

New York State Department of Environmental Conservation
Deputy Commissioner
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JUL 21 2004

Mr. Walter Mugdan
Region 2
United States Environmental Protection Agency
290 Broadway, 26th Floor
New York, New York 10007-1866

Dear Mr. Mugdan:

The New York State Department of Environmental Conservation (Department) staff have completed an initial review of the technical analysis developed by EPA for the basis of proposing modifications to the New York State recommendations for nonattainment areas under the National Ambient Air Quality Standard (NAAQS) for Particulate Matter smaller than 2.5 microns (PM_{2.5}) that accompanied your July 1, 2004 letter to Commissioner Crotty. In order to adequately respond to EPA's proposal in a timely fashion, the Department requests an expedient reply to the following questions.

Factor 1 - Emissions

1. The United States Environmental Protection Agency (EPA) developed a weighted county emission score to serve as an indicator of local PM_{2.5} contribution based on an area's speciated urban excess contribution. However, the urban excess was developed for the entire NY-NJ-CT-PA Consolidated Statistical Area using data only from speciation monitors in Newark (urban site) and Brigantine National Wildlife Refuge, New Jersey (regional site). Would EPA please provide clarification as to how using these two monitors is suitable to determine the emissions excess over New York?
2. Department staff have spent considerable time in trying to obtain a copy of the 2001 National Emissions Inventory (NEI) cited as the basis for the table provide in the Factor 1 analysis, from EPA sources, without success. Please provide a complete list of all emission sources, by Source Classification Code (SCC) and county, included in developing the 2001 NEI.
3. Please detail how the PM data were speciated, and what model(s) were used. Were those emissions used in estimating New York State's emission contribution to the New Haven monitor for the Clean Air Interstate Rule (See Factor 6, Comment 2 below)?

Factor 2 - Air Quality

1. New York State is requesting clarification as to whether EPA intends to continue the practice used previously in PM10 and carbon monoxide nonattainment areas for establishing Design Value (DV) monitors, i.e., will separate PM2.5 DV monitor(s) be established for each state's portion of the proposed nonattainment area or will a single nonattainment area wide DV monitor be used? In either situation, which monitor(s) will serve as the DV monitor(s)?
2. EPA states that Suffolk, Nassau, and Westchester Counties' DVs are "approaching the standard", although the associated DVs for these monitors are well below the NAAQS at 12.3, 12.4 and 12.5 ug/m³, respectively. What scientific assessment, at what level of process, i.e. guidance, regulation, or statute, differentiates between those counties "approaching the standard" of 15 ug/m³ NAAQS and those "not approaching." How was this weighted into EPA's proposed modification, in comparison with the other eight factors for each county, for potentially included areas versus excluded areas?

Factor 4 - Traffic and Commuting Patterns.

1. What was the source and methods for calculating the county totals of Vehicle Miles Traveled (VMT) and the commute trips for the Table for Factor 4?
2. Is the number of commuters given representative of driving trips or public transportation? How was this weighted into EPA's proposed modification, for each county, in comparison with the other eight factors?

Factor 5 - Expected Growth.

1. What was the source for the growth numbers used?

Factor 6 - Meteorology.

1. EPA's analysis of pollution roses and back trajectories for New Haven, CT states that Suffolk, Nassau, Orange, Dutchess, Rockland, Ulster and Westchester Counties all contribute to the New Haven monitoring site, but does not assess the level of impact in comparison to intrastate contribution. What is the contribution intra-county and from local, e.g. interstate highway mobile emissions, to this monitor, and how does that compare to the individual impact of the Mid-Hudson counties listed above?
2. The analysis states the EPA REMSAD model used for the Clean Air Interstate Rule, demonstrates that New York State has a contribution of 0.85 ug/m³ to the New Haven monitor. Please provide a county by county contribution breakdown for Suffolk, Nassau, Orange, Dutchess, Rockland, Ulster and Westchester Counties. How was this weighted in comparison to the other factors, for each county, used in suggesting modifications to New York State's recommendation?

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3.

Finally, the June 29, 2004, letter to Governor Pataki requests that any additional information be provided by the State by September 1, and notes that EPA will take the final step in the PM2.5 designation process in November. It is our understanding that EPA is not required to complete the designation process until December 15, 2004. Given the long-term ramifications of the designations, it is important that the analysis be fully assessed and understood by the States before we respond to EPA. Therefore, we ask that at least 60 days be allowed beyond our receipt of EPA's final response to this letter to review the information not originally provided with the assessment. This will enable the Department to provide the relevant supplemental information, so important to an informed decision.

Your favorable response in this matter will be appreciated. Should your staff have any questions, please contact James Ralston, Director, Bureau of Air Quality Planning or staff at (518) 402-8396.

Sincerely,



Carl Johnson
Deputy Commissioner
Office of Air and Waste Management

cc: R. Werner - EPA
J. Filippelli - EPA
J. Ralston - NYSDEC