

**New York State Department of Environmental Conservation**  
**Division of Environmental Permits**

NYSDEC Region 2 Headquarters  
47-40 21st St  
Long Island City NY 11101  
(718) 482-4997



January 24, 2022

Request for Additional Information

RE: DEC ID# 2-6101-00071/00024  
GREENPOINT ENERGY CTR

The Brooklyn Union Gas Company  
1 METROTECH CTR  
BROOKLYN, NY 11201-3831

Dear Applicant:

On November 2, 2020 your application was determined to be complete. However, subsequent technical review of your application shows the following information is required to make findings and determinations required by the Environmental Conservation Law:

Please review the following comments and submit the information requested below:

**A. CLCPA Analysis**

As the Department previously noted, including in the Request for Additional Information (RFAI) dated July 15, 2021, as part of its consideration of the Air State Facility (ASF) permit application, the Department must ensure compliance with the requirements of Section 7(2) of the Climate Leadership and Community Protection Act, Chapter 106 of the Laws of 2019 (Climate Act).

Should the Department determine that the issuance of an ASF permit for the Project would be inconsistent with or would interfere with the Statewide greenhouse gas emission limits established in Article 75 of the Environmental Conservation Law (ECL sec. 75-0107; 6 NYCRR Part 496), then the Department must also: (1) provide a detailed statement of justification for the Project notwithstanding the inconsistency; and (2) identify alternatives or greenhouse gas mitigation measures that would be required.

To facilitate the Department's evaluation of the Project's compliance with the Climate Act, the Department requests the following information:

1. New York City recently enacted new legislation, Int 2317-2021 "use of substances with certain emission profiles," enacted on December 22, 2021, which mandates the phase out of natural gas combustion in buildings, including by prohibiting the use of natural gas in certain new buildings beginning in 2023. Please explain whether and how this New York City Law may impact the demand for natural gas service from

existing and future National Grid customers, including how this New York City law may alter the need for the Project.

2. National Grid asserts that the Project is justified as necessary in order to ensure safe, adequate, and reliable natural gas services, notwithstanding any inconsistency with the Statewide greenhouse gas emission limits. Please confirm that the Project (a) is necessary exclusively to support the reliability of service to existing customers under certain limited conditions and (b) will not be utilized to facilitate or enable the expansion of gas services, and whether any alternatives exist to provide the same service.
3. While National Grid has previously outlined some measures that it considers as greenhouse gas mitigation for the Project, these may not be sufficient or adequate. Please explain any additional measures that National Grid will take to further mitigate the greenhouse gas emissions associated with the Project, including potential on-site measures as well as other efforts to reduce emissions systemwide. Potential mitigation measures may be technological, financial, operational, or physical in nature. Greenhouse gas mitigation measures should be specific to the Project and additional to other efforts already committed to by National Grid. If National Grid determines that no other mitigation measures are feasible, please explain why this is the case.
4. Please update your CLCPA assessment dated October 10, 2021 (attached) to reflect the latest upstream emission factors outlined in the attached guidance document titled, "Emission Factors for Use by State Agencies and Applicants."

**B. SEQR Full Environmental Assessment Form, Part 1 only (FEAF PART 1) See:**

<https://gisservices.dec.ny.gov/eafmapper/> and [https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/feafprint.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafprint.pdf). Form space is limited, thereby, please attach additional pages, as necessary, to adequately describe the project and thoroughly address each item in the FEAF.

1. **Section A. Project and Applicant/Sponsor Information:** See comments A.1 and A.2 above and, if necessary, revise Project Description, Purpose and Need.
2. **Section B. Government Approvals, Funding, or Sponsorship:** Provide an update on the status of the permits/approvals outlined in Full Environmental Assessment Form Attachment 2 – Permit Listing and make sure to enter the date by which the application for any such approval, funding, or sponsorship has occurred (or will occur) (actual or projected).
3. **Section D. Project Details:** (see: <https://www.dec.ny.gov/permits/91655.html> and <https://www.dec.ny.gov/permits/91660.html>). *Review and complete the following items or sub-question(s) that follow:*
  - D.1. Proposed and Potential Development
    - D.1.a. Please elaborate response. If this is a project that involves physical changes to a site, describe the principal nature of the action. A project that includes more than one type of use would be considered a 'mixed' use and each element should be stated here.
    - D.1.c. Please review and confirm the proposed project is not an expansion of an existing project or use.

- D.1.e. Please review and confirm the proposed action will not be constructed in multiple phases.
  - D.1.e.i- please complete.
- D.1.g. Please review and confirm. If the proposed action involves new non-residential construction, reference and append a figure to illustrate the location of all proposed structures to be constructed.
- D.2. Project Operations:
  - D.2.a. Does construction entail laying a foundation, installing piping, etc.? If so, please confirm all materials will remain on-site (or revise D.2.a, as necessary).
  - D.2.c.ii- please complete.
  - D.2.d- Will some sort of liquid waste be generated? If so, answer yes and complete subsequent questions and/or elaborate prior responses to all sub-questions.
    - D.2.d.ii- Elaborate on the nature of liquid waste and fully describe the nature and volume of any waste that will be generated as a result of the operation of each vaporizer. Please clarify the process by which each vaporizer will generate “~4,500 gallons of water per event and each year the vaporizers are drained for inspection.” Does this figure represent the quantity of remaining water in the vaporizer bath prior to the annual inspection?
    - D.2.d.v- Your response indicates that water generated during the vaporization process will be discharged to on-site secondary containment and allowed to infiltrate. Provide additional information that further describes and explains any such proposed discharges of industrial wastewater.
    - D.2.d.vi. Please complete.
  - D.2.f.ii- Please complete.
  - D.2.h- Confirm yes and provide actual methane emissions.
  - D.2.k- Please confirm and explain why the proposed action (for commercial or industrial projects only) will not generate new or additional demand for energy (or reference previously provided supporting documentation).
  - D.2.l.i- Elaborate and describe request process and potential circumstances.
  - D.2.n.i- Confirm that no additional outdoor lighting, of any type, is to be provided.

**4. Section E. Site and Setting of Proposed Action (see <https://www.dec.ny.gov/permits/91665.html> and <https://www.dec.ny.gov/permits/91670.html>). Review and complete the following items or sub-question(s) that follow:**

- **E.1. Land uses on and surrounding the project site**
  - E.1.a.ii- Please complete.
  - E.1.f.ii- please complete/describe.
  - E.1.h.ii- please complete or state N/A.
  - E.1.h.v-please confirm. Is site under remedial order and would this require a change in use?
- **E.2. Natural Resources on or Near Project Site**
  - E.2.m- No wildlife occupy or use the project site? Please confirm and, if applicable identify.

**5. Section F. Additional Information (see: <https://www.dec.ny.gov/permits/91680.html>):**

No additional information provided. Please attach any additional information which may be needed to clarify your project. If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

Pursuant to 6 NYCRR 621.14(b) this information must be provided by February 1, 2022. Failure to provide this information by the date specified in this request may be grounds for denial of your application.

If you have questions or need more time to provide this information, please contact me or Rachel Seebacher in the Office of General Counsel at the address above.

Sincerely,

A handwritten signature in cursive script that reads "Caitlyn Nichols".

Caitlyn P Nichols  
Division of Environmental Permits

## Appendix A. Emission Factors for Use by State Agencies and Applicants

The following tables provide information on the greenhouse gas emissions associated with different types of fuels. This information can be used by any entity to estimate emissions that result from the use of fuels following the same CLCPA-compliant accounting used in this report and in the adoption of 6 NYCRR Part 496. These emission factors can be applied to generic (not source-specific) fossil fuels at the high heating content (see High Heating Values). The emission factors included in this document are derived from the same analyses described in the accompanying “*Sectoral Report #1: Energy*” for calculating Imported Fossil Fuels and Fugitive Emissions. The emission factors presented in this document are a work in progress, subject to future stakeholder comment, and will be subject to a continual improvement process as additional information becomes available. These factors do not include the direct emissions resulting from the combustion of the fuel.

### Current Upstream and Out-of-State Emission Factors for Imported Fossil Fuels

Emission factors in Table A1 reflect greenhouse gas emissions associated with the extraction, production, and transmission of fossil fuels imported into New York State for the most recent year available, or 2019. This does not include extraction, production, or transmission of fuels within New York State (see below). Users may wish to adjust the specified emission factors for blended fuels. The gasoline emission factors represent 100% fossil fuel content gasoline, equivalent to gasoline blend stock, if evaluating blends with oxygenates (e.g., ethanol) these blends can be apportioned to the fraction of emissions associated with the energy fraction of the blend that is from fossil fuels (e.g., E85 is a blend of ethanol and gasoline estimated here to have the energy content of approximately 28% gasoline and 72% ethanol). Finally, units in grams can be converted to pounds by dividing by 453.6.

**Table A1: 2019 Emission Rates for Upstream Out-of-State Sources (g/mmbtu)**

<b>Fuel Type</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>Total CO<sub>2</sub>e</b>
Natural Gas	12,131	357	0.14	42,147
Diesel/ Distillate Fuel	15,164	121	0.26	25,375
Coal	3,300	364	0.10	33,891
Kerosene/Jet Fuel	10,071	109	0.17	19,270
Gasoline (E85)	5,097	33	0.08	7,905
Gasoline	19,604	128	0.33	30,405
LPG	17,295	121	0.27	27,553
Petroleum Coke	11,612	112	0.20	21,096
Residual Fuel	11,799	111	0.19	21,184

Note: Total CO<sub>2</sub>e conversion uses GWP20 per 6 NYCRR Part 496

### Current Emission Factors for Non-Energy Fuel Use

Emission factors in Table A2 reflect the upstream out of state emissions associated with fossil fuel derived products that are not primary combustion fuels but have other consumption uses within the state.

**Table A2: 2019 Emission Rates for Fossil Fuel Products (g/mmbtu)**

<b>Fuel Type</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>Total CO<sub>2</sub>e</b>
Asphalt and Road Oil	8,487	105	0.13	17,325
Lubricants	20,190	116	0.37	30,009
Waxes	19,518	115	0.36	29,261
Miscellaneous Petroleum Products	10,691	109	0.17	19,904
Special Naphthas	14,313	117	0.26	24,193

Note: Total CO<sub>2</sub>e conversion uses GWP20 per 6 NYCRR Part 496

### Current Downstream and In-State Emission Factors for Fossil Fuels

Emission factors in Table A3 reflect fugitive emissions within New York State associated with fuel throughput for the most recent year available, or 2019. Emission factors were generated by summing emissions from natural gas distribution, or downstream infrastructure and dividing by the instate consumption of natural gas in industry, commercial, residential, transportation sectors.

**Table A3: 2019 Emission Rates for Downstream In-State Sources (g/mmbtu)**

<b>Fuel Type</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>	<b>Total CO<sub>2</sub>e</b>
Natural Gas and Renewable Natural Gas (RNG/biogas)	2.0	68	n/a	5,714

Note: Total CO<sub>2</sub>e conversion uses GWP20 per 6 NYCRR Part 496

### High Heating Value

The following table is reproduced from the Energy Information Administration (EIA) State Energy Data System (SEDS), with btu values divided by physical units. Renewable Natural Gas is assumed to be pipeline quality with equivalent energy content. Raw landfill gas has substantially different energy content per standard cubic foot. E85 is assumed to have the energy content of 28% gasoline and 72% ethanol.

**Table A4: High Heating Value of Select Fuels (mmbtu)**

<b>Fuel Type</b>	<b>High Heating Value</b>	<b>Unit of volume or mass</b>
Natural Gas/RNG	0.001033	Standard cubic foot
Diesel/Distillate Fuel	0.137	U.S. gallon
Coal	25.36	Short Ton
Kerosene/Jet Fuel	0.135	U.S. gallon
Gasoline E85	0.097	U.S. gallon
Gasoline	0.124	U.S. gallon
LPG	0.091	U.S. gallon
Petroleum Coke	0.136	U.S. gallon
Residual Fuel	0.150	U.S. gallon
Asphalt and Road Oil	0.158	U.S. gallon
Lubricants	0.144	U.S. gallon
Waxes	0.132	U.S. gallon
Misc. Petroleum Products	0.138	U.S. gallon
Special Naphthas	0.125	U.S. gallon