The State of New Jersey
Department of Environmental Protection

State Implementation Plan Revision for the Attainment and Maintenance of the 1-Hour Ozone National Ambient Air Quality Standard

Update to Meeting the Requirements of the Alternative Ozone Attainment Demonstration Policy: Additional Emission Reductions, Reasonably Available Control Measures Analysis, and Mid-Course Review

Appendix IV: Public Participation Attachment C: Responses to Comments Received & Self Initiated Changes

September 12, 2001

Responses to Comments Received

Written comments were received from five parties:

(1) Jorge Berkowitz, New Jersey Clean Air Council
(2) Barry Jenkin, Benjamin Moore & Co.
(3) John Palmoski, Trans Options
(4) Samuel Wolfe, PSE&G
(5) John Filippelli, USEPA

A public hearing was held in Trenton, New Jersey on July 26, 2001. Oral comments were received from five parties at the hearing:

(6) Jeff Tittel, Sierra Club
(7) Jasmine Vasavada, New Jersey Public Interest Research Group
(8) Russel Klein
(9) Jim Sell, National Paints and Coatings Association
(10) Doug Raymond, Sherwin Williams.

The number by each name is the number used to identify the party making the comment in this document. The summarized written comments and responses are provided below.

COMMENT # 1: Additional Emission Reductions

The major sources of ozone pollution which appear in New Jersey's emission inventory are motor vehicles and electricity generation, coal burning power plants and other power plants, and the measures contained in this State Implementation Plan (SIP) revision do not address these two major sources of pollution. (7)

RESPONSE:

We agree that these two major sources of pollution are not addressed in this SIP revision. However, the SIP already contains New Jersey's oxides of nitrogen (NO_x) Cap Program which applies to emissions from power plants.[1] The first reduction in the emissions cap for that program took effect in 1999 and the second reduction takes place in 2003. The New Jersey Department of Environmental Protection (Department)

[1] State Implementation Plan Revision for the Attainment and Maintenance of the Ozone and Carbon Monoxide National Ambient Air Quality Standard: Meeting the Requirements of the Regional NO_x Cap Program and Transportation Conformity Budgets Related to the Attainment of the Ozone and Carbon Monoxide National Ambient Air Quality Standard, July 31, 2000

anticipates that the NO_x Cap Program will reduce NO_x emissions from power plants in New Jersey, after 2003, to about 54 tons per day (TPD). By contrast, NO_x emissions from these sources were projected at 227 TPD in 2005 without this program.[1][2] In addition, in 1999 the United States Environmental Protection Agency (USEPA) implemented regulations to reduce emissions from motor vehicles through their Tier 2 Motor Vehicle Standard / Low Sulfur Gasoline Program. This regulation takes effect with model year 2004 vehicles.

It should also be noted that a mobile measure was identified and considered during the Ozone Transport Commission (OTC) process to identify potential control measures to fill the additional emission reduction requirements. That mobile measure would have required the sale of diesel fuel with higher cetane levels in the Ozone Transport Region (OTR) during the ozone season. However, evaluation of this measure showed that there was no compelling evidence to support significant emission reductions from this measure, that testing methods were more complex than originally anticipated, and the design of state enforcement programs would be unduly complex. Therefore, the cetane model rule was tabled.

COMMENT #2: Additional Emission Reductions

New Jersey should work with other OTC states to persuade them to adopt their own adaptations of the NO_x model rule, regardless of the existence or extent of a shortfall in these states' ozone attainment demonstration. This issue is especially important with respect to turbines used in simple cycle electric generating units. Limiting the OTC's model rule to areas with shortfalls in their ozone attainment demonstrations would encourage the siting of sources in locations outside of the "shortfall" areas, even if emissions from those locations adversely affect attainment efforts in the "shortfall" areas. (4)

RESPONSE:

We agree that the electrical generation component of the model rule has regional consequences. We anticipate working closely with the other OTC jurisdictions as we implement this rule, and in developing and implementing subsequent electrical generation rules region wide.

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[2] State Implementation Plan Revision for the Attainment and Maintenance of the Ozone National Ambient Air Quality Standard: New Jersey 1996 Actual Emission Inventory and Rate of Progress Plans for 2002, 2005 and 2007, page 25, March 31, 2001

COMMENT #3: Additional Emission Reductions

We suggest one strategy not listed in the revised SIP, namely we feel it is necessary to encourage New Jersey businesses to reduce employee vehicle miles traveled (VMT) as a way to limit the amount of ozone produced by automobiles. Fines and taxes do little to reduce VMT but developing tax credits for business is a more viable way to encourage reductions in VMT. Businesses lack monetary incentives to introduce trip reduction strategies such as the development of carpools and vanpools, telecommuting and the introduction of compressed work weeks. (3)

RESPONSE:

New Jersey currently offers tax credits and incentives for businesses that encourage and provide commute alternative programs such as those mentioned by the commenter through the existing Smart Moves for Business (SMFB) Program that is administered by the New Jersey Department of Transportation (NJDOT). Participating companies can get tax credits, funding grants and assistance setting up their SMFB Programs. Market-based transportation control measures (TCMs) which include taxes and tax credits have certain advantages over command and control regulations. The fundamental advantage is that market-based measures use market forces to induce individuals to make choices that are consistent with environmental objectives as opposed to measures which mandate individual travel options. More information about the SMFB Program can be found at the NJDOT website: **http://www.state.nj.us/njcommuter/html/smartbus.htm** .

COMMENT #4: Architectural and Industrial Maintenance Coating Rule To Be Proposed: Quality of Paint

Several concerns were expressed by commenters regarding the Architectural and Industrial Maintenance Coating model rule in the proposed SIP revision. These comments include:

- Recommended revisions to the architectural and industrial maintenance

"Table of Standards" (2,9,10)

- Concern about the impact of the proposed SIP revision on products and its effect on the quality and variety of paint (2,9,10)

- Concern that water based paints do not penetrate or adhere as well to wood, leading to poor quality primers, varnishes and stains. (2,10)

- Concern that the standards in the rule yet to be proposed by New Jersey will not perform adequately in the State of New Jersey because of differences in climatic conditions (in the northeast vs southwest) and materials of construction (wood vs stucco, and that there will be an increase in volatile organic compounds (VOC) emissions when unacceptable paint jobs are corrected with additional coats. (2,9)

- Concern that painting with low VOC products in the northeast during early spring and late fall can lead to freeze-thaw stability problems and low temperature application problems. (2)

- Concern that elimination of low temperature coatings will result in more painting during the ozone season. (9)

RESPONSE:

The general comments related to the Architectural and Industrial Maintenance Coating rule yet to be proposed are addressed below. However, many of the technical comments raised pertain more to details which will be in the rule yet to be proposed and are, therefore, not pertinent to the proposed SIP revision. These comments will be addressed in more detail, if resubmitted during the rule proposal process.

Regarding the quality of the paints, the rule yet to be proposed will be based on the OTC model rule. The OTC model rule is based on the State and Territorial Air Pollution Program Administrators/Association of Local Air Pollution Control Officials (STAPPA/ALAPCO) model rule, October 2000. The STAPPA/ALAPCO model rule, in turn, is based on the California Air Resources Board (CARB) Suggested Control Measures (SCM), June 2000, and background data[3]. The OTC model rule was developed and evaluated on a regional basis by representatives of several states in the OTR, including New Jersey. The technical basis for the proposed VOC coating content limits lies within the framework that the CARB developed for its SCM.[4] Significant technical documentation was developed as part of the CARB process. Each of the

[3] CARB Staff Report for the Proposed Suggested Control Measure for Architectural Coatings, June 6, 2000.

[4] Ibid

categories addressed in the comments was evaluated independently by CARB and/or subcontractors to CARB.

It is expected that when products are reformulated some attributes of the product may change. It is also expected that in order to achieve VOC emission reductions the manufacturers must reformulate the products with a lower VOC content and produce a product that performs the same function.

The technical research done by CARB and subcontractors to CARB concluded that consumers should see little or no differences in coating performance relative to currently available coatings[5]. Climatic conditions similar to those in the northeast (low temperature, high-humidity, persistent fog areas) were evaluated in CARB's research in order to be applicable for the entire state of California.

CARB's analysis shows that for nearly all of the 47 coating categories, products are currently available that comply with the proposed limits. For the 11 categories for which they are proposing lower limits than the predominant limits in existing district rules, the complying market shares range from 13 to 74 %, with the exception of swimming pool repair and maintenance coatings. For this category, the CARB survey indicated no products currently comply, but CARB identified technologies that can be used by manufacturers to meet the proposed VOC limit.

A report prepared by E.H. Pechan Associates, Inc., for the OTC model rule development[6] showed that for the 11 categories analyzed by CARB, the number of compliant products in New Jersey appears to be in the same range as the number of compliant products in California. The percentage of compliant products varies per category, but the results show that compliant products are presently available in the OTC to an extent comparable to that in California.

COMMENT #5: Architectural and Industrial Maintenance Coating Rule To Be Proposed: Consistency

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[5] Ibid

[6] Pechan," Control Measure Development Support Analysis of Ozone Transport Commission Model Rules", March 31, 2001.

The model rule is not consistent with the national rule. Two examples are the definition of shellacs and the lack of a category for calcimine recoaters. The OTC rule does not achieve the goal of being consistent and uniform because the CARB SCM is not yet adopted anywhere in the country. (2)

RESPONSE:

The Architectural and Industrial Maintenance Coating rule yet to be proposed is part of an OTR regional strategy to meet the USEPA VOC reduction requirement, in order to meet the current National Ambient Air Quality Standard (NAAQS) for ozone. The rule yet to be proposed is by design more stringent than the existing national rule. However, one goal of the OTC model rule development was consistency and uniformity among the states within the OTC that are adopting new rules. Another goal was to be as consistent as possible with the CARB SCM. The technical basis for the proposal is based on the CARB SCM. Manufacturers have to reformulate products sold in California, therefore, consistency with California should be a positive factor for manufacturers. Some differences may occur from state to state and are unavoidable due to individual state laws. A major effort was undertaken by the states in the OTR to develop a model rule for the region to promote consistency to the extent possible in the OTR.

The CARB SCM is not a rule and is not yet adopted by all of the districts in California. The intent of the CARB SCM is similar to the OTC model rule, to create a consistent model for the individual air districts in California. It is anticipated that the air districts in California will adopt the CARB SCM. It is also anticipated that the OTR states will adopt rules as close to the model rule as possible to maintain consistency throughout the region. While New Jersey will make every effort to be consistent with the OTC model rule and other state adoptions of it, each state has its own administrative process which could result in unavoidable differences.

COMMENT #6: Architectural and Industrial Maintenance Coating Rule To Be Proposed

What happens if California changes its rule based on technology assessments so as to no longer obtain the anticipated VOC reductions and New Jersey does not, therefore, obtain the anticipated VOC reductions? (10)

RESPONSE:

New Jersey intends to monitor and review California's technology assessments. Based on those assessments New Jersey may pursue future rule and SIP revisions as needed. Also, New Jersey continues to assess ozone air quality monitored trends, and is anticipating significant reductions in ozone concentrations from regional NO_x emission reductions by 2004. Should anticipated emission reductions not produce the desired ozone reductions, enhancements to current and new control strategies would be considered.

COMMENT #7: Architectural and Industrial Maintenance Coating Rule To Be Proposed

Four revisions were recommended that have no impact on projected VOC emission reductions:

- Averaging Provision (2,9,10)
- Variance Petition Provision (2,10)
- Technology Assessments to confirm technologic feasibility of the proposed limits (2)
- Elimination of unnecessary and burdensome reporting requirements (2,10)

A change to the definition of specialty primer was also recommended.

RESPONSE:

The comments related to averaging, variances, technology assessments, reporting and definitions may be relevant related to the Architectural and Industrial Maintenance Coating rule yet to be proposed. The comments raised pertain more to implementation provisions of the rule yet to be proposed than to this SIP revision. Therefore, these comments will be addressed during the rule proposal process, assuming that they are resubmitted at that time.

COMMENT #8: NO_x Rule To Be Proposed

The NO_x model rule should not apply to the New Jersey NO_x Budget or SIP Call sources. These sources subject to N.J.A.C. 7:27-31 should be expressly excluded from the OTC model rule for purposes of additional NO_x reductions. Applying source specific NO_x reduction measures to NO_x Budget sources would not produce an emission reduction that will help reduce the shortfall in New Jersey's attainment demonstration.(4)

RESPONSE:

The model rule is not intended to apply to new and existing sources that are in the New Jersey NO_x Cap or USEPA NO_x Programs. The benefits reported in Appendix II of this document reflect emission benefits from sources affected by the model rule and that are not in the New Jersey Cap or USEPA NO_x Programs. This point will be clarified in New Jersey's NO_x Rule proposal.

COMMENT #9: NO_x Rule To Be Proposed

The rule for additional NO_x reductions should allow compliance with its emission limits through the use of discrete emission reduction credits. New Jersey allowed the use of discrete emission reduction credits (DER) for compliance with NO_x and VOC emission limits established in Reasonably Available Control Technology rules. The prospect of generating and selling DER credits provides and incentive for sources that can reduce their emissions significantly below the new limits to do so. In addition, DER credit use offers an administratively efficient way of dealing fairly with sources that cannot practicably meet the standards in the model rule within the allotted time.(4)

RESPONSE:

This comment pertains more to implementation provisions of the rule yet to be proposed than to this SIP revision. Therefore, these comments will be addressed during the rule proposal process, assuming that they are resubmitted at that time.

COMMENT #10: NO_x Rule To Be Proposed

The rule for additional NO_x reductions should not apply to emergency generators used at nuclear electric generating facilities. The OTC model rule exempts emergency generators at nuclear power plants. It is requested that Department's adaptation of the model rule also exempt those generators.(4)

RESPONSE:

New Jersey currently does not intend to alter this existing exemption in the OTC model rule.

COMMENT #11: NO_x Rule To Be Proposed

The Department should also evaluate what other types of emergency generators are subject to federal requirements and other state regulatory requirements that would conflict with the requirements of the model rule. To the extent that emergency generators used in electric transmission and distribution operations may be subject to conflicting federal or state energy regulatory requirements, these generators should also be exempted from the rule.(4)

RESPONSE:

The Department does not accept the premise that the reason for exemption of emergency generators at nuclear power plants was a fundamental conflict between federal and state requirements. Nevertheless, any party seeking to show such a conflict may submit detailed comments to the Department now or during the rule proposal process.

COMMENT #12: Reasonably Available Control Measure Analysis

The reasonably available control measure analysis contained in the SIP revision is required by the USEPA. As this analysis is presented in this SIP revision, it is simply meeting the strict minimal requirement of the law, sort of trying to pass a pass/fail class as opposed to protecting the public from ozone. (7)

RESPONSE:

The Department disagrees. The purpose of the Reasonably Available Control Measure (RACM) analysis is to determine if any additional control measures are available which can be implemented in time to advance the current attainment dates of 2005 for the Philadelphia Nonattainment Area and 2007 for the New York Nonattainment Area. The results of the analysis are that no TCMs or other control measures are available which could advance the attainment dates for either area. Therefore, the study documents that the requirement of the Clean Air Act -- to achieve attainment of the National Ambient Air Quality Standards “as expeditiously as practicable” to protect the public from ozone -- is being met by New Jersey.

By its nature, the RACM analysis does result in a yes or no conclusion. However, even though it is not legally required, New Jersey will consider a number of potentially implementable control measures identified by the RACM analysis for future use. Measures such as these may be considered to meet potential future objectives such as

maintenance of the attainment of the one-hour ozone standard or achieving an eight-hour ozone standard. In fact, as mentioned in the Additional Emission Reduction Planning section (VII. C&D) of this SIP revision, the Department is currently pursuing Not-to-Exceed Engine Standards and Enhanced Vapor Recovery control measures.

COMMENT #13: Reasonably Available Control Measure Analysis

One transportation control measure identified in this SIP revision was not increasing mass transit fares or the flip side, lowering them. This control measure would be extremely cost effective relative to most of the control measures proposed for the OTR. However, this measure is not being considered to be adopted in the SIP revision because it failed one test, that it alone would not advance the attainment date by one year. It seems unreasonable to me to be setting aside measures that we have identified as both effective in terms of reducing emissions and effective in terms of cost because they do not meet the one year test on their own. (7)

RESPONSE:

The Department disagrees. No measure was set aside because it could not meet the “one year test”. The RACM test for advancing the attainment date was not applied to each of the individual potential control measures. Instead the RACM test was applied to the sum of the estimated emission benefits from the entire set of potentially implementable TCM and other control measures. With regard to the measure of not increasing transit fares, there are too many variables impacting future transit funding to guarantee that transit fares will not be raised in the future. Due to this level of uncertainty and the relatively low potential emission benefits, this measure did not advance to the set of potentially implementable TCM and other control measures. In any case, NJDOT and New Jersey Transit will continue to advocate that cost-effective TCMs be identified, evaluated and implemented as a means to further reduce emissions.

COMMENT #14: Reasonably Available Control Measure Analysis

Generally, this proposed SIP revision is a very thorough document and has done a good job of evaluating the potential control measures that might be available for implementation. The documentation supports the conclusions that the State has drawn from the analysis. The following comments are offered:

1. On page 28 and again in the RACM appendix, there is some question as to what is included in the emission reductions for Autos Lt Duty Trucks - Surface Coating. The control assumptions for Autos appears to have been applied to all remaining emissions and may be too optimistic. Capture and control equipment is suitable to painting operations (spray booths), but operations such as solvent clean-up, hand wiping and touch-up, other clean-up operations could not necessarily be controlled to the same degree.

2. On page 28 and again in the RACM appendix, there is some question as to what is included in the emission reductions for Misc. Metal Parts - Surface Coating. It is not clear if the RACM analysis for “Miscellaneous Metal Parts - Surface Coating” took into consideration that this category has been controlled to some degree already and that additional controls would most likely involve large numbers of very small operations.

3. On page 24 of the RACM Appendix, an estimate of the emissions benefit from Portable Fuel Containers is provided. It is not clear what these benefits represent, i.e., the entire nonattainment area or just the New Jersey portion and/or what period of implementation since this program will not be fully implemented until after the attainment date.

4. On page 24 of the RACM Appendix, please check the assumption that the change in estimated emissions from the ROP SIP is linear between 2005 and 2007 for the New York - Northern New Jersey - Long Island nonattainment area.(5)

RESPONSE:

In response to this comment, the Department has rechecked the estimated benefits and thresholds required to advance the attainment dates on pages 23 and 24 in Appendix III - Reasonably Available Control Measures Analysis. After making the updates described below the overall conclusion of the RACM analysis remains that no set of TCM or other control measures have been identified which could advance the attainment dates for either area.

The following values were updated:

1. The sum of the estimated control measure benefits from Table 6 were changed from 10.6 to 7.2 TPD for the New York area and 2.6 to 1.7 TPD for the Philadelphia area due to the following updates. The estimated emissions benefit for the Autos Light Duty Trucks - Surface Coating Add-on Controls category was reduced to 1.1 TPD for the New York area based on: use of the more current 2000 Emission Statements data, inclusion of only the emissions from potentially controllable equipment (spray systems and ovens), and a revision in the level of control that can reasonably be expected by 2006. The estimated emissions benefit for the Miscellaneous Metal Parts - Surface Coating Add-on Controls category was reduced to 0.0 TPD for the New York area because the emissions in this category come from a large number (48) of extremely small sources, and add-on controls are not expected to be economically feasible for these small sources. This is contrary to the emissions in the Philadelphia area for this category which are from only two larger sources. However, the magnitude of the estimated emission benefits for this category for the Philadelphia area was reduced to 1.0 TPD based on a reassessment of the level of control that can reasonably be expected by 2004. The estimated emission benefits for the Heavy Duty Diesel Vehicles - Not-to-Exceed Engine Standards category was reduced to 1.5 TPD for the New York area based on the use of the information in the July 16, 2001 *New Jersey Register*.

2. The threshold to advance the attainment date for the New York area was changed from 12.7 to 9.6 TPD. This change consists of: a reduction in the benefit associated with the portable fuel containers from 5.6 TPD to 2.0 TPD based on the use of the benefit for only the New Jersey portion of the non-attainment area instead of the entire area, and an increase from 7.1 to 7.6 TPD in the net change in the emissions from all other sources because the Tier 2 vehicle benefits do not phase in linearly between 2005 and 2007. The threshold to advance the attainment date for the Philadelphia area was changed from

47.1 to 25.8 TPD based on use of the benefit for only the New Jersey portion of the non-attainment area instead of the entire area.

COMMENT # 15: Mid-Course Review

The mid-course review analysis contained in the SIP revision is required by the USEPA. As this analysis is presented in this SIP revision, it simply meets the strict minimal requirement of the law, sort of trying to pass a pass/fail test as opposed to protecting the public from ozone. Hopefully this will not serve in lieu of a true mid-course review that will require more tests. (7)

RESPONSE:

As mentioned in the proposed SIP revision, it is the Department's view that the mid-course review analysis fulfills the commitment made by the Department associated with approval of the State's attainment demonstration. As a matter of good planning practices, we will continue to review monitored ozone values and trends, perform necessary studies, and to take action, as appropriate.

COMMENT #16: Mid-Course Review

In reviewing this mid-course review it is clear that it is relying upon unverified estimates of reductions of specific compounds that have never been checked against monitoring data, for example.(7)

RESPONSE:

While the Department has not conducted such an analysis, the USEPA did conduct an analysis comparing historical ozone reductions to emission reductions when reviewing New Jersey, and other states', attainment demonstrations.[7] [8] [9] It was from this analysis

[7] 64 Federal Register 70380, December 16, 1999

[8] USEPA Region II, Technical Support Document for the Trenton, New Jersey portion of the Philadelphia Ozone Nonattainment Area, December 14, 1999

[9] USEPA Region II, Technical Support Document: Modeling for the New York City Ozone Nonattainment Area, December 13, 1999

that the USEPA determined that New Jersey, and other states, needed to reduce emissions further to demonstrate attainment, and quantified those needed reductions.

The mid-course review conducted in this SIP revision does incorporate New Jersey monitoring data. The three year average, 1998-2000, of design values for each of the nonattainment areas, Philadelphia and New York, were used as the starting ozone values for the mid-course analysis. Then the predicted ozone reductions, which come from the photochemical air quality modeling used in New Jersey's attainment demonstration, and from the USEPA's subsequent analysis, were subtracted from the starting ozone values to determine the ozone value at the attainment date. It should be noted that the predicted ozone reductions include the NO_x reductions that will come from the Regional NO_x Program that will be starting no later than 2004.

COMMENT #17: Mid-Course Review
What we found when we extrapolated from current trends of the ozone design value was that progress has stagnated since 1994. The trend has leveled off in terms of actual measures of ozone reduction. This may imply that predicted emissions are not being achieved and it calls for using better monitoring data. If we extrapolate from that trend we will not achieve health standards until 2040 or 2050. It is an indicator of what we should do now. (7)

RESPONSE:

Once control measures are identified, it takes time to develop, propose, and implement programs to control emissions. Current ozone values do not yet reflect the full emission benefit reductions from Clean Air Act measures, such as Tier 2 and 3 standards for nonroad compression ignition engines which phase-in from 2001 to 2008, the national low emission vehicle program which commenced with the 1999 model year and subsequently phases in as new cars are purchased, or the Regional NO_x Program which will realize reductions starting no later than 2004. In addition, there will be emission reduction benefits from the control measures contained in this SIP revision which have compliance dates from 2003-2005. Based on current monitored ozone values and emission reductions expected from these measures, it is projected that the State will achieve attainment of the one hour ozone standard by 2005 in the Philadelphia Nonattainment Area and by 2007 in the New York Nonattainment Area.

COMMENT #18: State Planning Process/SIP in General

The New Jersey Clean Air Council submitted a copy of the Clean Air Council 2001 hearing report in support of the proposed SIP revision.(1)

RESPONSE:

The Department thanks the New Jersey Clean Air Council for their continued work on behalf of the citizens of New Jersey and for their support of the SIP revision. As state planners we continuously evaluate options by which to reduce emissions. We will carefully consider the suggestions and recommendations presented in the report when developing additional, practicable air pollution control measures for incorporation within the state implementation plan to address additional emission reductions that may be needed to meet and maintain the ozone standard.

COMMENT #19: State Planning Process/SIP in General

Several comments were received regarding various aspects of the New Jersey Air Quality Program and Air Planning Program. These comments include:

- Another issue that needs to be addressed on the federal and state level is the Open Market Emissions Trading program. We believe this program will add to more pollution in certain parts of the State, especially in urban areas. VOC reductions in rural areas can be used to increase VOC emissions in urban areas. Proper protocols need to be in place to prevent this type of transfer.(6)

- New Jersey's gasoline needs to reformulated to the cleanest possible and to remove MTBE. (6)

- The State of New Jersey should move forward and go beyond the one-hour standard and adopt the eight-hour standard.(6)

- We need to do something about carbon dioxide. (6)

- It is also essential that the federal and state government provide strong, consistent enforcement of air quality laws. (7)

RESPONSE:

The Department appreciates these comments regarding aspects of New Jersey's Air Quality Program. However, these comments do not address specific points in the

proposed SIP revision. Upon resubmittal at the appropriate time, they will be considered.

COMMENT #20: State Planning Process/SIP in General

Several comments were received which stated that the Department needs to do more to reduce emissions in New Jersey. One commenter stated that this SIP revision includes reductions being adopted that focus on reducing VOCs. And that while these measures have real, positive impacts for the State of New Jersey, they do not go far enough. One commenter noted that the current plan seemed to be constructed to meet the minimum requirements of the USEPA. They thought this made sense if the implementation plan revision is the contract with the USEPA, but that the State should try to do more than scrape by on the minimum. One commenter noted that several studies have found that hospital admissions for asthma rise significantly on the basis of high end pollution. With is in mind, they encouraged the Department to move ahead with some urgency in improving air quality. (6,7) The various commenters went on to make many suggestions on the way New Jersey could secure further emission reductions, including:

- New Jersey should adopt the California low emission vehicle program to reduce pollution and promote low and zero emission vehicles as New York, Massachusetts, Vermont and Maine have done. It is hoped that the Department will start modeling and figuring out what the emission benefit from this program could be in New Jersey.(7)

- New Jersey should be moving to alternative fueled vehicles. The state should provide incentives for sales of less polluting energy efficient vehicles by giving tax rebates to buyers of such cars and place an extra tax on personal all terrain vehicles (ATVs) to account for their disproportionate impact on our future air quality.(6,7)

- New Jersey should plan now for conversion to alternative fuel, nonpolluting methods, to replace old, dirty diesel fuel buses. The state should be moving towards the use of natural gas and electric buses.(6,7)

- A mandatory trip reduction program is needed. It was voluntary and it does not

work. Other states, like California, have implemented a very good trip reduction program. Larger employers in the State could do a lot to implement this program. The state should provide incentives for trip reduction.(6,7)

- Other sources of VOCs such as sewer plants, home products and industrial products need to be regulated. Taxing and other incentives should be used to help the industry convert their products, so they can get rid of certain kinds of high VOC content thinners.(6)

- More needs to be done with mass transit. More money is being spent to widen roads which is causing more sprawl. New Jersey is number one in the country in miles traveled and has more cars per mile than any other state. In addition, people are commuting further.(6)

- Incentives should be given to people to trade in their gas mowers and convert to electric mowers and weed wackers.(6)

- Jet skis and ATVs are examples of dirty engines that need to be banned or industry needs to be forced to come up with cleaner engines.(6)

- Work needs to be done at the federal level to come up with cleaner jet [aircraft] engines. New Jersey has major airports which are a major source of air pollution.(6)

- New Jersey needs to go after more power plants. There are major coal plants in New Jersey which produce a tremendous amount of pollution. The state needs to encourage power companies to come out with cleaner fuels and to convert coal plants to natural gas to develop other alternative energy sources, like biomass or solar. Control measures, such as adopting emission generation standards and reducing energy service, should be considered.(6,7)

- Revenue collection along the Garden State Parkway interrupts motor vehicle

operations resulting in vast amounts of nitrogen oxide and hydrocarbons being pumped into the air. Toll booths along the Garden State Parkway should be removed.(8)

RESPONSE:

As stated in this SIP revision, in its August 31, 1998 Attainment Demonstration, New Jersey utilized photochemical air quality modeling in a "rollback" mode with other "weight of evidence" analyses to project ozone concentrations in the attainment years for the Philadelphia Nonattainment Area and New York Nonattainment Area. Using 1998 1-hour ozone design value data as the starting point for the demonstration, attainment of the 1-hour ozone NAAQS was plausibly demonstrated in the both nonattainment areas, with the implementation of mandated Clean Air Act measures and the USEPA Regional NO_x caps. In their subsequent review of New Jersey's Attainment Demonstration, the USEPA decided that additional reductions would be required for New Jersey to attain the 1-hour ozone standard in each of the nonattainment areas. Therefore, implementation of the emission reduction control measures contained in this SIP revision should be sufficient for the State to attain the 1-hour standard in both nonattainment areas.

However, as state planners we continuously evaluate options by which to reduce emissions. Many of the suggestions offered require extended time frames, beyond the attainment dates subject to this SIP revision, in which to implement them. We will carefully consider the suggestions and recommendations presented by various parties in developing additional, practicable air pollution control measures as the need for such measures arises.

COMMENT #21: Self Initiated Change by the Department

The values which appeared in Table 3 of the proposed SIP revision included emission reductions from the OTC Model Rules for Warren, Atlantic and Cape May Counties. The Warren County emission reductions were included in the New York Nonattainment Area value, and Atlantic and Cape May County emission reductions were included in the Philadelphia Nonattainment Area value. The values which appear in Table 3 of the final SIP document have been corrected to reflect only the New Jersey Portion of the emission reductions from the OTC Model Rules within each of the nonattainment areas.

COMMENT #22: Self Initiated Change by the Department

Development of the proposed rules discussed in this SIP document are continuing. The schedule for proposal of the rules has been revised to Fall, 2001. This change is reflected in this final SIP document.