

NYSDEC/NYSRC AGENDA – May 12 Meeting Summary

The agenda notes follow:

- **Climate Action Council Update – Rad & Chris**
Notes – hearings being conducted. Several virtual. Last hearing is tonight – 5/12. Two major messages – address climate now, impacts of emissions, need to address disadvantaged communities. Others – job impacts, caution, reliability and technology needs. Comments due June 10. CAC created three subgroups – NG Transition, Alternative Fuels, and How to Pay for It Economy Wide.

Roger C provided an overview of NYSRC potential comments. Large amount of intermittent generation necessary to maintain system reliability.

- **Legislation Session 2022 – Rad**
 - **S4264A/a6927 - CCIA Legislation Update** – Radmila/Chris – no major change. In committee. CAC Plan has a CCIA type provision under consideration.
 - **Peaker Justice Legislation (Brisport/Carroll)** – Rad – recently

amended. Does not impact Long Island now. Replace peaker plants in NYC at or near disadvantaged communities per CJWG designations. Hearings scheduled on the CJWG Draft. Currently in the Ways and Means Committee – Assembly, EnCon Committee in Senate. Each generator must submit a compliance plan – one five-year extension for any permit is needed for reliability.

Q – peaker increased capacity from 10 to 15%. **Rad** – It is 15% capacity factor.

- **S.5939-A (Ramos) / A.6761-A (Mamdani)** - An ACT to amend the public service law and the environmental conservation law, in relation to prohibiting the development of any new major electric generating facilities that would be powered in whole or in part by any fossil fuel – **Rad** – no major update. Article 10 certificate allowed only if needed for reliability. Pending. On Senate Floor, and within Assembly Energy Committee.
- **S.6497-A (Parker) / A.8094 (Cusick)** - PSC Zero-Emissions Innovative Technologies – in committee. Probably will not advance. Attention to PSC and the

petition pending. Parker provided letter of support to PSC. Passed Senate last year.

- **S.8405-A (Parker) / A.9881-A (Cusick)** – Blueprint to Replace Highest-Emitting Facilities by 2030 with Reliability – New bill – create a blueprint for highest emitting facilities while maintaining reliability. Must factor in Resource Adequacy. Amendment included to support reliability – NYISO, NYSRC and facility owner to be involved. Develop a competitive program for private sector investment to help maintain reliability. Builds off Gov Hochul SOS address. Blueprint to be implemented by PSC and DEC processes. Goal – follow NYSDEC Peaker Bill stakeholder process. On Senate floor, in Assembly Energy Committee. Highest Emitting – no definition of highest emitting.
- **Hydrogen Demonstration** – NYPA – Emma M No report
Timing of session.
Q – RFP Brentwood – ramifications? CW to reach out to Emma
- **2022-2023 Climate Study** – Sandi M – research and writing stage. Fall Draft – Sector Advisors.

Separate track from CAC – impacts and resilience review only. No direct relationship with emissions reductions. Final form early 2023.

- **RGGI Update** – Part 242 Regulations, VA Participation, PA Activity – Mike Sheehan – no major updates. No movement of VA exiting the program. PA – regulation was published in the PA Register on April 23rd, with compliance obligations beginning effective July 1st. The only thing that could stop that is court action, such as a stay on the regulation. There are lawsuits pending and others may be in the offing. Program review – internal discussions still on-going.

- **Status of Air Permits** – Michael Sheehan, NYSDEC
 - Danskammer Update
 - NRG Astoria Generating Facility Upgrades Update
 - Greenidge T4 and T5 Permit Renewal Status Report
Notes – no updates.

- **DAR 21 Policy Recommendations & Comment Update** – Mike Sheehan – no updates. Staff has

reviewed comments and made recommendations to executive. DEC will inform the group when updates are available.

- **California regulations:** Advanced Clean Trucks (ACT), Heavy-duty Low NOx Omnibus, and Phase 2 Greenhouse Gas Standards – NYSDEC – Advanced Clean Trucks adopted. We are working on Heavy Duty NOx Omnibus. Awaiting CA action – NY will move forward following same format.
- **EPA Cross State Air Pollution Rule (CSAPR 3)** EPA’s “Good Neighbor” SIP disapproval and future FIPs - NYSDEC Staff - comment period extended to June 21. DEC will most likely submit comments in support of the proposal
- **EPA Proposed Methane regulations** – NYSDEC Staff – Ona – Part 203 Methane. DEC is currently developing guidance for reporting on equipment at regulated sources – options may include both paper or electronic reporting. DEC expects this to be available in Fall 2022. The first Part 203 baseline report is due at end of March 2023. Many sources (well owners) are not used to be regulated by Air Resources and therefore are asking many questions.

- **Summer Ozone NOx Program** –Roger Caiazza – Each company on their own. [Good Neighbor Policy](#) – trying to solve ozone problem daily during ozone season. 2023 – could get additional allowances per Roger.

Cathy W – they want to do a bank adjustment by August 1. This is too late because it is 60% through compliance period. Variability and assurance level – if a state exceeds its assurance level – will be done on a unit-by-unit level. Could result in a 50-ton adder. It could lead to an enforcement action. There are other reasons why units need to run – for example - due to reliability.

A unit owner only knows after Ozone if a state exceeded its allowance level. EPA is interested in discussing it. Clean Energy Group having discussions with the EPA. They will reach out to DEC, if necessary, on any additional issues.

As Mike S mentioned – the Regulation is open for comment.

- **NYISO Update** – James Sweeney & Carl Patka

- BSM & Capacity Accreditation Update – FERC accepted. Discussion at upcoming BIC.
- NYISO Long Island PPTN Update – April 1 ESPWG discussion. ISO is commencing evaluation stage.
- RNA Process Update – ESPWG April 26 Presentation. May and June – looking to finalize base case evaluation.
- Interregional Transmission Planning Update – PJM, NE and ISO – IPSAC meeting on Monday, May 16. Meeting materials available on PJM website. PJM, NE and ISO – IPSAC meeting on Monday, May 16. Meeting materials available on PJM website, <https://www.pjm.com/committees-and-groups/stakeholder-meetings/ipsac-ny-ne>
- **NYSRC Update** – Roger Clayton, NYSRC Recognize Extreme Weather impact on Resource Adequacy and Planning. CA and TX had load loss events due to extreme events. This is not captured in 1/10 criteria. High impact and low probability events. Trying to evaluate it. For example – wind lulls, or solar lulls or combinations of it.

Intermittent and Other Resources added to network per CLCPA - they are inverter-based

resources. Converting from DC to AC. Interconnection becomes critical. No current interconnection standards for inverter-based resources. Industry was waiting on IEEE. There is a need to have a minimum standard for interconnection to ensure orderly operation. We are looking to adopt the IEEE 2800 standard.

Behind The Meter – IEEE 1547 standard applies. DPS is working with ITWG on this matter. We want to coordinate with DPS on this.

Q – are current resources grandfathered? RC – yes.

- **NYSPSC Staff Regulatory Update** – Jonathan has transferred to ORES. Mike Tushaj will be replacing him at future meeting.
 - Clean Energy Standard –15-e-0302 – will be updated next meeting
 - Energy Storage Proceeding – 18-e-0130.- will be updated next meeting
 - Electric Vehicle Proceeding – 18-e-0138. – will be updated next meeting
 - Offshore Wind Proceeding – 18-e-0071.- will be updated next meeting

- Energy Efficiency and Heat Pumps – 18-m-0084. – will be updated next meeting
- Resource Adequacy Proceeding – 19-e-0530. – will be updated next meeting
- PSC’s Transmission Planning Proceeding – 20-E-0197 – will be updated next meeting
- Matter of the Advancement of Distributed Solar - 21-E-0629 – will be updated next meeting
- **NYSDEC Regulatory and State Implementation Plan Update – NYSDEC Staff**

Notes – Comment Period – EPA Good Neighbor Plan for 2015 ozone standard has been extended to June 23, 2022.

2008 Ozone Standard – NYC proposed reclassification to “severe” status comment period ends on June 13, 2022. DEC will not be commenting because it is a statutory function of the Clean Air Act. Attainment date will be July 20, 2027.

- **New Business - none**
- **Next Call – Thursday, July 14, 2022, at 9am.**

