

Notice of Proposed Rulemaking, Public Comment Period, and Public Comment Hearing
New York State Department of Environmental Conservation

6 NYCRR Part 496

Pursuant to Section 75-0107 of the Environmental Conservation Law (ECL), the New York State Department of Environmental Conservation (Department) hereby gives notice of the following:

The Department is proposing the addition of 6 NYCRR Part 496, “Statewide Greenhouse Gas Emission Limits.” The proposed rule adopts limits on the emission of greenhouse gases in 2030 and 2050, as a percentage of 1990 emissions, per the requirements of the Climate Leadership and Community Protection Act. It applies to all emission sources in the State, but the rule does not itself impose compliance obligations.

Written comments on the proposed rule may be submitted until 5 p.m. on October 27, 2020. Written comments must be mailed to Suzanne Hagell, NYS DEC Office of Climate Change, 625 Broadway, Albany, NY 12233-1550 or emailed to climate.regs@dec.ny.gov. Include “Part 496” in the subject line of the email.

Two public comment hearing webinars for the proposed rule will be held on October 20, 2020, before Administrative Law Judge (ALJ) Molly T. McBride via electronic webinar as follows and, accordingly, are reasonably accessible to persons with impaired mobility:

Date: October 20, 2020

Time: 2:00 p.m.

Access: To join through the internet, visit:

<https://meetny-broadcast-pilot.webex.com/meetny-broadcast-pilot/onsstage/g.php?MTID=e30d9caae5e27f9ff9299003eafd742dd>

and click “Join Now.”

Event Number: 173 919 8809
Password: Oct20-2PM

To join by phone only, dial: 1-518-549-0500
Access Code: 173 919 8809

Date: October 20, 2020

Time: 6:00 p.m.

Access: To join through the internet, visit:

<https://meetny-broadcast-pilot.webex.com/meetny-broadcast-pilot/onstage/g.php?MTID=e60741a279078e6f8e7178158893d5bc8>

and click “Join Now.”

Event Number: 173 730 1808
Password: Oct20-6PM

To join by phone only, dial: 1-518-549-0500
Access Code: 173 730 1808

Persons wishing to comment on the proposed rule will have the opportunity to make a statement at the public comment hearing webinars. **Any person wishing to provide a public statement must register in advance of the hearing no later than 10:00 a.m. Monday, October 19, 2020.** We ask that each speaker register for only one session of the hearing. Any person may listen to the hearing by phone or by logging into the hearing online without pre-registration.

To register electronically: To register to make a public statement electronically, register at <https://www.eventbrite.com/e/nysdec-hearing-webinar-re-regs-part-496-greenhouse-gas-emission-limits-registration-115516961341>.

To register by telephone: Any person who is not able to login electronically may participate by telephone. Call-in participants must register to speak in advance by calling the Department at 518-402-9003. Please provide your first and last name, address, email address if any, and telephone number and reference the Part 496 public comment hearing.

All participants will be muted upon entry into the hearing. The ALJ will call each person who has requested to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Reasonable time limits may be set for each speaker as necessary to afford all participants an opportunity to be heard. We also recommend that lengthy comments be summarized for oral presentation and submitted in writing as provided above. The hearing will be recorded for inclusion in the record.

The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than October 9, 2020. The written request must be addressed to ALJ McBride, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ McBride at ohms@dec.ny.gov.

Document Availability: The express terms of the proposed rule and other rulemaking documents may be reviewed online on the Department's website at <https://www.dec.ny.gov/regulations/121052.html>. Copies of rulemaking documents are also available upon request by contacting:

New York State Department of Environmental Conservation
Office of Climate Change
625 Broadway, 9th Floor
Albany, NY 12233-1030, ATTN: Suzanne Hagell
Phone: (518) 402-8448
Email: climate.regs@dec.ny.gov.