

US EPA ARCHIVE DOCUMENT

New York State Department of Environmental Conservation

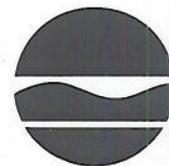
Assistant Commissioner

Office of Air Resources, Climate Change & Energy, 14th Floor

625 Broadway, Albany, New York 12233-1010

Phone: (518) 402-8552 • Fax: (518) 402-8541

Website: www.dec.ny.gov



Joe Martens
Commissioner

Honorable Judith A. Enck
Regional Administrator
United States Environmental Protection Agency
290 Broadway, 26th Floor
New York, New York 10007-1866

OCT 26 2011

Dear Regional Administrator Enck:

On March 12, 2008, the United States Environmental Protection Agency (EPA) promulgated a revised national ambient air quality standard (NAAQS) for ground-level ozone. EPA revised the 8-hour "primary" ozone NAAQS to a level of 0.075 parts per million (ppm). The previous NAAQS, set in 1997, was 0.08 ppm.

The Clean Air Act (CAA) requires EPA to designate areas as attainment, nonattainment, or unclassifiable after the Agency sets a new NAAQS, or revises an existing NAAQS. The New York State Department of Environmental Conservation (DEC) made its original recommendation to EPA on March 12, 2009 for areas to be designated attainment, nonattainment and unclassifiable for the 2008 NAAQS. EPA delayed proposing final designations as required by the CAA by May 12, 2010 in anticipation of its promulgation of another revision to the ozone NAAQS in late 2010. However, on September 2, 2011, EPA announced the abandonment of that proposed revision and the plan to move forward with the 2008 NAAQS of 0.075ppm.

On behalf of Governor Cuomo, I hereby submit New York State's revised designation recommendation that now considers certified monitoring data through 2010. The DEC requests that EPA move forward as expeditiously as possible with appropriate actions for implementing the 2008 8-hour ozone NAAQS as a means to protect human health and the environment.

We believe that each of these recommendations is consistent with Section 107(d) of the Clean Air Act. Should you have any questions regarding these recommendations, please do not hesitate to contact me at (518) 402-8552 or David J. Shaw, Director of the Department's Division of Air Resources, at (518) 402-8452.

Sincerely,

J. Jared Snyder
Assistant Commissioner, Office of Air Resources,
Climate Change & Energy

Enclosure

cc: R. Werner, EPA Region 2



**NEW YORK STATE
DESIGNATION RECOMMENDATIONS
FOR THE
2008 OZONE NAAQS**

OCTOBER 2011

RECOMMENDED NONATTAINMENT AREAS

**New York - Northern New Jersey - Long Island, NY-NJ-PA (partial)
Metropolitan Statistical Area (NYMA MSA) excluding Putnam County**

The Department recommends that the NYMA MSA, excluding Putnam County, be designated as a non-attainment area for the 2008 ozone NAAQS. According to the United States Census Bureau (OMB Bulletin No. 10-02), the New York State portion of this MSA includes the counties of Suffolk, Nassau, Bronx, Kings, New York, Putnam, Queens, Richmond, Rockland and Westchester. The Department recommends that Putnam County be excluded from the NYMA nonattainment area and be included in the Poughkeepsie, NY attainment area for reasons cited below.

Monitoring data for the New York State portion of the NYMA MSA nonattainment area indicates that five monitors exceed the 0.075 ppm NAAQS, with the highest design value monitor in New York State and the entire NYMA MSA located in Babylon, Suffolk County (0.082 ppm). Design value (DV) is defined as the 3-year average of the fourth-highest daily maximum 8-hour average ozone concentrations. The design value monitor refers to the monitor with the highest design value in a defined nonattainment area. The exceeding monitors are located in Suffolk County (Babylon, Holtsville and Riverhead), Richmond County (Susan Wagner) and Westchester County (White Plains).

Under the 1-hour and 1997 8-hour ozone NAAQS, Putnam County has been included in the Poughkeepsie, NY area. The Department is recommending that this distinction be maintained for the following reasons: (1) The Mid- Hudson area has not changed significantly since EPA made final designations for the 1997 NAAQS in 2004; (2) an existing working relationship already exists between the counties, especially in the area of transportation planning; (3) New York's inclusion in the Ozone Transport Region (OTR) ensures most control requirements are implemented on a statewide rather than non-attainment area specific basis; and (4) the Mt. Ninham monitor in Putnam County has a 2010 design value of 0.075 ppm for ozone, which is in attainment of the 2008 NAAQS.

Finally, the NYMA MSA is a smaller part of the greater New York – Newark -Bridgeport, NY-NJ-CT-PA Combined Statistical Area (CSA). Should EPA consider making the CSA the non-attainment boundary, the Department recommends that the data from the Ocean County, NJ monitor continues to not be considered for the NYMA MSA. This monitor is located in the southernmost portion of the entire CSA and controls implemented north of Ocean County, NJ do

not affect the ozone levels recorded at this monitor. This monitor is heavily influenced by upwind sources, particularly from the Philadelphia, PA area.

Jamestown-Dunkirk-Fredonia, NY Micropolitan Statistical Area (mSA)

The Department recommends that the Jamestown-Dunkirk-Fredonia, NY mSA (Chautauqua County) be designated as a non-attainment area for the 2008 8-hour ozone NAAQS. The 2008 design value for this area is 0.077 ppm at the Dunkirk monitor.

RECOMMENDED ATTAINMENT AREAS

Poughkeepsie, NY

The Department recommends that the Poughkeepsie, NY area be designated as an attainment area for the 2008 8-hour ozone NAAQS. This includes the Poughkeepsie-Newburgh-Middletown, NY MSA counties of Dutchess and Orange; and Putnam County. Again, Putnam County has been included in the Poughkeepsie, NY area under the 1-hour and 1997 8-hour ozone NAAQS and includes a monitor that is measuring attainment with the 2008 NAAQS.

The design value monitors for this area are located in Millbrook (Dutchess County) and Mt. Ninham (Putnam County) with a design value of 0.075 ppm.

Kingston, NY MSA

The Department recommends that the Kingston, NY MSA (Ulster County) be designated as an attainment area for the 2008 ozone NAAQS. The design value monitor for this MSA is located at Belleayre Mountain with a 2010 design value of 0.068 ppm.

Albany-Schenectady-Troy, NY MSA

The Department recommends that the Albany-Schenectady-Troy, NY MSA be designated as an attainment area for the 2008 8-hour ozone NAAQS. This attainment area includes the counties of Albany, Rensselaer, Saratoga, Schenectady and Schoharie. The design value monitors are located in Grafton (Rensselaer County) and Stillwater (Saratoga County) with a 2010 design value of 0.072 ppm.

Rochester, NY MSA

The Department recommends that the Rochester, NY MSA be designated as an attainment area for the 2008 8-hour ozone NAAQS. This includes the counties of Livingston, Monroe, Ontario, Orleans and Wayne County. The design value monitor is located in Rochester (Monroe County) with a 2010 design value of 0.069 ppm.

Buffalo-Niagara Falls, NY Metropolitan Statistical Area (MSA)

The Department recommends that the Buffalo-Niagara Falls, NY MSA be designated as an attainment area for the 2008 8-hour ozone NAAQS. This includes the counties of Erie and Niagara. The 2010 design value of 0.071 ppm was calculated from data measured at the Amherst monitor in Erie County.

Whiteface Mountain, Essex County, NY

The Department recommends that Whiteface Mountain, Essex County, NY be designated as an attainment area for the 2008 8-hour ozone NAAQS. This recommendation is based on a 2010 design value of 0.072 ppm at the summit monitor.

Jefferson County, NY

The Department recommends that Jefferson County be designated as an attainment area for the 2008 8-hour ozone NAAQS. This recommendation is based on a 2010 design value of 0.072 ppm at the Perch River monitor.

Syracuse, NY MSA (CSA)

The Department recommends that the Syracuse, NY MSA be designated as an attainment area for the 2008 8-hour ozone NAAQS. This MSA includes the counties of Madison, Onondaga and Oswego. This recommendation is based on a 2010 design value of 0.068 ppm at the Fulton (Oswego County) and Camp Georgetown (Madison County) monitors.

The remainder of the state is in compliance with the 8-hour ozone NAAQS.

**NEW YORK STATE
DESIGNATION RECOMMENDATIONS FOR
2008 OZONE NATIONAL AMBIENT AIR QUALITY STANDARD
(0.075 PARTS PER MILLION)**

AREA NAME For 0.075 ppm Ozone NAAQS	DESIGN VALUE (PPM)	YEARS	AIRS MONITOR LOCATION
<u>New York-Northern New Jersey-Long Island, NY-NJ-PA MSA</u> Counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk and Westchester	0.082 (NYS Only)	2008-2010	Suffolk County (Babylon)
<u>Jamestown-Dunkirk-Fredonia, NY mSA</u> Chautauqua County	0.077	2008-2010	Chautauqua County (Dunkirk)
<u>Poughkeepsie, NY</u> Counties of Dutchess, Orange and Putnam	0.075 Attainment	2008-2010	Dutchess County (Millbrook) and Putnam County (Mt. Ninham)
<u>Kingston, NY MSA</u> Ulster County	0.068 Attainment	2008-2010	Ulster County (Belleayre)
<u>Albany-Schenectady-Troy, NY MSA</u> Counties of Albany, Rensselaer, Saratoga, Schenectady and Schoharie	0.072 Attainment	2008-2010	Rensselaer County (Grafton) Saratoga County (Stillwater)
<u>Rochester, NY MSA</u> Counties of Livingston, Monroe, Ontario, Orleans and Wayne County	0.069 Attainment	2008-2010	Monroe County (Rochester 2)
<u>Buffalo-Niagara Falls, NY Metropolitan Statistical Area (MSA)</u> Counties of Erie and Niagara Falls	0.071 Attainment	2008-2010	Erie County (Amherst)
<u>Whiteface Mountain, Essex County, NY</u> Essex County (Whiteface Mtn. above 4,500 ft)	0.072 Attainment	2008-2010	Essex County (Whiteface Summit)
<u>Jefferson County, NY</u> Jefferson County	0.072 Attainment	2008-2010	Jefferson County (Perch River)
<u>Syracuse, NY MSA</u> Counties of Madison, Onondaga and Oswego	0.068 Attainment	2008-2010	Oswego County (Fulton) Madison County (Camp Georgetown)

MSA – Metropolitan Statistical Area; mSA – Micropolitan Statistical Area