



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

AIR QUALITY, ENERGY AND SUSTAINABILITY

Division of Air Quality

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PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

CATHERINE R. McCABE  
*Commissioner*

November 15, 2018

### Via Email

Mr. Kirk Wieber  
United States Environmental Protection Agency  
Region II  
290 Broadway  
Mail Code: 25<sup>th</sup> Floor  
New York, NY 10007-1866  
Wieber.Kirk@epa.gov

RE: New Jersey Proposed State Implementation Plan Revision for the Infrastructure and Transport Requirements for the 8-hour Ozone National Ambient Air Quality Standards and Negative Declaration for the Oil and Natural Gas Control Techniques Guidelines

Dear Mr. Wieber,

Enclosed for your review is a proposed revision to New Jersey's State Implementation Plan (SIP) for Air Quality; this SIP specifically includes:

- Infrastructure and Transport Requirements for Clean Air Act (CAA) Sections 110(a)(1) and 110(a)(2) for the 2015 70 ppb 8-hour Ozone National Ambient Air Quality Standard (NAAQS);
- Transport Requirements for CAA Section 110(a)(2)(D)(i)(I) for the 2008 75 ppb 8-hour Ozone NAAQS; and,
- Negative Declaration for the Oil and Natural Gas Control Techniques Guidelines (CTG).

New Jersey is submitting a certification that its existing SIP contains adequate provisions to meet the obligations under the CAA with respect to Section 110(a)(1) and (2) for the 2015 ozone NAAQS, and updates the SIP where changes occurred since the last Infrastructure SIP revision. New Jersey is submitting a complete SIP revision to address the "Good Neighbor" Transport SIP obligations under CAA Section 110(a)(2)(d)(i)(I) for both the 2008 and 2015 Ozone NAAQS. Additionally, this SIP revision includes a negative declaration for the Oil and Natural Gas CTG, as no regulated sources under this CTG currently operate in New Jersey.

New Jersey has met its "Good Neighbor" Transport SIP (GN SIP) obligations for both the 2008 75 ppb and 2015 70 ppb ozone NAAQS. To address its significant contribution to downwind states, New Jersey has taken several actions to reduce its contribution to transported ozone. Many of these measures are more

stringent than upwind and nearby states. All appropriate control measures have been adopted and implemented to address New Jersey's emissions that may significantly contribute to nonattainment or maintenance problems at downwind monitors in other states. Many of New Jersey's adopted control measures exceed the cost effectiveness threshold of \$1,400/ton of NOx reduced that USEPA has established as "highly cost effective" in its 2023 Transport Modeling. The USEPA should ensure other upwind states that significantly impact downwind ozone nonattainment and maintenance monitors include measures similar to New Jersey's in their GN SIPs.

New Jersey does not believe 2023 modeling is appropriate for all regions, as it is not protective of the Marginal classified nonattainment areas for the 2015 ozone NAAQS nor the Moderate or Serious classified areas for the 2008 ozone NAAQS. However, at USEPA's request, New Jersey included results from 2023 modeling within the SIP revision.

It is USEPA's responsibility to ensure that upwind states do their part to address the transport challenges at the nonattaining monitors located within New Jersey and its shared nonattainment areas. It is unacceptable for USEPA to approve upwind, GN SIP revisions from states based on the cost effectiveness associated with the Cross-State Air Pollution Rule Update, which was based on a short implementation timeframe of one year.

The public notice for New Jersey's proposed SIP revision is also attached. I appreciate the assistance your staff will provide in reviewing this proposed SIP revision.

If you or your staff have any questions, please contact Sharon Davis, of my staff, at (609) 292-0834.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ken Ratzman', with a long horizontal flourish extending to the right.

Kenneth Ratzman  
Assistant Director  
Air Quality Regulation and Planning

Enclosures:  
SIP Revision Proposal  
Public Notice

c (Email letter and public notice):  
Rick Ruvo, EPA Region II  
Paul Baldauf, Assistant Commissioner, NJDEP  
Francis C. Steitz, Director, Division of Air Quality, NJDEP  
John R. Renella, NJ Deputy Attorney General