NEW YORK STATE | Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

April 16, 2026

Daniel M. Planter, Environmental Manager
The Goodyear Tire & Rubber Company
5000 Goodyear Drive
Niagara Falls, New York 14304

Dear Daniel:

Follow Up Request for Additional Information
Public Participation Plan Approval
Goodyear Manufacturing Plant
Air State Facility Permit Renewal
DEC ID# 9-2911-00036/00151

New York State Department of Environmental Conservation (NYSDEC) has received and reviewed the March 27, 2026 ERM response to the February 27, 2026 NYSDEC Request for Additional Information. Based on this review, additional information is required for the CLCPA Section 7(3) analysis. As required by DEC Program Policy DEP 24 – 1, a Disproportionate Burden Analysis under CLCPA Section 7(3) must identify the relevant baseline data on existing burdens, including the DAC indicators used to designate the disadvantaged community that are relevant to air quality and air-related health effects. The CLCPA Section 7(3) analysis must be revised accordingly. The attached CLCPA Section 7(3) Disproportionate Burden Analysis Worksheet should be completed and included with the revised CLCPA Section 7(3) analysis. Please provide the revised CLCPA Section 7(3) analysis by Friday May 1, 2026.

The Public Participation Plan (PPP) has been reviewed and is hereby approved by NYSDEC. Goodyear may proceed to plan and provide public notice of the public meeting required by the PPP. Please note that the revised CLCPA Section 7(3) analysis must be completed and available on the on-line document repository prior to the public meeting.

Additionally, please be aware that the modeling protocol, Part 212 analysis, and BACT analysis are still under review with the Division of Air Resources. Additional comments on those documents may be forthcoming.

If you have any questions regarding the permitting process, please contact me at 716/851-7165. If you have any technical questions regarding the air permit application, please contact Ethan Bennett at 716/851-7130.

Respectfully,

Lisa M. Czechowicz

Lisa M. Czechowicz
Regional Permit Administrator

Ecc: Cheryl Webster, P.E., NYSDEC Regional Air Pollution Control Engineer
Ethan Bennett, NYSDEC, Division of Air Resources
Kerri Pickard-DePriest, NYSDEC Office of Environmental Justice
Kayla Baker, NYSDEC R9 Environmental Justice Coordinator
David Murtha, ERM Consulting & Engineering, Inc.
Denise Seiler, Goodyear, Plant Manager

CLCPA Section 7(3) Disproportionate Burden Analysis Worksheet

DEC Application No. (if known): __-_____-_____/_____	
Name of Applicant: _____	
Email: _____	Phone: _____
Mailing Address: Street: _____	
City:	State: Zip:
Project Location: _____	
Street: _____	
City:	State: ee Zip:
Project Description:	

This worksheet lists disadvantaged community (DAC) indicators that are potentially related to air quality or air-related health effects. The full lists of DAC indicators are contained in Tables 2 and 3 of the New York State Climate Justice Working Group Draft Disadvantaged Communities Criteria and List Technical Documentation (March 9, 2022) and the disadvantaged community criteria maps. The worksheet should be used to identify DAC indicators that are relevant to the potential greenhouse gas (GHG) and co-pollutant impacts of a specific action.

Using Table 1 of this worksheet, applicants should enter the percentile values for each DAC indicator from the disadvantaged communities criteria map and then identify the DAC indicators that are relevant to the specific project. Where a relevant DAC indicator is identified, a qualitative response whether the action will have a positive or negative impact on the pollution burdens or health vulnerabilities associated with the indicator should also be provided. The response should be based on the action without measures that may reduce or eliminate GHG and co-pollutants (i.e., “design measures”).

The impacts of the action on the environmental burdens and health vulnerabilities identified by the relevant DAC indicators must be discussed in the disproportionate burden analysis provided with the permit application. The analysis must also identify and discuss any proposed measures to reduce or eliminate GHG and co-pollutant impacts from the proposed action.

See Table 1 on page 2.

Table 1. CLCPA Section 7(3) Disproportionate Burden Analysis Worksheet

DAC Indicator	%tile[1]	Relevant?		Impact?	
Potential Pollution Exposures					
Traffic: number of vehicles		___Yes	___No	___Positive	___Negative
Traffic: diesel trucks		___Yes	___No	___Positive	___Negative
Particulate matter (PM 2.5)		___Yes	___No	___Positive	___Negative
Benzene concentration		___Yes	___No	___Positive	___Negative
Land Use and Facilities Associated with Historical Discrimination or Disinvestment [2]					
Proximity to remediation sites		___Yes	___No	___Positive	___Negative
Proximity to regulated management plan sites		___Yes	___No	___Positive	___Negative
Proximity to major oil storage facilities		___Yes	___No	___Positive	___Negative
Proximity to power generation facilities		___Yes	___No	___Positive	___Negative
Proximity to active landfills		___Yes	___No	___Positive	___Negative
Proximity to municipal waste combustors		___Yes	___No	___Positive	___Negative
Proximity to scrap metal processors		___Yes	___No	___Positive	___Negative
Industrial/manufacturing/mining land use		___Yes	___No	___Positive	___Negative
Health Outcome Sensitivities					
Asthma emergency department visits		___Yes	___No	___Positive	___Negative
COPD emergency department visits		___Yes	___No	___Positive	___Negative
Heart attack (MI) hospitalization		___Yes	___No	___Positive	___Negative
Premature deaths		___Yes	___No	___Positive	___Negative
Low birthweight		___Yes	___No	___Positive	___Negative
Percent without health insurance		___Yes	___No	___Positive	___Negative
Percent with disabilities		___Yes	___No	___Positive	___Negative
Percent adults age 65+		___Yes	___No	___Positive	___Negative

[1] Enter the indicator percentile value obtained from the disadvantaged community criteria map for the disadvantaged community the project is located in or may affect. The disadvantaged communities criteria maps are located on-line at: **https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria**

[2] If the proposed action involves a land use listed in this section and has the potential to emit GHG or co-pollutants that affect or are likely to affect a disadvantaged community, the DAC indicator is relevant.