

NYSDEC/NYSRC March 19, 2020 Conference Call Notes

Attendees: Rad, Ben (NYISO), Sandi, John Marabella, Ona, Cathy, James Sweeney, Bill Slade, Andy Oliver, Paul Gioia, Cathy Waxman, Roger, Bob B, Jon Forward, Roger Clayton, Mike, Carl P, and several others that joined late.

The agenda follows:

- **Peaker Rule Update – Part 227** – NYSDEC Staff – Ona – Compliance plans were due by March 2. Information provided to NYISO. Reviewing plans on unit by unit basis. No final analysis. Three FOIL requests received. Q -Will you release FOILs? Yes, except business confidential material. Carl (NYISO) – we will analyze the plans and will bring it to ESPWG.
- **Climate Action Council Update** - Radmila (IPPNY) – First meeting on March 3 in New York -well attended. Presentation by nationally regarded Climate Scientist. Discussion about bylaws and how meetings will function going forward. Asked each council member about chief objectives.

Intended meeting on April 2 was subsequently postponed.

Appointments of Advisory Panel. One panel was electricity generation. Limited members on each advisory panel. Each panel will have staff assistance and coordination with key panels.

- **NY State Budget Update – Energy & Environmental Update** – Radmila (IPPNY) – Renewable energy siting proposal possible, and Environmental Bond Act. Key offices working via teleconference. More applicability of Moreland Committee – could impact electric, gas, etc. High emphasis to get it done quickly.
- **RGGI Update – Mike Sheehan**, NYSDEC – chamber proposal – pending. PA – working through process – doing IPM modeling – working with agency heads. Adding PA could double the program. VA – passed legislation. Goal to be in program in 2021. DEC noted that 15 MW units are included in their 2021 program revision.
- **TCI Update – Mike Sheehan**, NYSDEC – discussions on-going as well. Comments received February 28. Model rule this fall – current situation may impact this timeline. Several commenters mentioned that TCI should go *Economy-wide or link with RGGI*.
- **NYISO Carbon Pricing Update** – James Sweeney, NYISO – no update. ISO building requirements document and still awaiting state support.
- **Fuel Security Study Update** – James Sweeney, NYISO – ICAP Working Group presentation tomorrow for March 20.
- **NYISO Climate Impact Study Phase 2** – James Sweeney, NYISO – Climate – Analysis Group is working on study. Will go back to ESPWG.
- **NYISO/Brattle Group Modeling to Inform the Grid in Transition** – James Sweeney, NYISO – market topics communicated on March 6. ISO will present to ICAP working group on March 30. Market participant presentation on March 30. Materials on ISO website. Brattle Study – March 30.
- **NYSDEC Part 251 Enacted Regulation Update** – NYSDEC Staff – normal schedule for submission of emissions reports. March 31st for Part 98 reports and April 15th for Emission Statements. No change from that perspective. This item will be dropped off any future agenda.
- **EPA Clean Power Plan** – Mike Sheehan, NYSDEC – AG pursuing legal activity.

- **EPA Cross State Air Pollution Rule (CSAPR)** – NYSDEC Staff – Rule remanded back to EPA. NY won on update and reliance on 2023. They denied 126 Petition, but State is appealing. NYSDEC will continue pressing for more reductions from upwind states.
- **EPA Proposed Methane regulations** – NYSDEC Staff – DEC still working internally on oil and gas regulation. Will release express terms for public stakeholder outreach before formal regulation. This summer is target date for draft expressed terms.

Q – Sandi – companies are reviewing records. Onsite contractors – employees are hesitated to go to NYC and other locations. Want NYSDEC to be aware.

Q – Air Department – Lifecycle Inventory Work and Updating Inventory for Climate Action Council. Climate Office is involved – we are concerned about fuel cycle inventory since 1990. We are interested in following this process and inventory? Ona – working with office of climate change. They are leading regulation, but we are coordinating on inventory. Bring it to our attention. 1990 is very difficult. Documentation is hard to find. Office of Climate Change is considering several routes. Office of Climate Change will make information available for a short review. We must do a rulemaking in one year. Trying to get best data and information. They will share it with stakeholders.

Mike – conducted two webinars and it is posted on the website – Climate Change – submit on their website. <https://www.dec.ny.gov/energy/99223.html>.

DEC is operating from home. Engineers coming in daily. Evaluating certain deadlines, etc. Talking to EPA on monitoring, reporting, tank turnover. Current requirements still in effect. Submit as necessary.

Chris W offered NYSRC assistance to NYSDEC on coordinating any necessary conference calls if necessary.

- **NYSRC Update** – Roger Clayton, NYSRC – Thanked John Barnes for his outstanding support to the NYSRC, we wish him well in his retirement and he will be missed.

New member – Steve Whitley will join the New York State Reliability Council Executive Committee.

Roger covered high renewable whitepaper, two new rules on resource adequacy including one that will require modeling evaluating 10 years vs 3 years to gain a longer-term perspective on system needs.

Indian Point – two exceptions to Reliability Rules impacted by IP. NYSRC EC passed a motion to remove two exceptions.

Established a RA Working Group evaluating RA across the world. We need to be informed about criteria that other regions and nations are utilizing.

- **Indian Point update** – NYSDEC Staff – no update.
- **NYSRSC Staff Update** – Jonathan -
 - Energy Storage Proceeding – 18-e-0130 – no update report.
 - Electric Vehicle Proceeding – 18-e-0138 – comments received on EV Whitepaper. EV Readiness Conference postponed but will be rescheduled.

- Offshore Wind Proceeding – 18-e-0071 – February 6th notice. Draft EIS statement completed. Written comments due March 20.
 - Energy Efficiency and Heat Pumps – 18-m-0084 – January Order pushing out to 2025. Clean Heat Program and Implementation Plan recently introduced. Jonathan will provide copies.
 - Resource Adequacy Proceeding – 19-e-0530 – nothing new. No specific direction to report on next steps.
- **Regulatory update – NYSDEC Staff**
 - National Ambient Air Quality Standards (NAAQS) – no report.
 - SO₂ & NO₂ One Hour Standards – nothing to report on NO₂. SO₂ – EPA must designate remaining areas in the state by December 31, 2020. NYSDEC will be submitting a revised designation recommendation for Cayuga, Seneca, St. Lawrence and Tompkins Counties by May 1, 2020. Cayuga, Seneca and Tompkins Counties will be recommended as “attainment” and St. Lawrence County will be recommended as “nonattainment” because monitors near the Alcoa facility exceeded the 2010 1-hour SO₂ standard, All other counties in the state are designated “Attainment/unclassifiable” with the exception of Monroe County, which is designated “Unclassifiable.”
 - 2008 & 2015 O₃ Standards – DEC continues to review and comment on EPA and State actions related to ozone transport and NAAQS related issues. August 3, 2020 – DEC must submit an attainment demonstration for the NYC metropolitan area for the 2008 ozone standard (due to its reclassification to “serious” nonattainment).
 - EPA Mercury & Air Toxics (MATS) – no report
 - RICE Maximum Achievable Control Technology (MACT) – no report
 - Distributed Generation Rule (DG) – adopted and effective first compliance date - May 2021
 - Regional Haze SIP Plan Update – Completed review and answering of comments. Minor revisions made to plan. Routing through key staff for approval.

New Business – none.

Next Meeting - Thursday, May 14 at 900am.