



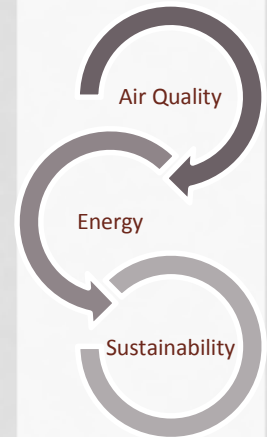
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION



DIVISION OF AIR QUALITY
AIR QUALITY, ENERGY, AND SUSTAINABILITY

AWMA AIR
REGULATORY UPDATE

NOVEMBER 18, 2016



Kenneth Ratzman, Assistant Director, Air Quality Regulation and Planning

RULE PACKAGES

- Inspection and Maintenance Rule – Adopted in October 3 NJR
- CTG/NO_x RACT – drafted, not yet proposed
- PM_{2.5}/SSM – drafted, not yet proposed
- Common Sense Rulemaking – Rule Launch 8/24/16
- Industrial Stakeholder/Environmental Stakeholder Recommendations (RATE) – **Reliability, Air Toxics and Exemptions**

OTHER DISCUSSION ITEMS

- Legacy Landfill
- Federal Rule Update
- General Permit/General Operating Permit Update

COMMON SENSE RULEMAKING - STAGE II REMOVAL

- Environmental and Economic Benefits (Yes and Yes)
- Stakeholder Process Completed
 - Mostly positive comments/suggestions
 - Non-controversial
- Widespread use determination
- Administrative Order 2016-09 Issued October 12, 2016

COMMON SENSE RULEMAKING - TBAC REPEAL

- USEPA Reporting Requirements Eliminated in Federal regulation (March 2016)
- NJ Following suit - Recordkeeping and Reporting to be Removed
- Revoke Subchapter 34 in its entirety

COMMON SENSE RULEMAKING - PROVISIONS FOR CONSISTENCY

- Identified as an Issue in last two EPA Air Audits
- No Impact on Regulated Community
- No change in how NJ actually processes permits

RATE RULEMAKING - RELIABILITY

- Resiliency Measures
 - Emergency Equipment
 - Construction, Repair and Maintenance
 - Temporary/Portable Equipment

RATE RULEMAKING - AIR TOXICS

- Update Air Toxic Values
 - Use Established Peer-reviewed Toxicity Values (Scientifically Based)
 - Some values up, some down based on the Science

RATE RULEMAKING - EXEMPTIONS

- Potential Additional Permitting Exemptions for Very Low Emitting Sources
 - Plastic Extruders
 - Balers
 - Soil Excavation (if no processing)
 - De-Icing
 - *Material Handling Equipment (Small Emitting General Air Permit Expansion)*

LEGACY LANDFILL LAW RULE PROPOSAL

- Codify and implement the provisions of the Legacy Landfill Law, N.J.S.A. 13:1E-125.1 et seq.
- Timeline of rule proposal
 - Proposed - August 15, 2016
 - Public hearing held - September 23, 2016
 - Public comment period closed - October 14, 2016
 - Responses to comments are being drafted by Solid Waste Program (w Air Input)
- Creates comprehensive Solid Waste and Air Pollution Control rules that address closure and post-closure care and disruption of all sanitary landfills
- Proposed N.J.A.C. 7:27-7.3 is a maximum hydrogen sulfide standard
 - 30 parts per billion by volume averaged over any 30 minute period
 - Applicable to any locations at or beyond the property line of the sanitary landfill
- Copy of Proposal is available at <http://www.nj.gov/dep/rules/proposals/20160815a.pdf>

FEDERAL RULE UPDATE

- **Rescission Provision of PSD Rules**
 - Adopted October 26, 2016
 - Remove a date restriction that limited use of a provision allowing Federal PSD permit to be cancelled
 - Affects PSD facilities
- **Electronic Notice**
 - Adopted October 5, 2016
 - Revises public notice regulations
 - Affects PSD/NSR and Title V facilities
- **Regional Consistency Regulations**
 - Adopted July 21, 2016
 - Streamlines the application of regional or local court decisions across the EPA regional offices. EPA regional office no longer needs to seek headquarters concurrence to diverge from national policy in geographic areas covered by such an adverse court decision
 - Affects Title V facilities

FEDERAL RULE UPDATE (CONT)

- **Greenhouse Gases Rule**
 - Adopted April 30, 2015
 - Removes several provisions of the PSD and Title V permitting regulations that were originally promulgated as part of the 2010 Tailoring Rule and that were vacated by the D.C. Circuit
 - Affects PSD and Title V facilities
- **Cross-State Air Pollution Rule Update Rule**
 - Adopted October 26, 2016
 - Addresses the remand by the US Court of Appeals for the D.C. Circuit of certain states' original CSAPR phase 2 ozone season NOx emission budgets
 - Reallocated NOx Budgets for each State based on more recent data
 - Allows for some growth within the budget with new unit set aside
- **Implementation Rule for 2012 PM2.5 NAAQS - SIP Requirements**
 - Adopted August 24, 2016
 - Outlines SIP requirements that apply to areas designated nonattainment for any PM2.5 NAAQS
 - Affects States containing PM2.5 non-attainment areas (NJ is not affected since entire NJ is attainment)

FEDERAL RULE UPDATE (CONT)

- **Heavy-duty Vehicles GHG Emission Standards**

- Adopted October 25, 2016
- Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles
- Affects new on-road medium- and heavy-duty vehicles and engines

- **Oil & Natural Gas Sector NSPS**

- Adopted June 3, 2016
- Amendments to the current NSPS and establishes new standards.
- The new standards for the oil and natural gas source category set standards.
- Except for the implementation improvements, and the new standards for GHGs, these requirements do not change the requirements for operations covered by the current standards.
- Affects oil and natural gas sector new and modified equipment - hydraulically fractured oil well completions, pneumatic pumps, and fugitive emissions from well sites – no impacted sources in New Jersey

FEDERAL RULE UPDATE (CONT)

- **Additional information:**

<https://www.epa.gov/nsr/nsr-regulatory-actions>

<https://www.epa.gov/title-v-operating-permits/current-regulations-and-regulatory-actions>

<https://yosemite.epa.gov/opei/RuleGate.nsf/content/topicsair.html?opendocument>

NEW GENERAL PERMITS (GP/GOP)

- GOP-007 – Boiler or Heater, greater than or equal to 1 MMBTU/hr and less than 5 MMBTU/hr
 - Available Date – November 21, 2016
- PDF approvals - GPs and GOPs registration submittals and approvals PDFs
- GP-005B and GOP-004 - Emergency Generator(s) Burning Gaseous Fuels
 - Available on Paper form, May 2015
 - Available online February 2016

GPS AND GOPS UNDER CONSTRUCTION

- GP-017A – Boiler(s) and/or Heater(s) Each Less Than 5 MMBTU/hr
 - Approximate Available Date: End of 2016
- GP-018A and GOP-008 - Boiler(s) and/or Heater(s) Each Less Than 10 MMBTU/hr
 - Public Comment on September 16, 2016
- GP-016A and GOP-002A - Manufacturing and Materials Handling Equipment (Former SEGAP)
 - SEGAP (GP-016 and GOP-002A)
 - Confined Abrasive Blasting Equipment (GP-002)
 - Woodworking Equipment (GP-003)

HELP LINES

General Permits (609) 633-2829

Operating Permits (609) 633-8248

Pre-Construction (609) 292-6716

RADIUS (609) 633-8250