

New York State Department of Environmental Conservation

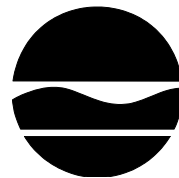
Division of Air Resources

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via e-mail

January 7, 2005

Dear Stakeholder:

The New York State Department of Environmental Conservation forwarded the draft regulatory package for the distributed generation rule to the Governor=s Office of Regulatory Reform (GORR) on January 6, 2005. We hope to receive approval from GORR to formally release the regulatory package for public review and comment in the near future.

The proposed distributed generation rule is divided into two subparts. Sources that commence operation on or after May 1, 2005 (previously referred to as Anew sources@) would be regulated under Subpart 222-1. Sources that commenced operation prior to May 1, 2005 (previously referred to as Aexisting sources@) would be regulated under Subpart 222-2. In addition, the definition for emergency power generating stationary internal combustion engines was removed from Subpart 227-2 and added to Part 200. No changes were made to that definition. Copies of the express terms for Part 200 and Part 222 are attached.

This closes the stakeholder process for the distributed generation rule. I would like to thank you for your interest and input into this process. You will have an additional opportunity to comment on the rule when the rule is formally released for public comment. We will notify you via e-mail when the rule is released for public comment. If you have any questions regarding this matter, please feel free to contact me via e-mail at jd Barnes@gw.dec.state.ny.us or by phone at (518) 402-8396.

Sincerely,

John D. Barnes, P.E.
Environmental Engineer 2

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