



REGION 2 ADMINISTRATOR

NEW YORK, N.Y. 10007

June 24, 2024

Honorable Sean Mahar
Interim Commissioner
New York State Department of Environmental Conservation
625 Broadway, 14th Floor
Albany, New York 12233-1010

Dear Commissioner Mahar:

I am pleased to transmit the results of the U.S. Environmental Protection Agency Region 2 Office's ("EPA's") fifth evaluation of the Title V Operating Permit Program (OPP) being implemented by the New York State Department of Environmental Conservation (NYSDEC).

The EPA conducts an evaluation of the NYSDEC's approved OPP every four years as part of its oversight responsibilities. The bases for the EPA's evaluation are the requirements of Title V of the Clean Air Act (CAA), EPA's regulations implementing the CAA which are codified at 40 C.F.R. part 70 and the NYSDEC's OPP as approved on February 5, 2002. As part of the 2022 evaluation, we followed up on each of our recommendations from the 2018 Title V permit program evaluation report to determine whether the NYSDEC has made progress toward resolving the identified issues. The 2022 evaluation also addresses additional observations made during the EPA's review of select Title V draft permits issued by the NYSDEC since the 2018 audit. Like the 2018 evaluation, the 2022 evaluation covers both the permitting and funding (fee) components of the NYSDEC's OPP. This current evaluation contains findings and recommendations related to various Title V permit program issues. We would appreciate the NYSDEC's commitment to address the recommendations outlined in the 2022 evaluation. Please review the findings and recommendations detailed in the enclosed 2022 evaluation report and provide input in the form of a written response within 90 days of the date of this letter.

We are looking forward to continuing to work with you in the implementation of the Title V permit program in the State of New York. If you have any questions regarding the enclosed report, please have your staff contact Ms. Suilin Chan, Supervisor, Permitting Section, Air and Radiation Division, at chan.suilin@epa.gov or (212) 637-4019.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Garcia", is written over the typed name.

Lisa Garcia
Regional Administrator, EPA Region 2



ENCLOSURES

1. Attachments 1 through 16

cc: Christopher LaLone Director, Division of Air Resources, NYSDEC
Michael Cronin, Director, Bureau of Stationary Sources, Division of Air Resources, NYSDEC