

NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY, ENERGY, AND SUSTAINABILITY
DIVISION OF AIR QUALITY

Notice of Rule Proposal and State Implementation Plan Revision
TBAC Emissions Reporting, Permitting, and Gasoline Transfer Operations

Public Notice

Take notice that the NJ Department of Environmental Protection is proposing new rules, amendments to its Air Pollution Control rules at N.J.A.C. 7:27, and related penalty provisions at N.J.A.C. 7:27A. The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone. A statement of the substance of the proposal follows:

The Department proposes to repeal t-butyl acetate (TBAC) emissions reporting and recordkeeping requirements. Amendments to major and minor source permitting requirements expressly state that the terms of the preconstruction permit are incorporated into and become part of the operating permit, and provide that the Department will publish public notice of a draft operating permit by posting the notice on its website, rather than in the newspaper. Amendments to the gasoline transfer operations rules allow new gasoline dispensing facilities to be constructed without Phase II vapor recovery systems, require existing facilities with Phase II systems that are incompatible with onboard vapor recovery (ORVR) systems to decommission the Phase II systems within three years (existing ORVR-compatible systems may remain in place, provided they are maintained), and require upgrades to the Phase I vapor recovery, tank breathing, and refueling components. The amendments to the TBAC and Phase II provisions are a result of relaxation of EPA requirements. The proposed amendments to permitting provisions are in response to an EPA audit of the Department's rules.

The proposal is scheduled to be published in the New Jersey Register dated July 3, 2017. A copy of the Department's proposal is available on the Department's website at: <http://www.nj.gov/dep/rules/notices.html>; and LexisNexis free public access to the New Jersey Register, www.lexisnexis.com/njoal. A copy of the Department's proposed SIP revision is available on the Department's website at www.nj.gov/dep/baqp/sip/siprevs.htm.

A public hearing concerning the proposal and the proposed SIP revision it represents is scheduled as follows:

August 24, 2017 at 10:00 A.M.
New Jersey Department of Environmental Protection
Public Hearing Room
401 East State Street
Trenton, New Jersey

Written comments may be submitted electronically by September 1, 2017 at <http://www.nj.gov/dep/rules/comments>; or in hard copy to:

Alice A. Previte, Esq.
Attention: DEP Docket No. 09-17-06
NJ Department of Environmental Protection
Office of Legal Affairs
Mail Code 401-04L; PO Box 402
401 East State Street, 7th Floor
Trenton, NJ 08625-0402



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Notice of Rule Proposals





The following rule proposals are scheduled for publication in the NJ Register on the publication dates listed below. The listing is sorted by publication date, with the most recent proposals listed first. Click on the proposal name for additional information. If a public hearing is scheduled, click on the "yes" link to view the proposal notice, where the information regarding the public hearing appears.

Proposals Currently Open for Comment

Publication Date	Proposal Name	Close of Comment Period	Public Hearing Scheduled?	Document Links	Proposal Status
7/3/2017	Air Pollution Control, N.J.A.C. 7:27, TBAC Emissions Reporting, Permitting, and Gasoline Transfer Operations; and State Implementation Plan (SIP) Revision for New Jersey's attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone	9/1/2017	Yes	Notice Proposal	Open for Comment
6/19/2017	Well Construction and Maintenance; Sealing of Abandoned Wells Rules, N.J.A.C. 7:9D; Standards for Individual Subsurface Sewage Disposal Systems, N.J.A.C. 7:9A	8/18/2017	Yes	Notice Proposal	Open for Comment
5/15/2017	Underground Storage Tanks, N.J.A.C. 7:14B, Water Pollution Control Act, N.J.A.C. 7:14, and Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C; new rules and amendments; secondary containment; operator training ; and civil administrative penalties	7/14/2017	Yes	Notice Proposal	Open for Comment
5/1/2017	Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A, Flood Hazard Area Control Act Rules, N.J.A.C. 7:13, Coastal Zone Management Rules, N.J.A.C. 7:7; Amendments, repeals, and new rules	6/30/2017	Yes	Notice Proposal	Open for Comment

Proposals with Comment Period Closed

Publication Date	Proposal Name	Close of Comment Period	Public Hearing Scheduled?	Document Links	Proposal Status
4/17/2017	Forestry, N.J.A.C. 7:3	6/16/2017	Yes	Notice Proposal	Pending Adoption
4/3/2017	Ground Water Quality Standards rules, N.J.A.C. 7:9C-1.7 and Appendix Table 1; and Discharges of Petroleum and Other Hazardous Substances Rules, N.J.A.C. 7:1E Appendix A List of Hazardous Substances	6/2/2017	Yes	Notice Proposal Basis and Background	Pending Adoption
4/3/2017	Game Code NJAC 7:25-5	6/2/2017	Yes	Notice Proposal	Pending Adoption
3/20/2017	Air Pollution Control, N.J.A.C. 7:27; and Revision to State Implementation Plan (SIP) Fine Particulates (PM2.5) in Air Permitting, Sulfur (Startup/Shutdown/Malfuction (SSM) Exemption), and Emission Statements	5/19/2017	Yes	Notice Proposal	Pending Adoption
3/20/2017	Safe Drinking Water Act Rules, N.J.A.C. 7:10; Regulations Governing the Certification of Laboratories, N.J.A.C. 7:18 - Discretionary Changes to National Regulations; State-specific requirements for total coliform	5/19/2017	Yes	Notice Proposal	Pending Adoption
1/3/2017	Air Pollution Control, N.J.A.C. 7:27; and State Implementation Plan (SIP) for New Jersey's Control and	3/4/2017	Yes	Notice	Pending Adoption

	Prohibition of Air Pollution by Volatile Organic Compounds and Control and Prohibition of Air Pollution by Oxides of Nitrogen			Proposal 	
11/7/2016	Notice of Substantial Change on Adoption to Proposed Amendments to the NJPDES rule – Capacity Assurance Program (N.J.A.C. 7:14A-22)	1/6/2017	Yes	Notice	Adopted
				Proposal 	
9/6/2016	Coastal Zone Management Rules, N.J.A.C. 7:7-16.9, Public Access	11/5/2016	Yes	Notice	Pending Adoption
				Proposal 	
8/15/2016	Legacy Landfill Law Proposed New Rule and Amendments: N.J.A.C. 7:26-7.3; Solid Waste, N.J.A.C. 7:26; Recycling Rules, 7:26A-1.3; Air Pollution Control, 7:27-7.1; and Air Administrative Procedures and Penalties, 7:27A-3.10	10/14/2016	Yes	Notice	Pending Adoption
				Proposal 	

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Regulatory Development

Proposals

Proposal	New Jersey Register Date	Subchapters Affected
Gasoline Transfer Operations (Phase I and Phase II), TBAC Emissions Reporting Repeal, Permitting Amendments <ul style="list-style-type: none"> DEP Proposal DEP Notice SIP Revision 	July 3, 2017	N.J.A.C. 7:27-8, 16, 22, 34 and 7:27A-3.10
Air Pollution Control, N.J.A.C. 7:27; and Revision to State Implementation Plan (SIP) Fine Particulates (PM _{2.5}) in Air Permitting, Sulfur (Startup/Shutdown/Malfunction (SSM) Exemption), and Emission Statements <ul style="list-style-type: none"> DEP Proposal DEP Notice 	March 20, 2017	N.J.A.C. 7:27-7.2, 8.1 7:27-8 Appendix 1 Table A, 18.1, 18.2, 18.4, 18.5, 18.7, 21.1, 21.3, 21.4, 21.5, 21.8, 22.1, 22.2, 22.8 and 7:27-22 Appendix Table A
New Jersey's Control and Prohibition of Air Pollution by Volatile Organic Compounds and Control and Prohibition of Air Pollution by Oxides of Nitrogen <ul style="list-style-type: none"> DEP Proposal DEP Notice 	January 3, 2017	N.J.A.C. 7:27-16 N.J.A.C. 7:27-19
New Jersey's Motor Vehicle Inspection and Maintenance Program-Proposed Amendments, Repeals and Proposed New Rule <ul style="list-style-type: none"> DEP Proposal DEP Notice 	May 16, 2016	N.J.A.C. 7:27-14 N.J.A.C. 7:27-15 N.J.A.C. 7:27A-3 N.J.A.C. 7:27B-4 N.J.A.C. 7:27B-5
Permit fees increase for minor and major sources <ul style="list-style-type: none"> DEP Proposal DEP Notice 	August 18, 2014	N.J.A.C. 7:27-8 N.J.A.C. 7:27-22
Sulfur in Fuels rule amendment <ul style="list-style-type: none"> DEP Proposal DEP Notice 	April 4, 2011	N.J.A.C. 7:27-9
Notice of Public Hearing and Availability : Proposed New Jersey's Sulfur in Fuels Rule Amendment (N.J.A.C. 7:27-9) and Proposed Revisions to New Jersey's State Implementation Plan Addressing Fine Particulate Matter (PM _{2.5}) and Regional Haze <ul style="list-style-type: none"> DEP Proposal DEP Notice 	November 16, 2009	N.J.A.C. 7:27-9.2 N.J.A.C. 7:27-9.5
New Jersey's Motor Vehicle Inspection and Maintenance Program-Proposed Amendments and Proposed New Rule <ul style="list-style-type: none"> DEP Proposal DEP Notice 	April 20, 2009	N.J.A.C. 7:27-14 N.J.A.C. 7:27-15 N.J.A.C. 7:27A-3 N.J.A.C. 7:27B-4 N.J.A.C. 7:27B-5
NOx Budget Program - Proposed Repeal of Expiration Date <ul style="list-style-type: none"> DEP Proposal DEP Notice 	November 17, 2008	N.J.A.C. 7:27-31

<p>Ozone RACT - Proposed new rules and amendments for 13 source categories.</p> <ul style="list-style-type: none"> • DEP Proposal • DEP Notice 	August 4, 2008	<p>N.J.A.C. 7:27-4 N.J.A.C. 7:27-10 N.J.A.C. 7:27-16 N.J.A.C. 7:27-19 N.J.A.C. 7:27-21 N.J.A.C. 7:27A-3</p>
<p>CO2 Budget Trading Program: Proposed Amendments and Proposed New Rules This proposal establishes the New Jersey component of a regional cap-and-trade CO2 Budget Trading Program to address greenhouse gas in the State.</p> <ul style="list-style-type: none"> • DEP Proposal • DEP Notice 	July 7, 2008	<p>(N.J.A.C. 7:27-22.16 and N.J.A.C. 7:27A-3.2 and 3.10) (N.J.A.C. 7:22.28 and 7:27C)</p>
<p>This proposal revises the Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles: Motor Vehicle Inspection and Maintenance Program.</p> <ul style="list-style-type: none"> • DEP Proposal 	June 16, 2008	<p>N.J.A.C. 7:27-14 N.J.A.C. 7:27 B-4</p>
<p>This proposal revises the Control and Prohibition of Air Pollution by Toxic Substances for the regulation of Perchloroethylene Dry Cleaning Facilities.</p> <ul style="list-style-type: none"> • DEP Proposal • Public Notice 	December 17, 2007	<p>N.J.A.C. 7:27-17 N.J.A.C. 7:27A</p>
<p>This proposal revises the Prevention of Air Pollution from Consumer Products and proposes new rules for the Prevention of Air Pollution from Adhesives and Sealants along with tertiary butyl acetate emissions reporting.</p> <ul style="list-style-type: none"> • DEP Proposal • Public Notice 	November 5, 2007	<p>N.J.A.C. 7:27-24 N.J.A.C. 7:27-26 N.J.A.C. 7:27-34</p>
<p>This proposal requires the allocations of CAIR NOx allowances to New Jersey sources.</p> <ul style="list-style-type: none"> • DEP Proposal [PDF] 	February 5, 2007	<p>N.J.A.C. 7:27A-3.10, N.J.A.C. 7:27-30, N.J.A.C. 7:27-31.23</p>
<p>This proposal requires the installation of control technology on certain diesel-powered vehicles to reduce the emissions of fine particulate matter.</p> <ul style="list-style-type: none"> • DEP Proposal [PDF] 	December 18, 2006	<p>N.J.A.C. 7:27-14, N.J.A.C. 7:27A-3.10, N.J.A.C. 7:27B-4 and N.J.A.C. 7:27-32</p>
<p>N.J.A.C. 7:27-14.1 and 14.3 Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles, and N.J.A.C. 7:27A-3.10(m)14, Air Administrative Procedures and Penalties</p> <ul style="list-style-type: none"> • DEP Proposal [PDF] 	September 18, 2006	<p>N.J.A.C. 7:27-14 N.J.A.C. 7:27A</p>
<p>Increase air permitting fees.</p> <ul style="list-style-type: none"> • Proposal [MSWord] [PDF] • Public Notice • Notice of Public Hearing and Availability [MS Word] [PDF] 	December 19, 2005	<p>N.J.A.C. 7:27-8 N.J.A.C. 7:27-20 N.J.A.C. 7:27-22</p>
<p>New Jersey Low Vehicle Emission (LEV) Program: Proposed New Rules at N.J.A.C. 7:27-29, Proposed Repeal of National Low Emission Vehicle Rules (N.J.A.C. 7:27-26) and Amendments to Air Administrative Procedures and Penalties (N.J.A.C. 7:27A-3.10)</p> <ul style="list-style-type: none"> • DEP Proposal [PDF] • DEP Proposal Public Notice 	August 1, 2005	<p>N.J.A.C. 7:27-29, 7:27-26 and 7:27A-3.10</p>

<p>N.J.A.C. 7:27-27 Control and Prohibition of Mercury Emissions, and N.J.A.C. 7:27A-3.10.</p> <ul style="list-style-type: none"> • DEP Proposal [MS Word] [PDF] • DEP Proposal Public Notice • DEP Public Hearing and Availability Notice (9/30/2005) [MS Word] [PDF] 	August 1, 2005	N.J.A.C. 7:27-27 and N.J.A.C. 7:27A-3.10
<p>National Low Emission Vehicle (NLEV) and Heavy-Duty Diesel New Engine Standards Program, N.J.A.C. 7:27-26 and N.J.A.C. 7:27-28.</p> <ul style="list-style-type: none"> • DEP Proposal [MS Word] [PDF] <p>Note: the proposal documents above were updated on 8/31/2005 to resolve differences between the online version and the version published in the NJ Register.</p> <ul style="list-style-type: none"> • DEP Proposal Public Notice 	December 20, 2004	N.J.A.C. 7:27-26 and N.J.A.C. 7:27-28
<p>Air Grace Period Rule (Civil Administrative Penalties and Requests for Adjudicatory Hearings)</p> <ul style="list-style-type: none"> • DEP Proposal [MS Word] [PDF] • DEP Proposal Public Notice 	December 6, 2004	N.J.A.C. 7:27A
<p>Reclassification of CO₂ as an Air Contaminant [PDF]</p>	October 18, 2004	N.J.A.C. 7:27-8.1, 17.1, 19.1 and 22.1
<p>Control and Prohibition of Air Pollution from Oxides of Nitrogen (NO_x), including provisions on distributed generation</p> <ul style="list-style-type: none"> • DEP Proposal [MS Word] [PDF] • DEP Proposal Public Notice • Notice of Public Hearing: October 28, 2004 [MS Word] [PDF] 	September 20, 2004	N.J.A.C. 7:27-8.1, 8.2, 16.1, 16.8, 16.9, 16.10, 16.16, 19 and 22.1; and 7:27A-3.10
<p>Control and Prohibition of Mercury Emissions</p> <ul style="list-style-type: none"> • DEP Proposal [MS Word] [PDF] • DEP Proposal Public Notice • Notice of Public Hearing: March 4, 2004 [MS Word] [PDF] 	January 5, 2004	N.J.A.C. 7:27-27.1, 27.2, 27.4 and 27.9; and 7:27A-3.10 Proposed New Rule: N.J.A.C. 7:27-27.5, 27.6, 27.7, and 27.8
<p>Prevention of Air Pollution from Consumer Products (including portable fuel containers)</p> <ul style="list-style-type: none"> • Notice of Public Hearing: November 13, 2003 • DEP Proposal [Word Perfect] [PDF] [HTML] • Supplemental Report: "Estimated VOC Emission Reductions and Economic Impact Analysis for Proposed Amendments to Chemically Formulated Consumer Products" [Word Perfect] [PDF] [HTML] • Supplemental Report: "Estimated VOC Emission Reductions and Economic Impact Analysis for Proposed Portable Fuel Containers Rule" [Word Perfect] [PDF] [HTML] 	September 15, 2003	7:27-24 and 7:27A-3.10
<p>Proposed Repeal of the Open Market Emissions Trading Program (OMET), N.J.A.C. 7:27-30</p> <ul style="list-style-type: none"> • Notice of Public Hearing: September 10, 2003 • DEP Proposal [Word Perfect] [PDF] [HTML] 	August 4, 2003	7:27-30 and related provisions in 1, 8, 16, 18, 19, 22, and 31 and 7:27A-3
<p>Prevention of Air Pollution from Architectural Coatings</p> <ul style="list-style-type: none"> • Notice of Public Hearing: September 9, 2003 • Notice of Extension of Comment Period and Opportunity for Public Input on Mechanisms for Retailers to Demonstrate Compliance • DEP Proposal [Word Perfect] [PDF] [HTML] • Supplemental Report: "Estimated VOC Emission Reductions and Economic Impact Analysis for Proposed Amendments to Architectural Coatings Rule" [Word Perfect] [PDF] [HTML] • A report prepared by E.H. Pechan and Associates titled "Control Measure Development Support Analysis of Ozone Transport Commission Model Rules" dated March 31, 2001 <ul style="list-style-type: none"> ◦ Report [PDF] ◦ Tables [PDF] ◦ Figures [PDF] ◦ Appendices [PDF] ◦ Executive Summary [PDF] 	July 21, 2003	7:27-23 7:27A-3.10
<p>Regulations Governing the Certification of Laboratories and Environmental Measurements; Incorporation of Requirements for Air Testing</p> <ul style="list-style-type: none"> • Public Notice • DEP Proposal [PDF] 	January 21, 2003	7:18-1, 2, 5 and 9
<p>Control and Prohibition of Air Pollution By Organic Compounds</p> <ul style="list-style-type: none"> • Notice of Public Hearing: September 6, 2002 • DEP Proposal [Word Perfect] [PDF] • Technical Attachment to Proposal (Economic Impact Analysis and Estimated VOC Emission Reductions - N.J.A.C. 7:27-16.3) [Word Perfect] [PDF] 	August 5, 2002	7:27-16 7:27A-3.10
<p>Control and Prohibition of Air Pollution from Gasoline-Fueled Motor Vehicles and Air Test Method 5: Testing Procedures for Gasoline-Fueled Motor Vehicles REPROPOSAL</p> <ul style="list-style-type: none"> • Notice of Public Hearing: June 24, 2002 • DEP Reproposal [Word Perfect] [PDF] [HTML] 	May 20, 2002	7:27-15 7:27B-5
<p>Emission Statements Operating Permits Civil and Administrative Penalties</p> <ul style="list-style-type: none"> • Notice of Public Hearing: March 8, 2002 	February 4, 2002	7:27-21 7:27-22.1 7:27A-3.10
<p>Control and Prohibition of Air Pollution from Gasoline-Fueled Motor Vehicles and Air Test Method 5: Testing Procedures for Gasoline-Fueled Motor Vehicles NOTE: The Department has determined not to adopt this proposal. See Reproposal published May 20, 2002.</p> <ul style="list-style-type: none"> • Notice of Public Hearing: February 25, 2002 	January 22, 2002	7:27-15 7:27B-5

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|---|--|--|
| <ul style="list-style-type: none">• DEP Proposal [Word Perfect] [PDF]• DMV Proposal [Word] [PDF]• Proposed Enhanced I/M SIP Revisions | | |
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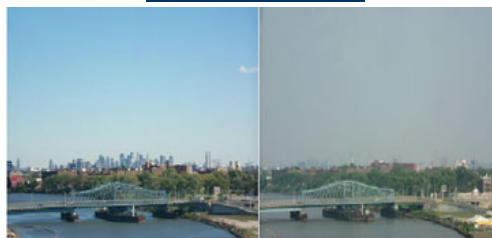
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Annual Reports**Our Mission**

The role of the Bureau of Evaluation and Planning is to develop State Implementation Plans (SIPs) to reduce air pollution in New Jersey to acceptable levels and/or maintain air pollution levels below acceptable criteria. The development of the plans includes all necessary components, including but not limited to: emission inventory development, control strategy evaluation, coordination with other states, state agencies, and other regional organizations, and public participation in the process.

Newark/NYC Haze Camera

Good Visibility

Poor Visibility

For real-time pictures from New Jersey showing how haze obscures the skyline, check out the haze camera at www.hazecam.net.

What's New

Phase I and II (Stage I and II), TBAC Repeal and Permitting Changes Rule Proposal and SIP Revision, Public Notice of Hearing and Comment Period

Final Exceptional Event Demonstration Analysis for Ozone During May 25-26, 2016

Governor Christie Proclaims Air Quality Awareness Week

TBAC Reporting No Longer Required

Phase II (Stage II) No Longer Required for New Stations ([Compliance Advisory](#) and [Administrative Order](#))

New Jersey Submits Designation Recommendations to EPA for the 2015 Ozone NAAQS

Final Revisions to the State Implementation Plan (SIP) for New Jersey's Enhanced Inspection and Maintenance (I/M) Program

Final 5-Year Progress Report for the State Implementation Plan (SIP) for Regional Haze

New electric vehicle initiatives including Drive Green NJ website and Workplace Charging grants

Recent Increases in NO_x Emissions from Coal-Fired Electric Generating Units Equipped with Selective Catalytic Reduction

NJDEP Launches New "Clean Air New Jersey" Public Outreach Campaign

New Jersey Acts to Reduce Pollutants from Pennsylvania Plant

What We Do

The Federal Clean Air Act requires the United States Environmental Protection Agency (USEPA) to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. The Federal Clean Air Act establishes two types of national air quality standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against decreased visibility, damage to animals, crops, vegetation, and buildings. Air pollution comes from many different sources: stationary sources such as factories and power plants, and smaller sources such as dry cleaners and degreasing operations; mobile sources such as cars, buses, planes, trucks, and trains; and naturally occurring sources such as windblown dust, and vegetation, all contribute to air pollution. Air pollution in New Jersey is a serious public health and environmental problem that affects every resident. Every day, thousands of New Jersey residents suffer from asthma and other respiratory ailments due to exposure to ozone and fine particulates in our air. Improving the quality of New Jersey's air is one of DEP's highest priorities. The USEPA has set National Ambient Air Quality Standards for six principal pollutants, which are called "criteria" pollutants. The Bureau of Air Quality Monitoring (BAQM) maintains Ambient Air Monitoring Sites throughout the State. These monitoring sites are designed to measure maximum pollutant concentrations, to assess population exposure, to determine the impact of major pollution sources, to measure background levels, to determine the extent of regional pollutant transport, and to measure secondary impacts in rural areas. The Bureau of Air Quality Planning (BAQP) then compiles the state's emissions inventory. BAQP uses the Emissions Inventory with BAQM's data to evaluate air quality and reduce emissions throughout the State. BAQP also develops State Implementation Plans, which contain specific components including, but not limited to emissions inventories; control strategies; coordination with other states, state agencies, and regional organizations; and public participation in the planning process.

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To contact Air Quality Planning:	To contact Air Quality Evaluation:
DEP-Air Quality Planning 401 E. State Street, 2nd Floor Mail Code 401-07H P.O. Box 420 Trenton, NJ 08625-0420 Phone: (609) 292-6722 Fax: (609) 777-1343 Email: NJDEP-BAQP@dep.nj.gov	DEP-Air Quality Evaluation 401 E. State Street, 2nd Floor Mail Code 401-07H P.O. Box 420 Trenton, NJ 08625-0420 Phone: (609) 292-6722 Fax: (609) 777-1112

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SIP Name	Action	Date	Description
Gasoline Transfer Operations, Phase I and Phase II Vapor Recovery Systems TBAC Repeal Permitting Amendments	Proposed	July 3, 2017	This rule proposal and SIP revision proposes to allow new gasoline dispensing facilities to be constructed without Phase II vapor recovery systems, require existing facilities with Phase II systems that are incompatible with onboard vapor recovery (ORVR) systems to decommission the Phase II systems within three years, and require upgrades to the Phase I vapor recovery, tank breathing, and refueling components. It also proposes to repeal t-butyl acetate (TBAC) emissions reporting requirements and proposes amendments to major and minor source permitting requirements to state that the terms of the preconstruction permit are incorporated into and become part of the operating permit, and that the Department will publish public notice of a draft operating permit by posting the notice on its website.
	Notice of Rule Proposal and SIP Revision	July 3, 2017	
Proposed Revisions to the State Implementation Plan (SIP) for New Jersey's Enhanced Inspection and Maintenance (I/M) Program	Supplemental Letter to EPA	May 16, 2016	This SIP revision makes changes to New Jersey's Inspection and Maintenance (I/M) program. The proposed changes include the discontinuation of: two-speed idle tests on model year 1981-1995 light duty gasoline vehicles, idle tests on pre-1981 model year light duty gasoline vehicles, and tests on heavy duty gasoline vehicles. The New Jersey Department of Transportation has prepared a 5-year progress report for the Regional Haze State Implementation Plan revision. The report documents New Jersey's continued progress in reducing emissions within the State resulting in improved visibility levels and demonstrates that the Department is meeting the 2018 visibility goals for the New Jersey State Implementation Plan (SIP) in accordance with the Clean Air Act. The SIP revision includes: 1. Ozone Reasonably Available Control Measure (RACT) Determination; 2. 2011 Emission Inventory for Ozone Precursors; 3. 2011 Periodic Emissions Inventory for Criteria Pollutants; 4. Carbon Monoxide Maintenance Plan for the New Jersey State Implementation Plan (SIP) to meet the Clean Air Act requirements addressing the infrastructure, maintenance area, and 95% changes to the transport and regional haze requirements of the Clean Air Act's Section 110. This SIP revision demonstrates to the USEPA that the state has the authority (or infrastructure) to implement, maintain, and enforce an air quality management program that provides for attainment and annual average of air and 2015 daily 24 hr PM2.5 nonattainment areas to attainment. The document contains: (1) air quality monitoring data that shows compliance with the NAAQS; (2) a summary of control measures that New Jersey has implemented to bring the State into attainment; (3) a maintenance plan that projects a continuing downward trend in emissions through 2025, and provides a contingency plan for continued monitoring and data collection. This SIP revision provides the USEPA with information on the emissions sources that will result from a change to New Jersey's enhanced I/M program. The change is an extension of the new vehicle inspection exemption from four (4) years to five (5) years.
	Final		
	Proposed		
	Notice of Public Hearing		
5-Year Progress Report for the State Implementation Plan (SIP) for Regional Haze	Final	June 28, 2016	
	Proposed	December 17, 2015	
	Notice of SIP Revision Proposal and Opportunity for a Public Hearing		
	Cancellation of Public Hearing		
75 ppb 8-Hour Ozone Reasonably Available Control Technology (RACT) Determination 2011 Periodic Emission Inventory 8-Hour Carbon Monoxide Maintenance and Monitoring Plan	Final	June 11, 2015	
	Proposed	July 21, 2014	
	Notice of SIP Revision Proposal and Opportunity for a Public Hearing		
	Confirmation of Public Hearing		
(SIP) Revision Sections 110 (a)(1) and 110 (a)(2) for the Lead, Sulfur Dioxide, Nitrogen Dioxide,Ozone,PM2.5 and PM10, and Carbon Monoxide National Ambient Air Quality Standards and Regional Haze	Final	October 17,2014	
	Proposed		
	Notice of Public Hearing		
Haze	Final	December 26, 2012	
1997 Annual and 2006 Daily Fine Particulate Matter (PM2.5) - Redesignation Request and Maintenance Plan	Proposed	July 18, 2012	
	Notice of Public Hearing	September 5, 2012	
New Jersey Vehicle Inspection and Maintenance (I/M) Program - Extension of New Vehicle Exemption	Final (USEPA Letter, SIP Revision and Appendices I-IV, VI) Appendix V	October 12, 2010	This SIP revision provides the USEPA with information on the emissions sources that will result from a change to New Jersey's enhanced I/M program. The change is an extension of the new vehicle inspection exemption from four (4) years to five (5) years.
	USEPA Letter Proposed Appendices I-IV, VI Appendix V	July 2010	
	Notice of Public Hearing	August 17, 2010	

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2006 Daily Fine Particulate Matter (PM2.5) - Certification of Infrastructure Requirements	Final	January 15, 2010	This certification document ("Certification") addresses requirements under 42 U.S.C. § 7410(a)(1) and (2) (Sections 110(a)(1) and (2) of the Clean Air Act) for the 2006 daily 25 µg/m ³ PM2.5 standard. New Jersey changes to its vehicle inspection and maintenance program exist in 1997 and 2006. The Department and Motor Vehicle Commission (MVC) rules to implement these changes that include the following:
New Jersey Vehicle Inspection and Maintenance (I/M) Program - Rule Changes, I/M Program Modeling and Revised Performance Standard Modeling	Cover Letter	December 15, 2009	<ul style="list-style-type: none"> Emission tests will no longer require the use of a dynamometer. Emission tests will include On-Board Diagnostics (OBD), gas cap, visible smoke and two-speed idle (TSI) tailpipe tests. Repair cost waiver provisions have been removed. Gas cap testing is excluded for vehicles of model year 2001 and newer. Certain classes of vehicles will require annual (more frequent) inspection. Light duty diesel vehicles will now be subject to emission testing.
	Final SIP Revision	August 2009	
Regional Haze	Notice of Public Hearing	June 8, 2009	This SIP revision consists of the Department rule changes, the MVC rule changes, and an analysis to enhance visibility levels in the Brigantine Wilderness Area of the Edwin B. Forsythe National Wildlife Refuge, a federally designated Class I area. The purpose of this SIP revision is to establish the first Reasonable Progress Goal within the Class I area to help achieve the Congressionally mandated goal of reaching natural background visibility levels by the year 2064. The SIP revision demonstrates that New Jersey will meet the 2018 Uniform Rate of Progress set for Brigantine Wilderness Area by the deadline established in the USEPA regulations. The SIP revision also addresses other mandatory SIP elements for regional haze.
	Final Best Available Retrofit Technology Determination	December 7, 2011	
	Best Available Retrofit Technology Determination	March 2, 2011	
	Final	July 2009	
	Proposed	September 15, 2008	
	Public Notice of Extension of comment Period		
1997 Annual Fine Particulate Matter (PM2.5) Attainment Demonstration	Final	March 26, 2009	The purpose of this SIP revision is to demonstrate that New Jersey's two PM2.5 nonattainment areas are projected to attain the 1997 annual 15 µg/m ³ PM2.5 NAAQS by the attainment date, April 5, 2010. This SIP revision also addresses other SIP elements associated with the 1997 PM2.5 NAAQS.
	Proposed	June 16, 2008	
	Notice of Public Hearing	August 8, 2008	
Update of the early Transportation Conformity Budgets for Mercer County	Final	February 25, 2008	A SIP revision that updates the initial early transportation conformity budgets for PM2.5 to incorporate the latest planning assumptions.
	Updated Appendix A	January 2, 2008	
	Proposed	December 17, 2007	
	Notice of Public Hearing	January 28, 2008	
1997 Annual Fine Particulate Matter (PM2.5) and 1997 8 Hour Ozone Infrastructure SIP	Final	February 25, 2008	A SIP revision that addresses the requirements under 42 U.S.C. § 7410, Section 110(a)(1) and (2) of the Clean Air Act, for the 1997 8 hour 0.08 ppm ozone and the 1997 annual 15 µg/m ³ PM2.5 NAAQS.
	Proposed	December 7, 2007	
	Notice of Public Hearing	January 28, 2008	
1997 8 Hour Ozone	Final	October 29, 2007	This SIP revision presents the State's demonstration that it projects attainment of the 1997 8-Hour 0.08 ppm Ozone NAAQS by the attainment date of June 15, 2010 for its two nonattainment areas. This SIP also includes other SIP elements such as the Reasonably Available Control Measure (RACM) analysis, Reasonable Further Progress (RFP) demonstration, transportation conformity budgets and emission inventories.
	Proposed	June 15, 2007	
	Notice of Public Hearing	August 1, 2007	
CAIR	Final	June 19, 2007	The Federal Clean Air Interstate Rule (CAIR) program, as established in the Federal rules, starts in 2009 for the annual and ozone season NOx control periods, and 2010 for the annual SO2 control period, and prescribes the participation by New Jersey's large stationary combustion units in the Federal CAIR cap and trade
	Proposed	February 5, 2007	
	Notice of Public Hearing	March 28, 2007	

			programs at 40 CFR Part 97, which are designed to reduce emissions of NOx and SO2 in the eastern half of the United States. The Department's rules allocate the NOx allowances differently than the Federal rules to satisfy the Federal requirements for an abbreviated SIP for CAIR (40 CFR Part 97 Subpart EE and Subpart EEEE).
1997 8 Hour Ozone RACT	Final	August 1, 2007	This SIP presents the Reasonably Available Control Technology (RACT) demonstration for the 1997 8 hour ozone 0.08 ppm NAAQS.
	Signed Letter		
	Proposed	February 2, 2007	
	Notice of Public Hearing	March 19, 2007	
Ozone and PM2.5 Transport SIP	Letter	December 22, 2006	This letter describes the State's plan for addressing the transported emission requirements prescribed in Section 110(a)(2)(D)(i) of the Clean Air Act. The State's proposed actions include, but are not limited to, the State's 2/7/2007 RACT proposal, the State's 2/7/2007 CAIR rule proposal and the anticipated Regional Haze WIP SIP revision includes a carbon monoxide maintenance plan for Camden County and the nine not-classified areas for the second ten-year compliance period; the Statewide 2002 periodic emission inventory; updated transportation conformity budgets for carbon monoxide and ozone for the northern NJ area; revised general conformity ozone emission budget for McGuire Air Force Base; a PM2.5, transportation conformity budget for northern NJ for the interim period prior to the PM2.5 attainment demonstration SIP document establishes updated transportation conformity budgets for New Jersey's Metropolitan Planning Organizations (MPOs) because of changes to emission prediction models.
Carbon Monoxide Maintenance Plan	Final	May 2006	New Jersey Revised Motor Vehicle Emission Inventories and Transportation Conformity Budgets Using the MOBILE6 Model
Conformity Budgets for 1 Hour Ozone and PM2.5; and	Proposed	February 28, 2006	
Statewide 2002 Periodic Emission Inventory			
Transportation Conformity Budgets for Carbon Monoxide and 1 Hour Ozone	Final	May 3, 2004	
Revised Motor Vehicle Emission Inventories and Transportation Conformity Budgets	Proposed	March 15, 2004	Revision to the State of New Jersey's enhanced inspection and maintenance (I/M) program State Implementation Plan (SIP) for securing EPA approval for the State to extend the new vehicle emission inspection exemption from the current one inspection cycle (i.e., 2 years) to two inspection cycles (i.e., 4 years).
	Final	April 4, 2003	
Enhanced Inspection and Maintenance (I/M) Program for the State of New Jersey	Proposed	January 29, 2003	Request to Defer the Integration of On-Board Diagnostic (OBD) Inspections into the State's I/M Program
	Final	November 27, 2002	
Request to Defer the Integration of On Board Diagnostic (OBD) Inspections into the State's I/M Program	Proposed	August 20, 2002	Redesignation Request and Maintenance Plan for the New Jersey Portion of the New York-Northern New Jersey-Long Island Carbon Monoxide Nonattainment Area
	SIP Revision	April 22, 2002	
Carbon Monoxide Redesignation Request and Maintenance Plan	Proposed	October 1, 2001	Update to Meeting the Requirements of the Alternative Ozone Attainment Demonstration Policy: Additional Emission Reductions, Reasonably Available Control Measure (RACM) Analysis, and Mid-Course Review
1 Hour Ozone	Final	September 12, 2001	
Enhanced Inspection and Maintenance (I/M) Program	Proposed	June 18, 2001	Proposed SIP Revision: Amendments to New Jersey Division of Motor Vehicles' Enhanced Inspection and Maintenance Rules
	Proposed	June 9, 2001	
	Proposed	May 4, 2001	
1 Hour Ozone Rate of Progress Plan	Final	March 31, 2001	Revisions to the SIP for the 1 Hour Ozone NAAQS: New Jersey 1996 Actual Periodic Emission Inventory and ozone Rate of Progress (ROP) Plan.
Statewide 1996 Periodic Emission Inventory	Proposed	January 10, 2001	

1 Hour Ozone	Proposed	February 4, 2000	Proposed SIP Revision for the 1-Hour Ozone NAAQS: Update to Meeting the Requirements of the Alternative Ozone Attainment Demonstration Policy-Additional Emission Reduction Commitment and Transportation Conformity Budgets
NOx SIP Call	Proposed	September 28, 1999	Proposed Revisions to New Jersey's Ozone and Carbon Monoxide SIPs - Meeting the Requirements of the Regional NOx Cap and Establishment of Transportation Conformity Budgets
1 Hour Ozone 15% Rate of Progress Plan	Proposed	November 23, 1998	Proposed Revision to NJ's 15% Rate of Progress Plan
Low Emission Gasoline Program	Waiver Request	November 16, 1998	Proposed SIP Revision requesting a waiver under section 211(c)(4)(C) of the Clean Air Act. This request is being made because the proposed new fuel requirements are different from, and more stringent than, the RFG requirements currently in effect in New Jersey. The State has determined that the additional emission reduction benefits that these new gasoline standards would generate will be necessary to (1) meet the new eight-hour NAAQS for ozone and (2) address in part the uncertainty in attaining the one-hour NAAQS.
1 Hour Ozone Phase II SIP	Proposed	June 30, 1998	Proposed revision for the 1 hour Ozone National Ambient Air Quality Standards (NAAQS).
Inspection and Maintenance Program	Proposed	February 10, 1998	Proposed revision to the Basic I/M SIP.
Enhanced I/M Performance Standard Modeling	Submittal	January 30, 1998	Submitted to the EPA to satisfy a condition placed by the EPA on its conditional interim approval of New Jersey's Enhanced I/M SIP.

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Air Quality Monitoring
Annual Reports**State Implementation Plan (SIP) Revision for the Attainment and Maintenance of the Ozone National Ambient Air Quality Standards****Amendments to N.J.A.C. 7:27-16.3, Gasoline Transfer Operations, Phase I and Phase II Vapor Recovery Systems, TBAC Repeal, Permitting Amendments**

Date Posted: July 3, 2017

This rule proposal and SIP revision proposes to allow new gasoline dispensing facilities to be constructed without Phase II vapor recovery systems, require existing facilities with Phase II systems that are incompatible with onboard vapor recovery (ORVR) systems to decommission the Phase II systems within three years, and require upgrades to the Phase I vapor recovery, tank breathing, and refueling components. It also proposes to repeal t-butyl acetate (TBAC) emissions reporting requirements and proposes amendments to major and minor source permitting requirements to state that the terms of the preconstruction permit are incorporated into and become part of the operating permit, and that the Department will publish public notice of a draft operating permit by posting the notice on its website, rather than in the newspaper.

Downloadable Files	Description
Notice of Rule Proposal and SIP Revision	Public notice, comment and hearing information
Letter to EPA Proposed	Transmittal Letter to the USEPA of proposed SIP Revision
Rule Proposal and SIP Revision	Vapor Recovery, TBAC Repeal, Permitting Amendments
Gasoline Transfer Operations SIP Revision	Gasoline Transfer Operations, Phase I and Phase II Vapor Recovery Systems, SIP Revision
Appendix A	Increment, Comparable Measures and Delta Equation Calculations

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From: owner-deprules@listserv.state.nj.us on behalf of DEP deprulenotices <deprulenotices@dep.nj.gov>
Sent: Friday, June 30, 2017 3:12 PM
To: 'deprules@listserv.state.nj.us'
Subject: Air Pollution Control Rules, TBAC, Permitting and Gasoline Transfer Operations and SIP Rev.

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NJ DEPARTMENT of ENVIRONMENTAL PROTECTION AIR QUALITY, ENERGY, AND SUSTAINABILITY
DIVISION OF AIR QUALITY

Notice of Rule Proposal and State Implementation Plan Revision TBAC Emissions Reporting, Permitting, and Gasoline Transfer Operations

PUBLIC NOTICE

Take notice that the NJ Department of Environmental Protection is proposing new rules, amendments to its Air Pollution Control rules at N.J.A.C. 7:27, and related penalty provisions at N.J.A.C. 7:27A. The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone. A statement of the substance of the proposal follows:

The Department proposes to repeal t-butyl acetate (TBAC) emissions reporting and recordkeeping requirements. Amendments to major and minor source permitting requirements expressly state that the terms of the preconstruction permit are incorporated into and become part of the operating permit, and provide that the Department will publish public notice of a draft operating permit by posting the notice on its website, rather than in the newspaper. Amendments to the gasoline transfer operations rules allow new gasoline dispensing facilities to be constructed without Phase II vapor recovery systems, require existing facilities with Phase II systems that are incompatible with onboard vapor recovery (ORVR) systems to decommission the Phase II systems within three years (existing ORVR-compatible systems may remain in place, provided they are maintained), and require upgrades to the Phase I vapor recovery, tank breathing, and refueling components. The amendments to the TBAC and Phase II provisions are a result of relaxation of EPA requirements. The proposed amendments to permitting provisions are in response to an EPA audit of the Department's rules.

The proposal is scheduled to be published in the New Jersey Register dated July 3, 2017. A copy of the Department's proposal is available on the Department's website at: <http://www.nj.gov/dep/rules/proposals/20170703a.pdf>; and LexisNexis free public access to the New Jersey Register, www.lexisnexis.com/njoal. A copy of the Department's proposed SIP revision is available on the Department's website at www.nj.gov/dep/baqp/sip/siprevs.htm.

A public hearing concerning the proposal and the proposed SIP revision it represents is scheduled as follows:

August 24, 2017 at 10:00 A.M.
New Jersey Department of Environmental Protection Public Hearing Room
401 East State Street
Trenton, New Jersey

Written comments may be submitted electronically by September 1, 2017 at <http://www.nj.gov/dep/rules/comments>; or in hard copy to:

Alice A. Previte, Esq.
Attention: DEP Docket No. 09-17-06
NJ Department of Environmental Protection Office of Legal Affairs Mail Code 401-04L; PO Box 402
401 East State Street, 7th Floor
Trenton, NJ 08625-0402

Please submit comments on the proposal in accordance with the instructions in the above notice. Do not reply to this email address. This email address is not monitored, and email sent to this address will be deleted without being read or acknowledged.

From: owner-airrules@listserv.state.nj.us on behalf of Mackney, Hank
<Hank.Mackney@dep.nj.gov>
Sent: Wednesday, July 05, 2017 9:25 AM
To: 'airrules@listserv.state.nj.us'
Subject: Notice of Rule Proposal: TBAC, Permitting, Gasoline Transfer Operations

NJ DEPARTMENT of ENVIRONMENTAL PROTECTION AIR QUALITY, ENERGY, AND SUSTAINABILITY
DIVISION OF AIR QUALITY

Notice of Rule Proposal and State Implementation Plan Revision TBAC Emissions Reporting, Permitting,
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Attention: DEP Docket No. 09-17-06
NJ Department of Environmental Protection Office of Legal Affairs Mail Code 401-04L; PO Box 402
401 East State Street, 7th Floor
Trenton, NJ 08625-0402

----- This message has been sent by the New Jersey Department of
Environmental Protection

From: owner-airpermitting@listserv.state.nj.us on behalf of Mackney,
Hank <Hank.Mackney@dep.nj.gov>
Sent: Wednesday, July 05, 2017 9:24 AM
To: airpermitting@listserv.state.nj.us
Subject: Notice of Rule Proposal: TBAC, Permitting, Gasoline Transfer Operations

NJ DEPARTMENT of ENVIRONMENTAL PROTECTION AIR QUALITY, ENERGY, AND SUSTAINABILITY
DIVISION OF AIR QUALITY

Notice of Rule Proposal and State Implementation Plan Revision TBAC Emissions Reporting, Permitting,
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