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Comments regarding New York State Climate Action Council Draft Scoping Plan: Chapter 14. Industry

Section 14.1

"Other Energy & Emission Intensive Industries"

Primarily focused on cryptocurrancy, this section still leaves room for other currently unknown industrial sources. The pharagraph ends with "Accordingly, the State should monitor & evaluate emerging industries and develop policy responses needed to ensure that thoes industries do not interfere with meeting the statewide emission limits or other Climate Act requirements."

This closing sentiment is an economic noose to new emerging business in NYS. It demonstrates no creative troubleshooting capability, a skill that will be needed to meet the lofty goals of the CLCPA. If the State wants to be a National leader, ingnuity is needed - not a closed mindset. Growth - both economic and environmental are needed within the State to ensure its place as a National leader.

"Industrial Sector Considerations"

This section demonstrates a well thought out concern for the very real threat of businesses leaving the State due to the implementation techniques chosen by the State. In particular, the recognition that not just industry-specific, but factory-specific customized solutions may be needed.

The near-term and longer-term reduction opportunities however; are restrictive. While the State has identified what is likely v. not for short term & long term emission reductions, again, no creating troubleshooting is being presented to industry to work with. The frustration lies in imposing draft regulation, but without a developed logic and room for customization (a need) that was acknowledged just the paragraph prior.

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If the State wants to keep business in (& thriving) and not compromise climate goals - a teaching mentality is needed. Businesses have to be given the time and lienency to first grasp, and then implement, the concept being put upon them by the State. A 'do or else' draft policy shuts down dialog. Businesses looking to implement 'greater reduction' strategies now, in the near term, should not be punished for attempting to do so. 'Precedent' has been previously acknowledged as being less important due to the factory-specific needs industry so often has. Further, if the State has not provided quantifiable guidelines on the 'reduction' calculations, that again should not be something that business suffers the shortcomings of. Businesses demonstrating the fundamental, conceptual understanding of these climate goals will only become the States allies and role-models as the timeline moves from 2022-2050.

"Vision for 2030, Vision for 2050"

The States vision for the future is not a growth mindset. While pillars and logical guidelines to start - they should by no means restrict businesses in the way of how a company can successfully implement improvements. The vision is rigid when it needs to flexible. Industry is the epitome of creative troubleshooting and survival - there are tools and strategies to be gained by the State from industry if only pillars of pride and fear can be overcome by both entities.

"Existing Sectoral Mitigation Strategies"

Of the 5 paragraphs in this section, only one of them details what the NYSDEC is offering industry as a strategy. That short paragraph alone offers zero strategy at all - merely what regulatory action the State will be taking. Since this is a NYSDEC document, significantly more was expected from this section. The Vision for 2050 mentions "In some limited instances, industrial sources might be able to qualify for the use of an alternative

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compliance mechanism if DEC has established such a mechanism and if the source can meet the stringent requirements set out in the Climate Act to govern their use." Yet this is not mentioned once in the Existing Mitigation Strategies section - highlighting the non-existant support industry is being given when it comes to implementation of these draft policies and programs. This flies in the face of previously stated concerns of leakage. Furthermore; air permit applications for new, major/significant AND minor permits are being scrutinized - not just new and major/significant. Again, a disregard for leakage is demonstrated by the State.

"Key Stakeholders"
Industry, trade, business, manufacturing etc are all listed as key stakeholders - yet the State has not comprehensively reached out to permit holders about this critical and major regulatory change. Public comment periods aside - businesses often need direct communication on policies that could cripple them. NYS is the home to many start-ups, family run and legacy businesses. Not all industry is well staffed, well funded and has the luxury of time to comb through outdated DEC websites or poorly marketed notice bulletins for public comment period alerts.

Section 14.2
"Financial and Technical Assistance"
This section appears written by someone other than the author of Section 14.1. This section addresses leakage, the multiple barriers to business & time concerns. Its commendable the State has included diverse authors to draft this scoping plan. Its obvious the challenges are significant and it will be Herculean to satisfy all parties. The hard work is being done - and rightfully so to include all voices. A growth mindset is demonstrated by this section and is appreciated and encouraged.

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"Low Carbon Procurement"

This section is heavily targeting a specific few industrial products listed on Page 180 of Section 14.1. A major blind spot to procurement in NYS is that if/when businesses leave the State, traffic & associated emissions will increase to keep vital products flowing into the State (less out).

"Workforce Development"

Largely focused on generic training provided by NYS, this topic is woefully half-baked. It does not offer the factory-specific needs where the real training is needed for industry. It does not specify short term and long term training specifics, just that short and long term needs exist. The burdon is placed on NYSERDA with 'should' auxillary verbage. For a NYSDEC driven scoping plan, no burdon of training is being shouldered. Education alliances as a form of training are not covered, nor are internships or any other such established, stable, dependable pipelines of workforce development.

"Research, Development and Demonstration"

Death by analysis for NYS climate goals. This section acknowledges the multiple significant & conflicting concerns that come with forcing businesses to change its industrial heating methods, if even possible at all. Ironically, NYS has granted itself permission to R&D, but stifled other such emerging business early in the Chapter.

"Greenhouse Gas Reporting"

One of the most egregious sections in the Chapter. Asking facilities to shoulder the cost of a new GHG reporting system is a completely ignorant and beaurocratic squandering of responsibility & workload that ironically enough increases the workload ultimately for the bureocracy. Entities/industries who emit significant GHGs report to the EPA. That system already exists and is there for the States reference. Beyond that, industries already have air permits.

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Duplicating reporting systems is inefficient & fragmentational for regulators to process. The NYSDEC already cannot keep up with workload and/or provide timely responses to reports as currently exist. More reports do not mean cleaner air, they do not mean more justice, they do not mean goals are met. The author of this section is Completely out of touch with the reality of reporting and air compliance in NYS. I wonder if one DAR public servant supports this 'strategy'. My bet is there isn't a one.

"Economic Incentives"

This section is primarily written for up & comming 'green economy businesses' & does not apply/is not relevant for existing businesses feeding taxes and revenue to NYS, but yet who may be hindered to continue doing so by the implementation choices being made by NYS to achieve their climate goals.

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