provisions in § 225-2.1 would replace the provision that the Subpart "applies to the use and trade in liquid and semi liquid waste fuel to be burned for energy recovery" with one providing that it "applies to the use of waste oil to be burned as a fuel." The proposal only prohibits sales for residential heating (which incidentally appears to need some additional definition).

If the restrictions on selling and offering for sale are removed, it is not clear whether these activities would be adequately prohibited by any remaining provisions of the Environmental Conservation Law, the Department's regulations or any other enforceable standards. This prohibi-

tion should be retained and strengthened. (Commenter 1)
Response to Comment 4: The proposed regulation requires specif c limits and permitting requirements for facilities that propose to fre waste oil. Companies that sell or transport waste oil are regulated under 6 NYCRR Parts 360 and 374. The current Subpart 225-2 was determined to duplicate the requirements of the solid and hazardous waste regulations.

Thus, the references and citations to these regulations were removed.

Comment 5: The proposal would continue a ban on burning any waste oil in New York County. Given that this provision dates back to 1983, it seems reasonable to explore the possibility of an extension to additional

areas in the metropolitan region and to other parts of the state that are experiencing, or could experience, serious air quality issues.

Response to Comment 5: The New York City Department of Environmental Protection (NYCDEP) does not allow waste oil to be burned in New York City; i.e., the fve boroughs. The NYCDEP requires waste oil to be collected by a waste oil handler. There is a vast network of waste oil handlers in New York City that collect waste oil. Some of the waste oil handlers re-process the oil they collect while others ship it to larger handlers that either re-process or re-refne the oil. This works in New York City based on the volume of waste oil available and the relatively small area that is covered. Generally, waste oil handlers in upstate New York will not travel to remote locations of the State as it is not cost effective to do so. They would have to charge large fees to make it proftable for them to collect small amounts of waste oil. If these handlers were to expand their travel, the State would see an increase of all emissions based on an increase in mobile source (trucks) miles driven.

Additionally, an unintended consequence of banning waste oil throughout the entire State would be an economic burden on small businesses. Not only would a ban require these small businesses to pay a removal fee, they would also have to purchase virgin fuels for space heating.

Comment 6: A cross-reference in § 201-3.1(c)(2) should be updated if the proposed new definition "automotive maintenance/service facility or marine service facility" is adopted. (Commenter 1)

Response to Comment 6: The Department will modify the exemption language of paragraph 201-3.1(c)(2) to refect these changes.

Commenter List:

1) Steve Englebright, New York State Assembly Environmental Conservation Committee and Dan Quart Chair, Assembly Committee Administrative Regulations Review Commission

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Brookfeld Trail System

I.D. No. ENV-11-20-00002-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of Part 190.0; renumbering of section 190.38 to 190.39; addition of new section 190.38 to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101(3)(b), 3-0301(1)(b), (2)(m), 9-0105(1) and (3)

Subject: Brookfeld Trail System.

Purpose: To protect public safety and natural resources on the Brookfeld Trail System.

Text of proposed rule: Paragraphs (7), (8), (9), (10), (11), (12), (13), (14), (15) of subdivision (b) of section 190.0 are renumbered paragraphs (9), (10), (11), (12), (13), (14), (15), (16) and (17), and new paragraphs (7) and (8) are added to read as follows:

(7) 'Horse' shall mean the entire family of Equidae. (8) 'Llama' shall mean all new world camelids, llamas, alpacas, guanacos and vicunas.

Section 190.38 is renumbered section 190.39 and a new section 190.38 is added to read as follows:

Section 190.38 Brookfeld Trail System.

In addition to other applicable general provisions of this Part, the following provisions apply to any person entering and using Beaver Creek State Forest, Brookfeld Railroad State Forest and Charles E. Baker State Forest. In the event of a confict, these specifc regulations shall control.

(a) Description. As used in this section, the following terms shall have

the indicated meanings:
(1) Moscow Hill Camping Area shall mean an eight-acre state land area located in the Charles E. Baker State Forest (Madison Reforestation Area 1) lying north of the tributary to Pleasant Brook immediately south of the intersection of Moscow Road and Quaker Hill Road and east of Moscow Road in the Town of Brookfeld, Madison County, locally known as the old Civilian Conservation Corps Camp.
(2) The Moscow Hill Assembly Area shall mean a two-acre state land

area located in the Charles E. Baker State Forest (Madison Reforestation Area 1) south of the tributary to Pleasant Brook immediately south of the intersection of Moscow Road and Quaker Hill Road and east of Moscow

Road in the Town of Brookfeld, Madison County.

(3) Cherry Ridge Camping Area shall mean a f ve-acre state land area located in the Charles E. Baker State Forest (Madison Reforestation Area 1) just east of the intersection of Brown Road and Truck Trail number 8 in the Town of Brookfeld, Madison County.

(b) Horses and Llamas

(1) Any person entering the Moscow Hill Camping Area or Assembly Area with one or more horses shall have the following documentation, which must be presented upon request of department staff:

(i) for all in-state horses, a valid Coggins test that is negative for Equine Infectious Anemia, and proof of a current rabies vaccination; or (ii) for all out-of-state horses, a valid 30-day Certificate of Health,

a valid Coggins test that is negative for Equine Infectious Anemia, and proof of a current rabies vaccination.

(2) Any person entering the Moscow Hill Camping Area or Assembly Area with one or more llamas shall have a valid Certifcate of Veterinary Inspection, identifying each animal individually and proof of a current rabies vaccination.

(3) Any person harboring a horse or llama overnight in the Moscow Hill Camping Area or Assembly Area must use a department provided covered tie stall or, in the case of a stallion, a stud stall, or a horse trailer associated with the person responsible for the horse or llama. No person shall use temporary corrals or paddocks.

(4) Stud stalls shall only be occupied by stallions.

(5) Horse stalls are provided for the equestrian community and may only be used for the storage of horses, llamas or related equipment. No person shall store unrelated personal property in stalls.

(6) No person shall tether any horse or llama to any tree in the

Moscow Hill Camping Area or Assembly Area.

(7) No person shall allow or encourage any horse or llama to gallop

or canter in the Moscow Hill Camping Area or Assembly Area.
(8) No person shall fail to maintain an orderly camp, including horse stalls. All manure shall be removed from stalls. Manure removed from stalls in the Moscow Hill Camping Area or Assembly Area shall be deposited into designated manure pits.

(9) Horses and llamas are prohibited at the Cherry Ridge Camping Area.

(c) Other Animals

(1) All animals are prohibited in the Moscow Hill Camping Area and Assembly Area with the exception of cats, dogs, horses and llamas as provided for in this section.

(2) Within the Moscow Hill Camping Area and Assembly Area, all persons must maintain control of their cat or dog at all times. All persons must conf ne their cat or dog to their campsite area, unless their cat or dog is being walked and is confned on a leash no more than six feet long.

(3) No person shall leave their cat or dog unattended in the Moscow Hill Camping Area or Assembly Area at any time unless securely confned

in a camper or enclosed trailer.

(4) Any person entering the Moscow Hill Camping Area or Assembly Area with a cat or dog shall have proof of a current rabies vaccination for their cat or dog, which must be presented upon request to department

(5) Within the Moscow Hill Camping Area and Assembly Area, animal owners shall properly dispose of their animals' excrement in the

designated manure pits.

(6) Any person with a disruptive or vicious animal shall be required to remove their animal from the Moscow Hill Camping Area and Assembly Area whenever directed by department personnel or by law enforcement personnel. Failure to do so may result in the termination of all privileges to access the Charles E. Baker State Forest and the Brookfeld Trail System.

(d) General Provisions

(1) The riding and possession of bicycles and the riding, driving or leading of horses and llamas is restricted to designated trails or roads on Madison Reforestation Areas 1, 4, 6, 11 and 12.

(2) No person shall ride or possess a bicycle, or ride, drive, lead or permit a horse or llama on any trail in Beaver Creek State Forest (Madison Reforestation Areas 11 and 12), Brookf eld Railroad State Forest