

NYSRC/DEC Conference Call Meeting Notes
December 21, 2017

Attendees:

- Mike Sheehan, John Barnes, Bob Bielawa, Ona Papageorgiou (DEC)
- Roger Clayton (NYSRC)
- Sandra Meier (EEANY)
- Cathy Waxman, (National Grid)
- Tom Coates
- John Marabella (USNYPP)
- Andy Oliver
- Peter Carney (NYISO)
- Radmila Miletich (IPPNY)
- Chris Wentlent (Constellation)
- Jon Reimann
- Roger Caiazza

1. RGGI review
 - Documents have been released including the updated model rule (<http://rggi.org/design/2016-program-review>).
 - Program review underway.
 - VA may join RGGI and, if so, they would become the biggest state in the program.
 - NJ Governor-Elect has stated NJ will rejoin RGGI.
2. EPA Clean Power Plan
 - Under the repeal, New York is working with other states to develop comments (due mid-January) through the Georgetown Climate Center. In addition staff has started to review the Advance Notice of Proposed Rulemaking for the CPP replacement.
3. NYS Clean Energy Standard
 - Ongoing studies via NYISO MIWG committee.
 - There are two paths, NYISO and PSC.
 - The intention is to finalize Q1 of 2018. Documents are posted at: <http://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=17-01821&submit=Search>
4. EPA Cross State Air Pollution Rule (CSAPR)
 - EPA has tentatively approved the New York allocation scheme (beginning of December).
 - DEC will provide an update regarding the distribution of allowances in early-January.
 - Parts 243-245 are currently with the Governor's office and still not publicly available.
5. EPA Proposed Methane regulations
 - A stakeholder meeting is expected in early 2018, DEC will provide an update when the date is finalized.
6. NYSRC Min Oil Burn Rules (LOGMOB)
 - Nothing new to report.
7. Indian Point update
 - Press release was made available since the last meeting (http://www.nyiso.com/public/media_room/press_releases/index.jsp)

- NYISO analysis determined that reliability would be maintained with new construction already underway.
8. REV update
- NYISO has developed a roadmap
 - In process with pilot programs
 - Activity with community solar aggregation
9. Peaker turbine air quality
- DEC and NYISO continue to meet to discuss impacts of a peaking unit regulation.
 - DEC expects to develop a publicly available document by end of Q1 2018 for inclusion into a 2018 RNA scenario.
10. 2018 RNA
- Recent language changes to the inclusion rules allow NYISO to consider regulations.
 - NYISO requires sufficient definition from DEC regarding potential Peaking Unit requirements.
 - NYISO recently posted a report regarding potential impacts of 50% penetration of renewable resources:
http://www.nyiso.com/public/webdocs/markets_operations/committees/bic_miwg/meeting_materials/2017-12-20/2017%20Market%20Assessment%20with%2050%20percent%20Renewables%20Report.pdf
 - Next ESPWG meeting 1/12/2018 (teleconference).
11. Regulatory update (*items in italics occurred after the call on 12/21/17 and are included here for informational purposes*).
- National Ambient Air Quality Standards (NAAQS)
 - 2010 Sulfur Dioxide (SO₂) NAAQS
 1. On August 22, 2017, in response to a recommendation from New York (see <http://www.dec.ny.gov/chemical/8403.html> for recommendation), EPA sent a letter to Governor Cuomo outlining the area designations the agency intends to complete by December 31, 2017, for the 2010 primary standard for sulfur dioxide. They plan to designate the entire state as “unclassifiable/attainment” for the 2010 SO₂ NAAQS except for Monroe county which will be designated as “unclassifiable.” Erie and Niagara counties have already been designated “unclassifiable/attainment.” Cayuga, Seneca, St. Lawrence and Tompkins counties will be designated by December 31, 2020 based on air quality monitoring data.
 2. *On December 21, 2017, after reviewing all available data and information, EPA completed a third round of area designations. As expected, EPA designated the entire state “unclassifiable/attainment” with the exception of Monroe County, which was designated “unclassifiable.” Additionally, Cayuga, Seneca, St. Lawrence and Tompkins counties will be designated by December 31, 2020 based on air quality monitoring data. See*

<https://www.epa.gov/sulfur-dioxide-designations/epa-completes-third-round-sulfur-dioxide-designations> for more information.

- 2010 Nitrogen Dioxide (NO₂) NAAQS
 1. Nothing to report
- 2008 Ozone NAAQS
 1. On November 10, 2017, DEC submitted an attainment demonstration and a Reasonably Available Control Technology (RACT) demonstration for the New York City metropolitan area for the 2008 ozone standard. Both submittals can be found at <http://www.dec.ny.gov/chemical/8403.html> . The attainment demonstration included a request to have the area re-classified from “moderate” to “serious” nonattainment. This re-classification request, if approved, would change the compliance deadline to July 20, 2021 from July 20, 2018.
- 2015 Ozone NAAQS
 1. On November 6, 2017, EPA designated “attainment/unclassifiable” areas for the 2015 ozone standards. For New York, EPA designated all counties “attainment/unclassifiable” with the exception of Suffolk, Nassau, Richmond, Kings, Queens, New York, Bronx, Westchester, Rockland, Orange, Putnam, Dutchess and Ulster. See <https://www.epa.gov/ozone-designations/designations-2015-ozone-standards> for more information.
 2. *On December 22, 2017, EPA announced the “anticipated” nonattainment area designations for the 2015 ozone standards. For New York, the anticipated nonattainment area for the 2015 ozone standard includes Suffolk, Nassau, Richmond, Kings, Queens, New York, Bronx, Westchester and Rockland counties (these are the same counties that are designated nonattainment for the 2008 ozone standard). See <https://www.epa.gov/ozone-designations/designations-2015-ozone-standards> and https://www.epa.gov/sites/production/files/2017-12/documents/ozone_designation_new_york_governors_120-day_letter.pdf for more information.*
- EPA Mercury & Air Toxics (MATS)
 - No new update
- RICE Maximum Achievable Control Technology (MACT)
 - No new update
- Distributed Generation Rule (DG)
 - Reworking the regulation.
 - Stakeholder draft rule made available on 11/3/2017.
 - Stakeholder meeting 11/13/2017.
 - Anticipate another stakeholder meeting in January 2018.
- Ash Rule
 - Part 360 has been sent to EPA for approval.
 - Participation in the EPA CCR Rule has not been decided yet by DEC.

- CO2 Performance Standards for Existing Facilities
 - Anticipate a proposal in early 2018 consistent with the white paper.
12. Next Meeting
- February 22, 2018 via conference call