



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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December 16, 2015

The Honorable Judith A. Enck
Regional Administrator
United States Environmental Protection Agency – Region 2
290 Broadway – 26th Floor
New York, New York 10007-1866

RE: New Jersey 5-Year Progress Report for the Regional Haze State Implementation Plan; Class I Area

Dear Regional Administrator Enck:

Enclosed for your review and comment is the New Jersey Department of Environmental Protection's (NJDEP or Department) proposed 5-Year Progress Report (Progress Report) for the ~~Regional Haze State Implementation Plan (SIP). The enclosed report documents New Jersey's~~ continued progress in reducing emissions within the State resulting in improved visibility levels. It further demonstrates that the Department is on track to meet New Jersey's 2018 visibility goal at its Class I area: the Brigantine Wilderness Area in the Edwin B. Forsythe National Wildlife Refuge (Brigantine Wilderness Area).

As required by USEPA's regional haze regulation, this report contains the following components:

- Explains the implementation status of all Regional Haze SIP measures, both within and outside the State, to achieve the reasonable progress goal for the Brigantine Wilderness Area;
- Summarizes the emissions reductions achieved throughout the state through implementation of all Regional Haze SIP measures;
- Assesses the visibility conditions and changes for the most impaired and least impaired days at the Brigantine Wilderness Area;
- Tracks changes in emissions in New Jersey by visibility impairing pollutant, types of sources, and emission activity;
- Assesses whether any significant changes in emissions have limited or impeded regional haze progress;
- Assesses whether the current Regional Haze SIP and strategies are sufficient to meet the established reasonable progress goal at Brigantine Wilderness Area;

- Reviews New Jersey's visibility monitoring strategy; and
- Determines adequacy of the existing Regional Haze SIP to ensure reasonable progress towards the established visibility goal for the Brigantine Wilderness Area.

A public hearing on this Progress Report, if requested by one or more interested parties, will be held on February 23, 2016 at the New Jersey Department of Environmental Protection building, 401 East State Street, Trenton, New Jersey. The Department is also soliciting written comments on the Progress Report. Written comments may be submitted until the close of business on March 19, 2016 to:

Bureau of Evaluation and Planning
New Jersey Department of Environmental Protection
401 East State Street, 2nd Fl.
Mail Code 401-07H
P. O. Box 420
Trenton, NJ 08625-0420

As required, the Department has provided the U.S. Fish and Wildlife Service (the Federal Land Manager for the Brigantine Wilderness Area) with the opportunity for consultation regarding this Progress Report. The Department will address all comments received on the Progress Report in its final report.

Additionally, I am urging USEPA to enforce the "Good Neighbor" provision of the Federal Clean Air Act completely and as expeditiously as possible. New Jersey has reduced emissions ~~within its border while upwind states are allowed to continue to emit excess pollution that~~ negatively impacts New Jersey's Class I and nonattainment areas. Specifically, USEPA has not adequately addressed Pennsylvania's impact to Regional Haze, as noted in the September 29, 2015 decision by the Third Circuit Court of Appeals in Philadelphia, "the SIP is so lacking that it is difficult to assess the visibility impact calculations Pennsylvania did conduct." Until USEPA takes action and requires real emission reductions from sources in Pennsylvania and other upwind states, no control strategy within New Jersey can provide enough sufficient emission reductions to offset the transported pollution from those upwind states. By not acting, USEPA is not only violating the Federal Clean Air Act, but it is also unfairly shifting the bulk of the burden to New Jersey and negatively impacting the State's economic growth.

If you have any questions regarding the enclosed Progress Report, please contact Kenneth Ratzman, Assistant Director of the Division of Air Quality, at (609) 292-0834.

Sincerely yours,

Bob Martin
Commissioner